

10946



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November 18, 2020

Allison Shore
P.O. Box 281
Bayside, CA 95524

Re: APN 314-203-008 / Permit Application No. 10946

The following is an evaluation of potential timberland conversion on cannabis cultivation sites and associated areas included in the Humboldt County Cannabis Permit Application #10946 / Case No. SP18-005. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.12.2.4 as sited below.

"Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment."

Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites and associated areas on November 11, 2020. The RPF exercised due diligence in reviewing all sites and associated areas and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation sites and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report.

Project Location

APN: 314-203-008

Acreage: 214 acres

Legal Description: Section 20, 29, & 30,

Township 4 North, Range 3 East,

Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Jaqua Butte and Mad River Buttes

Humboldt County Zoning: Timber Production

Site Address: 7211 Mountain View Road, Kneeland

Landowner/Timber Owner: Elaine Shore

The property is located approximately 3 air miles east-southeast of the Kneeland Airport. The property is accessed via a private rocky permanent road located off of Mountain View Road approximately 3.6 miles east from its junction with Kneeland Road. The address of the property is 7211 Mountain View Road, Kneeland.

Parcel Description & Timber Harvest History

Note: The property background has been summarized using personal accounts of the current landowner, digital orthographic quadrangle (DOQ) imagery, Humboldt County Web GIS, CAL FIRE Watershed Mapper v2, and Historic Aerials. To avoid speculation and maintain relevancy, the property background focuses mainly on the past 10-15 years.

The property is dominated by second growth tanoak, Douglas-fir and madrone, which was regenerated following the logging of the old growth Douglas-fir in the late 1950's/early 1960's. Review of 1948 aerial imagery reveals old growth Douglas-fir covering the entire property and surrounding areas. Review of 1972 aerial imagery shows much of the old growth Douglas-fir harvested with evidence of conifer and hardwood advanced regeneration suggesting that the prior harvest occurred several decades earlier. There are signs that a subsequent commercial timber harvest occurred between 1988 and 1993 within the northern-most portion of the property located within Section 20. 1993 and 1998 imagery show two large log landings surrounded by significant land disturbance and a distinctly younger timber stand relative to that of the 1988 imagery. There are no signs of more recent commercial timber harvesting and none have been recorded by Cal Fire (Watershed Mapper v2 http://egis.fire.ca.gov/watershed_mapper/). The current owner purchased the property on 3-15-2002 from Curtis and Rosemary Vance.

Project Description

Two cultivation sites were inspected during the field assessment within APN 314-203-008. The following table lists the inspected site and its acreage; see detailed site description below.

Cultivation Site	Total Acreage	Converted?	Converted Acreage
Cultivation Site 1	0.56	Yes	0.56
Cultivation Site 2	0.25	Yes	0.25
TOTAL	0.81		0.81

Cultivation Site 1

Review of historic aerial imagery (<https://www.historicaerials.com>) from 1993 reveals that Cultivation Site 1 occupies an old log landing constructed between 1988 and 1993. There are signs of minor development and use of portions of this landing from 2005 through 2016. The site was expanded to its present size and configuration between May 2016 and June 2016, which appears to have simply consisted of the removal of brush and trees from the footprint of the previously graded landing.

The cultivation-related activities observed at Cultivation Site 1 impede the use of this space for current timber growth and harvesting; in this way, the landowner has effectively converted the single use of this space from timber production to cannabis cultivation.

Cultivation Site 2

Review of historic aerial imagery (<https://www.historicaerials.com>) from 1993 reveals that Cultivation Site 2 occupies an old log landing constructed between 1988 and 1993. There are signs of minor development and use of portions of this landing from 2005 through 2016, which include the erection of greenhouses. The site was expanded to its present size and configuration between October 2015 and May 2016, which appears to have simply consisted of the removal of brush and trees from the footprint of the previously graded landing.

The cultivation-related activities observed at Cultivation Site 2 impede the use of this space for current timber growth and harvesting; in this way, the landowner has effectively converted the single use of this space from timber production to cannabis cultivation.

Timberland Conversion Summary

TRC observed approximately 0.81 acres of potential timberland conversion for cultivation-related purposes. This total does not exceed the three-acre conversion exemption maximum and is in compliance with the California Forest Practice Act and the California Forest Practice Rules with regards to acreage limitations.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

No conversion areas exist within a Class I or II Watercourse and Lake Protection Zone (WLPZ), or within a Class III Equipment Limitation Zone (ELZ).

Slash, Woody Debris, and Refuse Treatment

14 CCR 914.5(b): "Non-biodegradable refuse, litter, trash, and debris resulting from timber operations, and other activity in connection with the operations shall be disposed of concurrently with the conduct of timber operations."

14CCR 1104.1(a)(2)(D) – Treatment of Slash and Woody Debris

- 1) Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
- 2) All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.
- 3) All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.
- 4) Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.
- 5) Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
- 6) Full slash and woody debris treatment may include any of the following:
 - a) Burying;
 - b) Chipping and spreading;
 - c) Piling and burning; or
 - d) Removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated.
- 7) Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.
- 8) Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules.

The RPF observed no slash, woody debris, and/or logs from past conversion activities.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

Biological Resources and Forest Stand Health

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895.1"

A query of the California Natural Diversity Database (CNDDDB) on November 13, 2020 revealed numerous observations of sensitive, rare, threatened, or endangered species or species of special concern within a 1.3-mile radius biological assessment area (BAA) surrounding the two cultivation sites as shown on the attached CNDDDB Map. The closest observation, Southern torrent salamander, is located approximately 1,900 feet northeast from Cultivation Site 2. The next nearest observation, Seacoast ragwort, is located approximately 4,200 feet southwest from Cultivation Site 1. Despite their "sensitive" status, neither species is state or federally listed, which would require protection under the Forest Practice Rules.

The query of the CNDDDB NSO Database revealed numerous known Northern Spotted Owl (NSO) Activity Centers within a 1.3-mile radius biological assessment area (BAA) surrounding the two cultivation sites as shown on the attached CNDDDB Map. None of the NSO Activity Centers are located within 0.25 miles of the two cultivation sites, which would eliminate the potential for past disturbance impacts associated with the previous timber operation. Further, none of the NSO Activity Center's 100-acre Core Areas overlap the cultivation sites. Lastly, based upon review of 2018 NAIP DOQ imagery; there appears to be adequate NSO habitat per USFWS Attachment A dated 3-15-11, Scenario 4 [14 CCR 919.9(e)] for the known NSO Sites. The 0.81 acres of timberland conversion would not have resulted in a loss of NSO habitat below thresholds required by the USFWS.

No major forest health issues were observed during the field assessment. The property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD) and the RPF observed symptoms, signs, and evidence of oak mortality within the property. The conversion areas did not appear to include late successional stands, late seral stage forests, or old growth trees. The conversion areas did not include any trees that existed before 1800 A.D. and are greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods and forty-eight (48) inches in diameter at stump height for all other tree species.

Cultural Resources

14 CCR 1104.1 (2)(I): "No timber operations are allowed on significant historical or archeological sites."

No archeological sites were observed during the TRC field assessment. The RPF conducted pre-field research for the project's geographic location and closely surveyed the converted sites and surrounding areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Chris Carroll, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #575). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

Recommendations

In summary, TRC observed approximately 0.81 acres of timberland conversion for cultivation-related purposes. This total does not exceed the three-acre conversion exemption maximum. The conversion activities related to cannabis cultivation conducted on the property complies with the California Forest Practice Act and the California Forest Practice Rules. The RPF has no recommendations.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants

Pictures



Picture 1: Cultivation Site 1. Photo date 11-11-2020.

Pictures



Picture 2: Cultivation Site 1. Photo date 11-11-2020.

Pictures



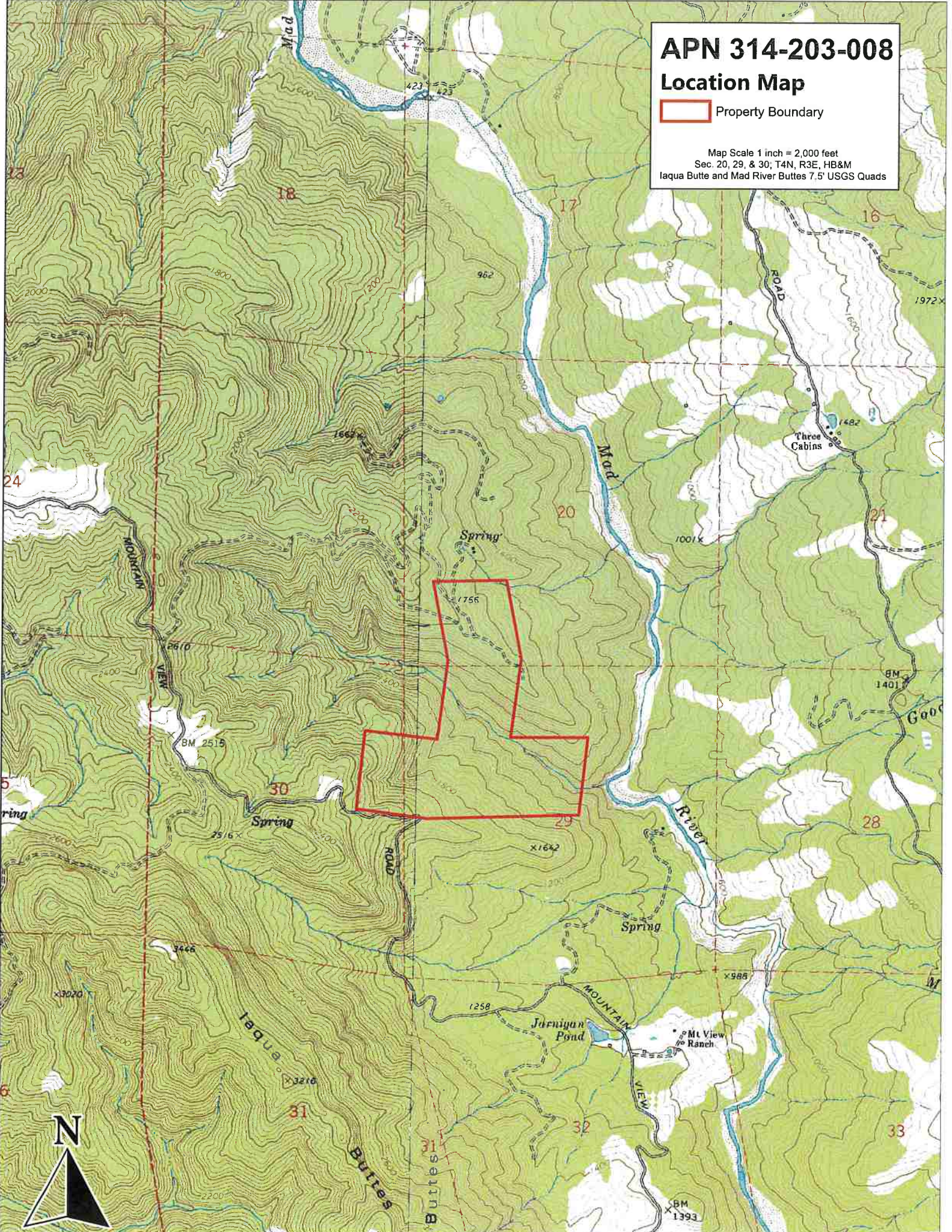
Picture 3: Cultivation Site 2. Photo date 11-11-2020.

Pictures








Picture 4: Cultivation Site 2. Photo date 11-11-2020.

APN 314-203-008
Location Map
Property Boundary
Map Scale 1 inch = 2,000 feet
Sec. 20, 29, & 30, T4N, R3E, HB&M
Iaqua Butte and Mad River Buttes 7.5' USGS Quads

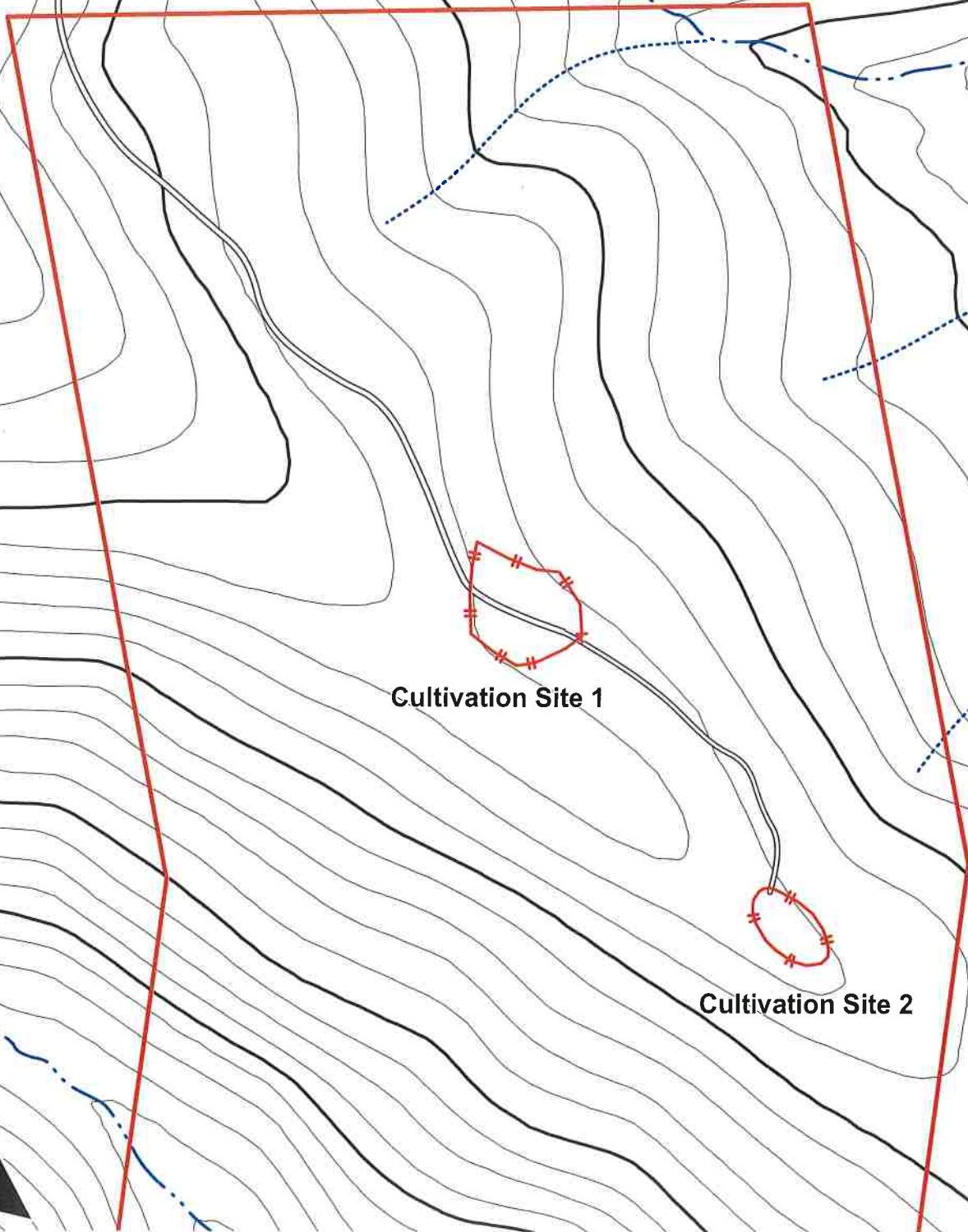


APN 314-203-008

Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site / Timberland Conversion
-  Class II Watercourse
-  Class III Watercourse
-  Permanent Rocked Road

Map Scale 1 inch = 250 feet
Sec. 20, 29, & 30; T4N, R3E, HB&M
Iaqua Butte and Mad River Buttes 7.5' USGS Quads








Cultivation Site 1

Cultivation Site 2

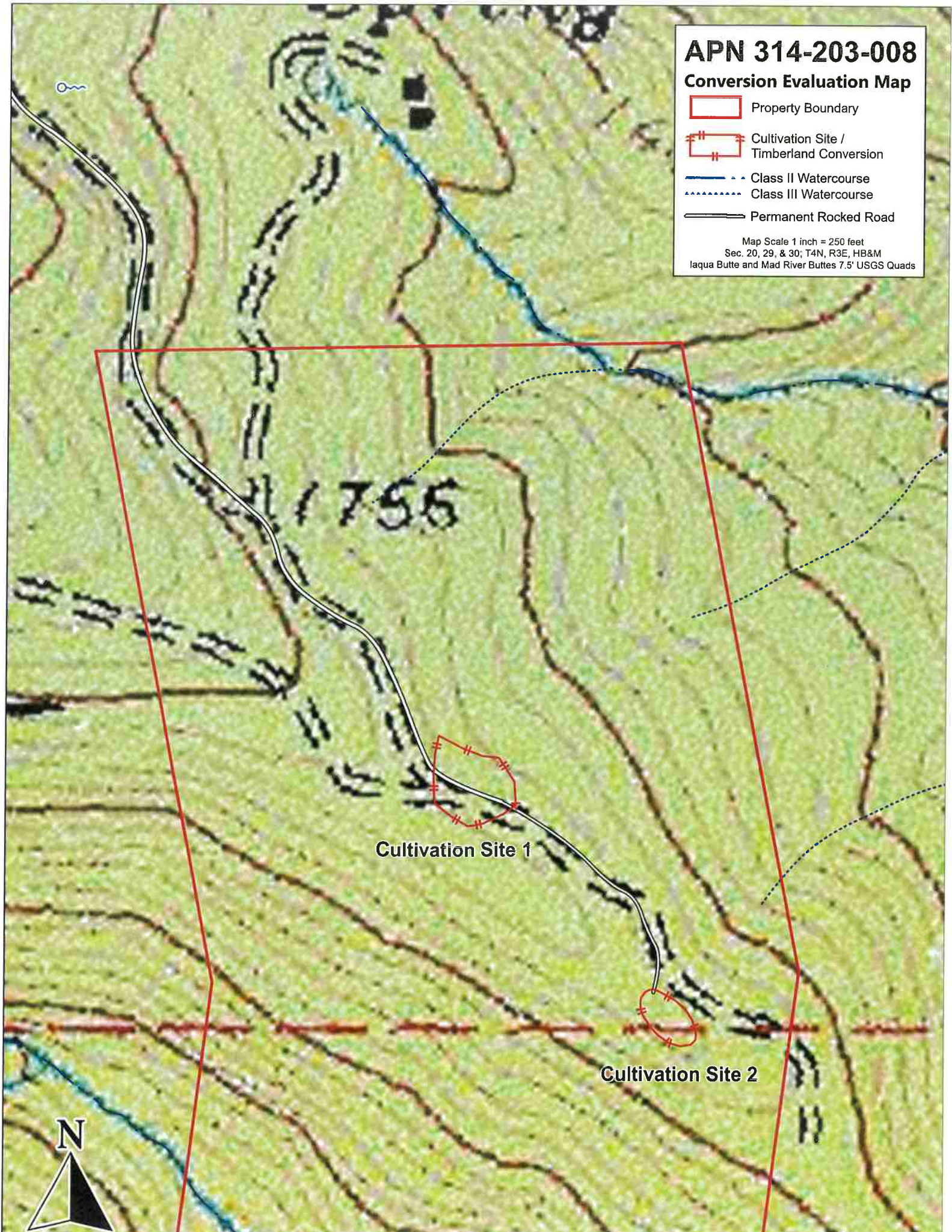
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APN 314-203-008

Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site / Timberland Conversion
-  Class II Watercourse
-  Class III Watercourse
-  Permanent Rocked Road

Map Scale 1 inch = 250 feet
Sec. 20, 29, & 30; T4N, R3E, HB&M
Laqua Butte and Mad River Buttes 7.5' USGS Quads



Cultivation Site 1

Cultivation Site 2






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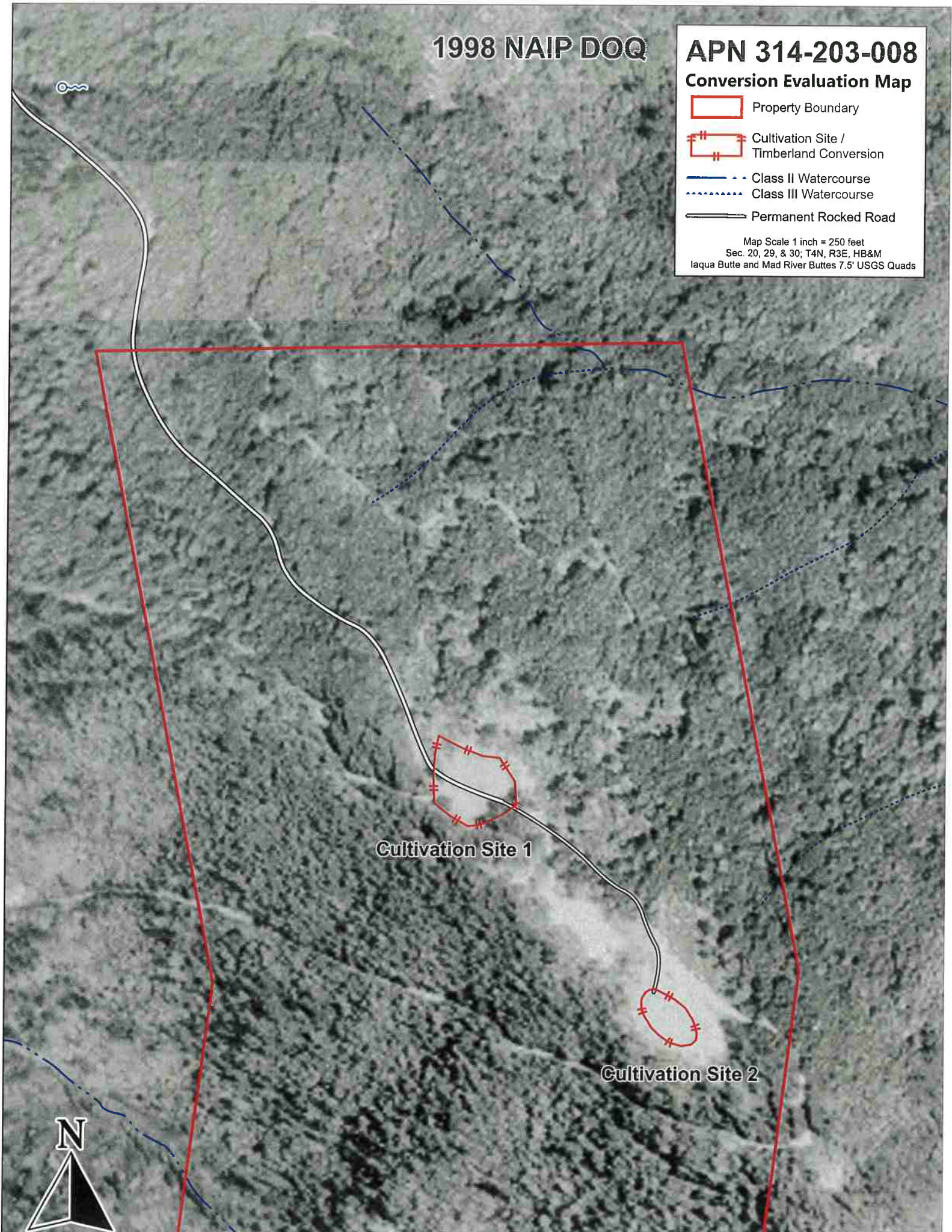
1998 NAIP DOQ

APN 314-203-008

Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site / Timberland Conversion
-  Class II Watercourse
-  Class III Watercourse
-  Permanent Rocked Road

Map Scale 1 inch = 250 feet
Sec. 20, 29, & 30; T4N, R3E, HB&M
Iaqua Butte and Mad River Buttes 7.5' USGS Quads



Cultivation Site 1






Cultivation Site 2



2018 NAIP DOQ

APN 314-203-008

Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site / Timberland Conversion
-  Class II Watercourse
-  Class III Watercourse
-  Permanent Rocked Road

Map Scale 1 inch = 250 feet
Sec. 20, 29, & 30; T4N, R3E, HB&M
Iaqua Butte and Mad River Buttes 7.5' USGS Quads



Cultivation Site 1






Cultivation Site 2

N



APN 314-203-008

CNDDB Map

-  Property Boundary
-  1.3-Mile Biological Assessment Area
-  0.25-Mile Disturbance Buffer Zone
-  NSO Activity Center
-  CNDDB Sensitive Species

Map Scale 1 inch = 2,000 feet
Sec. 20, 29, & 30; T4N, R3E, HB&M
Iaqua Butte and Mad River Buttes 7.5' USGS Quads

