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Subject: PLN-11989-CUP, APN: 317-182-020
Date: Tuesday, May 7, 2024 2:48:12 PM

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Good Afternoon,

Please see the comments below regarding the above referenced projects.

Project Number: PLN-11989-CUP

Project Name: Showers Pass Farms LLC- CUP

APN(s): 317-182-020

CEQA No: CEQA-2017-0611-000-R1

Project Description

Showers Pass Farms LLC - CUP for existing outdoor medical cannabis cultivation 21,000 sf
An application for a Conditional Use Permit for 21,000 square feet of existing, outdoor, medical cannabis cultivation. In addition, a Special Permit to divert from a creek for water irrigation on the property. Water is stored in three hard tanks for a total of 9,000 gallons of available water storage. An estimated 253,000 gallons of water are needed annually for irrigation. Processing, including drying and trimming, occurs on-site at an existing outbuilding. The Applicant states that 12 seasonal employees are needed for operations. Electricity is sourced from generators, with a proposed solar array.

CDFW COMMENTS:

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

On April 15, 2024, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 317-182-020. During the site visit, staff walked the property to observe current and historic cultivation activities. The following comments are intended to assist the Lead Agency in making informed decisions in the planning process. The following comments shall supersede prior comments submitted by CDFW regarding PLN-11989-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- On August 2, 2019, CDFW received a Notification for a Lake and Streambed Alteration Agreement (LSAA, 1600-2019-0643-0000-R1) for a Self-Certification with no projects. On January 14, 2020, the application was approved by Operation of Law (OpLaw).
- To access the cultivation site, personnel are required to drive through (ford crossing) Showers Creek, a Class I stream, because no conveyance structure is in place (ex. bridge). Fording Showers Creek poses a significant threat to sensitive wildlife species, and public trust resources. CDFW

requests, as a condition of approval, that no cultivation should occur until a proper conveyance to cross Showers Creek is installed.

- The proposed project states that water will be sourced from an existing groundwater well which is also proposed as the water source for PLN-10854-CUP on the adjacent parcel (APN: 317-182-019). CDFW requests, as a condition of approval, that the applicant store no less than 84,000 gallons of water on site to be used if the well does not produce for a full cultivation season.
- While onsite, CDFW observed monofilament netting (trellis) used for cannabis cultivation. To minimize the risk of wildlife entrapment, CDFW requests, as a condition of approval, the prohibition of synthetic netting (e.g., plastic or nylon) including photo or biodegradable plastic netting for the purpose of cultivation operations and/or erosion control. CDFW further requests that all monofilament netting is removed from the parcel, and properly stored or disposed of at a waste management facility.
- While onsite, CDFW observed geologic instability, including slope failure associated with the grading of the cannabis cultivation site. CDFW requests, as a condition of approval, that the slopes associated with the graded flat are stabilized to ensure erosion of steep slopes is abated.
- While onsite, CDFW observed uncontained compost that is associated with cannabis cultivation. CDFW requests, as a condition of approval, that the applicant fully contains compost piles and any imported soils on site.
- The proposed project may have a potentially significant adverse effect on biological resources, specifically the Northern Spotted Owl (*Strix occidentalis caurina*; NSO). At least three known NSO Activity Centers occur within 0.75 miles of the cultivation sites (CDFW 2024). CDFW requests that the applicant assume presence of NSO and avoid impacts as determined by a qualified biologist. CDFW recommends that cannabis cultivation at this location be limited to full sun outdoor methods with no mixed light. Additionally, CDFW requests the succeeding measures, as conditions of approval.
 - The construction of noise containment/dampening structures for all operation related generators, water pumps and fans. Additionally, CDFW requests that the use of generators is phased out after 2024 and only used as a backup energy source.
 - That artificial light used for cannabis cultivation operations (i.e., ancillary nurseries) be fully contained within structures such that no light escapes (e.g., through automated blackout curtains) between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular and nocturnal wildlife. CDFW further requests, that security lighting be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed. CDFW further

requests a light attenuation monitoring and management plan for this activity within thirty days, following execution of the final permit.

Thank you for the opportunity to comment on this project.

Corrina Kamoroff

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