



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

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3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

August 2, 2018

Frank Fischl  
HC 11 Box 762  
Somes Bar, CA 95568

RE: Permit Application Nos. 12189  
12184

APN: 529-035-020  
529-032-028

Case No.: SP16-435  
SP16-433

Dear Frank Fischl:

Thank you for your submittal of the above referenced applications for commercial cannabis permits. Prior correspondence regarding the project has included an incomplete letter dated 8/16/17. Additional application materials were received on 9/15/17, and the project became eligible for an interim permit on 3/29/18. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

After review of the legal status of your parcel it has been determined that these two Assessor's Parcel Numbers are two portions of a single legal parcel. APNs 529-035-020 and 529-032-028 constitute one legal parcel. Because of this determination, you have the option to merge applications 12189 & 12184 into one application. It is possible to move forward with two separate applications on a single parcel, however, the maximum allowable amount of cannabis cultivation area (*assuming you can provide sufficient proof of historical cultivation*) would be 10,000 square feet. Your application materials must be revised to reflect the legal parcel determination (include both APNs on all materials, etc.).

Listed below are the actions you must take for staff to continue processing this permit application:

1. Submit additional evidence of historic cultivation or amend the application. The county performed a cultivation area verification (CAV) on the parcel to find evidence of historic grow sites in existence prior to January 1, 2016. For **Apps 12184** the CAV found 1,000 square feet of outdoor cultivation, and for **Apps 12189** the CAV found 7,350 square feet of outdoor cultivation (a **total of 8,350 square feet between both applications**). In order to support a maximum application of 10,000 square feet, additional evidence must be submitted. Alternatively, the project and associated materials (site plan, ops plan, etc.) may be amended to reflect what the county was able to verify.
2. Submit a combined Site Plan that shows the entire legal parcel (Both APNs 529-035-020 & 529-032-028) and includes:
  - o Owner's name and assessor parcel number;
  - o Easements (if applicable; if not, include a note as such);
  - o Graded flats (if applicable; if not, include a note as such);
  - o Septic/sewer system location (if applicable; if not, include a note as such);
  - o Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity;

- o Natural waterways including streams, ponds, culverts, and any other water features. Also include the buffers/setback distances from each. Note that both Donahue Flat Creek and Rosaleno Creek are considered perennial which means 100 foot buffers must be shown and in place;
  - o Ensure the amount of cultivation area shown on the site plan matches the amount being applied for and is consistent with the Operations Plan;
  - o Dimensions showing 600 feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, and Tribal Historic Resources; and
  - o Date of construction for other buildings and water storage structures.
3. Submit a combined Operations Plan that includes the items already in the document as well as:
    - o Total amount and type of cannabis cultivation area being applied for (older versions of the site plan denote "new" cultivation – is this still proposed? If so, explain how this cultivation would comply with all requirements for new cannabis in section 55.4.8.2.1 of the Commercial Medical Marijuana Land Use Ordinance;
    - o Specific details of measures taken to ensure protection of watershed and nearby habitat;
    - o Clarification on the processing plan – clarify if drying will occur on-site, with all other activities at a licensed off-site processing facility;
    - o Number of individuals involved in cultivation activities both full time and seasonally;
    - o On-site sanitation facilities both existing and/or proposed;
    - o Clarification on electricity source or usage; and
    - o Security plan; and
    - o If greenhouses are proposed, indicate how their construction and configuration complies with Humboldt County Zoning Regulations Section 313 - 69.1.5.2.
  4. Submit a signed and dated CMMLUO Acknowledgement Form for both applications (enclosed).
  5. Submit a completed Road Evaluation Report for both applications (enclosed).
  6. Submit a copy of a Water Resources Protection Plan (WRPP) prepared for the project, or a letter from a qualified professional indicating that one is being prepared.
  7. Submit a copy of a Lake and Streambed Alteration Agreement (LSAA) prepared for the project, or a letter from a qualified professional indicating that one is being prepared.
  8. If on-site relocation of existing cultivation is or will be part of the proposed project, provide a Remediation Plan prepared by a qualified professional (e.g. biologist, hydrologist, engineer etc.) demonstrating that the new site is environmentally superior to the present condition, describing the methods of restoration, and targets to abate existing environmental harm at the previous cultivation area. If the relocation occurred after January 1, 2016, include an explanation as to why this took place prior to the permit or clearance required under the CMMLUO being obtained.

Be advised, because a portion your source of water for cultivation and associated activities is a surface water diversion, forbearance will be required pursuant to Humboldt County Code Section 314-55.4.11(l). Proof of adequate water storage will need to be submitted upon implementation, or completion of project(s). Do not engage in grading, conversion of timberland, or any land disturbance activities until all requisite clearances, permits and/or licenses have been secured.

County staff will conduct a review of previous land use actions that have been approved on the subject parcel(s) to ensure that, "The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for

such development" (HCC §312-2.4.1.2). If a relevant project is found and additional information is needed, our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please accumulate all requested material and submit as a complete package to the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter. For most efficient processing, please include a copy of this letter with your submittals.

**Unless operating subject to a valid Interim Permit issued by the County, please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,

A handwritten signature in cursive script that reads "Isaac Hansen".

Isaac Hansen  
Cannabis Services Division  
vendorlaco@co.humboldt.ca.us

Attachments

Road Evaluation Report  
CMMLUO Acknowledgement Forms



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**

3015 H Street • Eureka CA 95501  
Phone: (707) 445-7541 • Fax: (707) 268-3792

July 5, 2018

Frank Fischl  
HC 11 Box 762  
Somes Bar CA 95568

**YOUR ACTION IS REQUIRED**

SUBJECT: 2018 Update to Applicants seeking Cannabis Cultivation Permit  
Apps: 12189  
APN: 529-035-020-000

Dear Applicant/Agent/Property Owner,

This letter is to inform you of changes to cannabis regulations affecting you and provide you with actions necessary to keep your site legal. It is important that your site remain legal in order to process your Cannabis Cultivation Permit Application to a positive action and to avoid enforcement actions. Your application is to permit an existing cultivation site, and you were given the opportunity to apply for an Interim Permit. To date, no Interim Permit has been issued for your application; therefore any cultivation currently occurring on this property is illegal.

To legally cultivate cannabis in Humboldt County in 2018, you must have both a valid County Cultivation Permit and a State License. The County is committed to protecting the legal market. The cultivation season is well underway, and the County is engaged in code enforcement actions as well as supporting law enforcement actions on illegal cultivations. To ensure we target only illegal operations, and correctly discern the legitimate compliant cultivations, **your action is required** to avoid potential impact to your application and subsequent enforcement actions, you must take one of the following actions within 30 days:

1. Take the necessary actions to receive an Interim Permit to cultivate from the Planning and Building Department AND apply for a State License.

OR---

2. Submit a signed letter to this Department indicating that no cultivation is, or will occur on the property until a valid County Permit and State License have been obtained. The letter must include time-certain photographic evidence of your garden/structures demonstrating no cultivation is occurring. For example, photos with a newspaper front page visible inside each empty hoop house with the coverings off. Or a photo of newspaper front page in foreground and a fallow garden in the background with identifying physical features visible. This evidence must be sufficient to readily identify the property/plot plan being depicted is the property in the application.

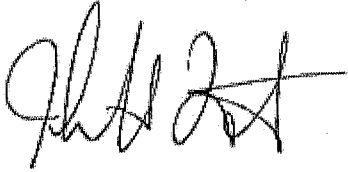
OR ----

3. Submit a signed and notarized letter requesting withdrawal of your cultivation application, and submit photographic evidence that there is no cultivation on site and all cannabis cultivation related improvements have been removed.

Cultivation sites not in compliance with the Humboldt County Code cannot be approved. Failure to submit information as identified in one of these three options demonstrating the site is in compliance within 30 days will result in your application being scheduled for a hearing at the Planning Commission with a recommendation to deny your project and subsequent referral to appropriate Civil and/or Penal Code Enforcement.

Thank you for understanding how important it is to maintain the legal market and for your anticipated response to this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Ford", written in a cursive style.

John H. Ford  
Director



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501  
Phone: (707) 445-7541 • Fax: (707) 268-3792

June 4, 2025

Frank Fischl  
HC 11 Box 762  
Somes Bar, CA 95568

**Notice of Scheduling for Denial: PLN-12189-SP**

Record Number: PLN-12189-SP  
Assessor Parcel Number(s): 529-035-020-000

The above referenced application for Special Permits for Frank Fischl- 6,900 square feet of existing outdoor Commercial Cannabis Cultivation is scheduled for denial. This item will be heard before the Zoning Administrator on July 17, 2025.

For questions regarding this letter, please contact Associate Planner, Portia Saucedo at 707-268-3745 or [psaucedo1@co.humboldt.ca.us](mailto:psaucedo1@co.humboldt.ca.us).

Sincerely,

Portia Saucedo, Associate Planner  
Planning and Building Department

EC: Applicant, Owner



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

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3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

January 31, 2017

Frank Fischl  
HC 11 Box 762  
Somes Bar, CA 95568

RE: Permit Application No. 12189, APN 529-035-020

Dear Frank Fischl,

Thank you for your 12/21/2016 application submittal for a Special Permit. After an initial review, the submittal did not contain all of the required information and has been deemed incomplete. The items checked below must be provided before the submittal can be accepted as complete and we can begin processing your application.

**Application:**

- ☒ Commercial Medical Marijuana Land Use Ordinance Acknowledgement Form.
- ☒ Documentation of cultivation activities occurring prior to January 1, 2016 (not required for new cultivation).
- ☒ Other: Date on Map

**Evidence of Ownership Authorization (if applicable):**

- ☒ Copy of current deed for the property where commercial activity will occur.
- ☒ Copy of lease or similar instrument authorizing application for development / permits (if you are not the landowner).
- ☒ Notarized written consent of landowner (if you are not owner of record and do not have authority to apply for commercial cannabis permits through lease or written agreement).

**Site Plan of Entire Parcel Showing:**

- ☒ Owner's name and assessor's parcel number.
- ☒ Easements
- ☒ Natural waterways including streams, springs, ponds, culverts, and any other water features.
- ☒ Location and area of cultivation or commercial activity.
- ☒ Setbacks of cultivation area from property lines.
- ☒ Access roads.
- ☒ Graded flats.
- ☒ Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity.
- ☒ Water storage structures labeled as to type, capacity, and date of construction.
- ☒ Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion.
- ☒ Dimensions showing 600 square feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet.
- ☒ Other: Aerial Map with all features shown.

**Cultivation and Operations Plan:**

- ☒ Description of site drainage, including runoff and erosion control measures.
- ☒ Detail of measures taken to ensure protection of watershed and nearby habitat.
- ☒ Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized.
- ☒ Schedule of activities during each month of the growing and harvesting season, including projected generator use.

**Other Permits, Licenses, and Documents (attach if applicable):**

- ☒ Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board.
- ☒ Streambed Alteration Permit obtained from the Department of Fish and Wildlife.
- ☒ If parcel is zoned FR, U or TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. Alternately for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.

**Please accumulate all requested material and submit as a complete package.** Once the checked items above are submitted and the application is determined to be complete, we will refer it to the appropriate agencies for comment. **Please note that additional issues or concerns may be identified through the referral and/or environmental review process.** To help mitigate this effort, the Department of Environmental Health has provided a list of items which will assist in their review process. Their check list is enclosed.

**Please note: The filing of this application does not authorize the applicant to engage in any new commercial medical marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

If you dropped off an update or addition to your application that does not appear to be reflected in this letter, it may be that addition has not yet been added to your file folder given the large volume of applications we are currently processing. Rest assured, if we received something it will be added to your application folder. That said, please bring in all the information indicated in this letter that is required to make your application complete once you have assembled it so we can ensure we have the most current and accurate information needed to advance your project. If you have any questions regarding this letter please call me at (707) 268-3713

Sincerely,  
Sara Harrington