



**United States Department of the Interior**  
**BUREAU OF LAND MANAGEMENT**

Arcata Field Office  
1695 Heindon Road  
Arcata, CA 95521-4573  
[www.blm.gov/california](http://www.blm.gov/california)



7/23/2019

Planning Commission Clerk  
County of Humboldt County  
Planning and Building Department  
3015 H Street, Eureka, CA 95501

Dear Sir or Madam:

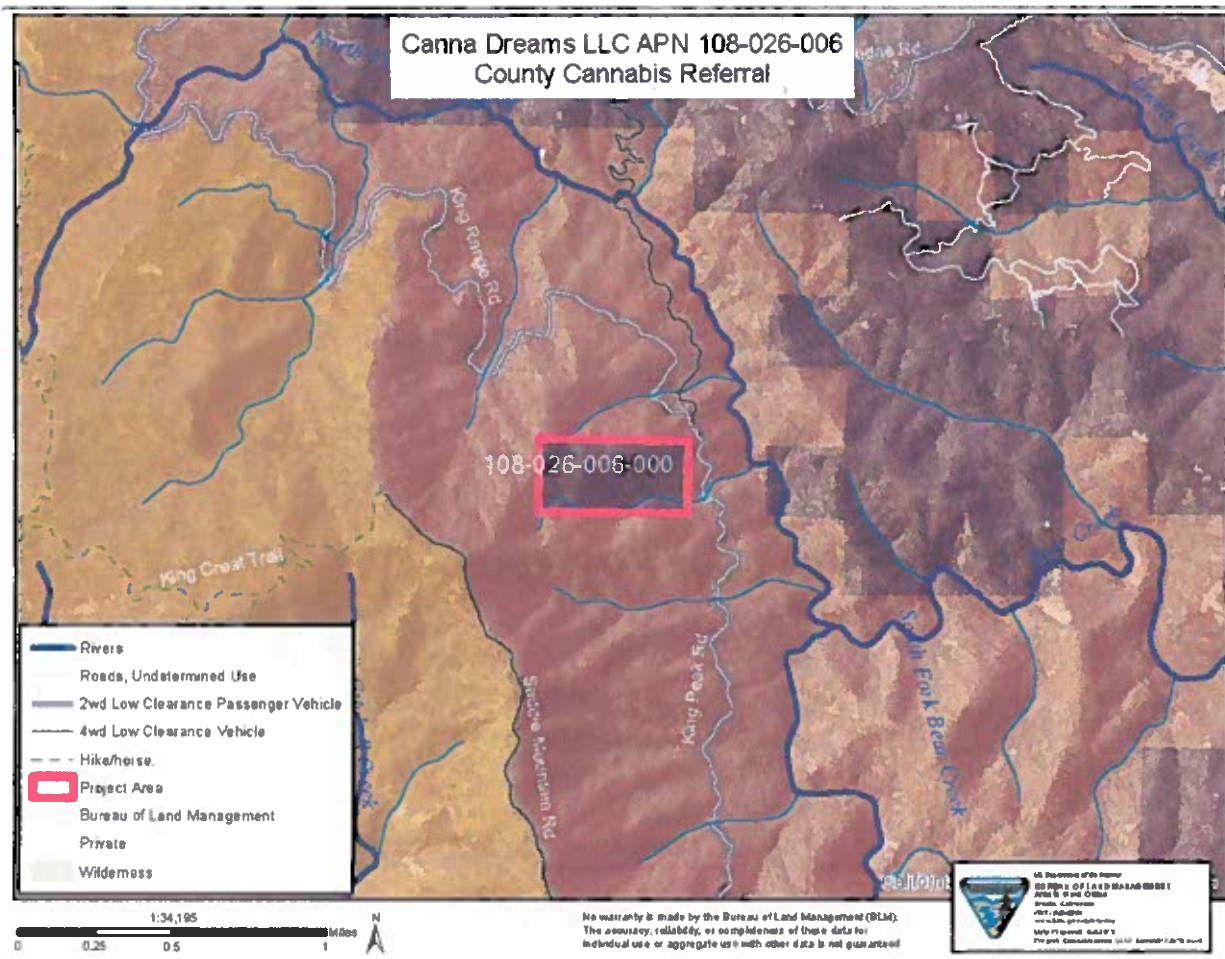
In response to Application APP(S) PLN-12088-CUP APN: 108-026-006-000

The proposed cannabis cultivation site is completely surrounded by BLM lands designated as the King Range National Conservation Area. The parcel is located within the North Fork Bear Creek watershed, which contains designated critical habitat for federally threatened Coho salmon, Chinook salmon, and steelhead. In addition, the BLM determined North Fork Bear Creek is suitable for inclusion into the national Wild and Scenic Rivers System due to the quality of its spawning and rearing habitat for salmon and steelhead. For these reasons, BLM lands in the North Fork Bear Creek watershed are managed to conserve and protect these species and their habitats. The Mattole River and its tributaries is listed as sediment impaired under the Clean Water Act. Additionally, the proximity of these areas has the potential to deliver nutrients and other pollutants to the adjacent watercourse.

The surrounding BLM lands are designated as Critical Habitat for Northern Spotted Owl and Marbled Murrelet by the U.S. Fish and Wildlife Service (USFWS). There is a potential for light, generator noise, runoff, and rodenticide use from the applicant's operation to impact BLM land and sensitive wildlife species such as the Northern Spotted Owl (NSO).

The NSO continues to suffer population loss across its range due, in part, to habitat loss and human encroachment. The BLM is concerned about the close proximity of this cannabis operation to NSO critical habitat and a historic NSO activity center.

The Humboldt County Ordinance No. 2559, Performance Standards for all Commercial Medical Marijuana Land Use Ordinance, Cultivation and Processing Operations section 55.4.11 item d, requires a 600 foot setback for publicly owned lands managed for open space and/or wildlife habitat purposes. It appears that the cultivation will occur less than 300 feet from BLM lands and BLM is concerned about a reduced setback because of the potential impacts to wildlife habitat.



It appears the driveway used for accessing the property from King Peak Road crosses BLM lands. The BLM has no record of legal access for the driveway. The applicant should provide documentation of legal access that shows the use is not a trespass upon BLM lands. In addition, the applicant should have their parcel surveyed by a professional land surveyor so that their operations do not trespass upon or cause resource damage to federal lands.

Any activity or resource damage related to cannabis operations on public land such as the cultivation, production, transportation or distribution of supplies or product will violate the Controlled Substances Act and may be subject to federal criminal and/or civil action.

Sincerely,

Molly Brown  
Field Manager