

**ATTACHMENT 5
PLN-12788-SP**

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was sent to the following referral agencies for review and comment. Those agencies that provided a response are listed in the table below.

Referral Agency	Response	Recommendation	Location
Ag Commissioner			
Building Inspection Division	✓	Comment	On file
District Attorney			
Division Environmental Health	✓	Comment	Attached
County Counsel			
Public Works, Land Use Division	✓	Conditional Approval	Attached
School District	✓	Comment	Attached
CA Division of Water Rights			
CA Department of Fish & Wildlife	✓	Comment	Attached
CalFire	✓	Comment	On file
North Coast Regional Water Quality Control Board			
Intertribal Sinkyone Wilderness Council			
Bear River Band of Rohnerville Rancheria	✓	Comment	
Northwest Information Center	✓	Further Study	On file and confidential

PLN-12788-SP

DEH Referral Response

05/15/2018



Adam Molofsky

Note

Provide an acceptable findings report from a qualified professional to summarize the proposed flows in comparison with the existing OWTS. If the current system is undersized a site suitability report must establish potential to support proposed expansion and 100% reserve area. See Policy for the Use of Existing Onsite Wastewater Treatment Systems (OWTS) for detail.

[check spelling](#)



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 03-09-2018

RE:

Applicant Name	Humboldt by Nature	
APN	220-251-029	
APPS#	12788	SP16-649

The Department has reviewed the above project and has the following comments:

- The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- Road Evaluation Reports(s)* are required; See **Exhibit "D"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

The Department is unable to review the maneuvering areas of the parking "lot" per County Code Section 314-109.1.2.2.5 until such time as an appropriately scaled and dimensioned sit plan of the area is submitted. It is unclear how many parking spaces are required. In addition it is unclear whether the applicant is proposing an access location onto Old Brickland Road. Note that all commercial driveway locations shall be surfaced to county standards (see exhibit A).

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12788

COUNTY ROADS- FENCES & ENCROACHMENTS:

All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- DRIVEWAY (PART 1):

The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and/or Department of Public Works policies. Notes:

COUNTY ROADS- DRIVEWAY (PART 2):

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.

- If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- DRIVEWAY (PART 3):

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- PRIVATE ROAD INTERSECTION:

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
- If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- ROAD EVALUATION REPORT(S):

All recommendations in the *Road Evaluation Report(s)* for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //



Southern Humboldt Unified School District

Board of Trustees

Jeff Henderson
Barbara Lindsay
William "Scotty" McClure
Thomas Mulder
Dennis O'Sullivan

Administration

Catherine Scott
District Superintendent
Bambi Henderson
Director of Fiscal Services
Karl Terrell
*Director of Maintenance,
Operations, and
Transportation*

Principals

Jeff Landry
Paula Panfilio
Stephanie Steffano-Davis



June 12, 2017

Southern Humboldt Unified School District Waiver of 600 foot Set Back Requirement For County of Humboldt's Cultivation Ordinance

Applicant: Mikal Jakubal
County Cultivation Application #: 12788
Assesor's Parcel Number:

School Bus Stop Location: Intersection of Briceland and Old Briceland Rd.

To Whom It May Concern:

Mikal Jakubal has met the Southern Humboldt Unified School District's Bus Stop Waiver qualifications. Mr. Jakubal has sufficiently stated what measures he will be taking to assure his medical marijuana cultivation will not will not compromise student safety nor interfere with the District's strict no tolerance policy of Drugs and Alcohol. Therefore, Southern Humboldt Unified School District grants Mikal Jakubal a waiver of the 600 foot set back from a school bus stop as required by the County of Humboldt's Cultivation Ordinance*.

*Should any incident involving a student from the Southern Humboldt Unified School District occur at any time with the waiver applicant, this waiver would be considered void and immediately revoked.

Karl Terrell
Director of Maintenance,
Operations and Transportation

110 School Rd; P.O. Box 650, Miranda, California 95553
Telephone: (707) 943-1789 Fax: (707) 943-1921
www.humboldt.k12.ca.us/sohumb_usd/school/index.html

"All students can learn and succeed, but not on the same day in the same way." William G Spady



RE: Review DRAFT of Plant Humboldt Biological Assessment and SMA reduction request

From Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>

Date Fri 5/23/2025 8:20 AM

To Santos, Steven A <sasantos@co.humboldt.ca.us>

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi Steven,

Thank you for sending the Biological Assessment for review. The assessment seems appropriate for the site. I request that the landowner adhere to the recommendations outlined in the assessment. Additionally, I request that the reduced SMA be clearly marked with a physical barrier to ensure that all staged and stored equipment, material, and infrastructure associated with the proposed project is located outside of the reduced SMA.

Thank you,

From: Santos, Steven A <sasantos@co.humboldt.ca.us>

Sent: Wednesday, May 21, 2025 5:01 PM

To: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>

Subject: FW: Review DRAFT of Plant Humboldt Biological Assessment and SMA reduction request

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Corrina, this just came in for 12788 APN 220-251-029. Please let me know your thoughts.

From: Tim Metz <tim@restorationforestry.com>

Sent: Wednesday, May 21, 2025 4:10 PM

To: Santos, Steven A <sasantos@co.humboldt.ca.us>

Cc: Mikal Jakubal <mikal@mikaljakubal.com>; Giacomo Renzullo <giacomo@bbwassociates.com>

Subject: Review DRAFT of Plant Humboldt Biological Assessment and SMA reduction request

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Steven,

I have attached a revised draft of our biological opinion on the reduction of the SMA on the Plant Humboldt Property. Please provide any questions, comments or concerns for us to address as quickly as possible.

Sincerely,
Timothy Metz

Registered Professional Forester #2601

Restoration Forestry, Inc.

1425 Buttermilk Lane

Arcata, CA 95521

tim@restorationforestry.com

(707) 496-0322

Santos, Steven A

From: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Sent: Monday, November 13, 2023 4:17 PM
To: Santos, Steven A
Cc: Manthorne, David@Wildlife; Johnson, Cliff
Subject: App: PLN-12788-SP, APN: 220-251-029

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Good Afternoon,

Please see the comments below regarding the subject project.

Project Number: PLN-12788-SP

Project Name: Plant Humboldt, LLC - SP Convert to commercial cannabis nursery and GPA C-1 to AG.

APN(s): 220-251-029

CEQA: CEQA-2017-0773-0000-R1

Project Description

Special Permit (SP 16-649) to convert existing commercial bamboo nursery into commercial wholesale and retail medical cannabis nursery. The project proposes to utilize existing structures with no new construction. Activities would include sprouting cannabis seeds in the spring, sexing them after two (2) months growth, and then selling them early summer. There would be approximately 17,000 square feet of nursery space. Water source and water storage is a 250,000 gallon onsite rainwater catchment pond. PGE serves electricity to the site. The project also requires a Zone Reclassification Petition from C-1 to AG (approved ZRP-17-006), and a General Plan Amendment that is to be processed with this application.

CDFW COMMENTS:

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

On October 17, 2023, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 220-251-029. 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-12788-SP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- On May 23, 2019, CDFW issued the applicant a Final Lake and Streambed Alteration Agreement (LSAA, EPIMS-HUM-04250-R1) for two Points of Diversion (POD) that include diversion from Redwood Creek and diversion from a pond. As agreed upon in the LSAA, beginning in 2019 the applicant was required to submit Water Diversion Records no later than July 1st of each year. Additionally, the applicant was required to submit a Water Management Plan within 60 days from the effective date of the LSAA. As of

November 13, 2023, the applicant has not submitted the required water monitoring reports or a Water Management Plan to CDFW. CDFW requests, as a condition of project approval, that the applicant submits all required water monitoring reports, a Water Management Plan, and achieves compliance with the LSAA.

- The proposed project requires the reduction of the Streamside Management Area (SMA) from Redwood Creek (a Class I stream). CDFW requests that a qualified biologist, in consultation with CDFW, provides a Biological Assessment that includes a recommendation for the proposed SMA reduction. The Biological Assessment should include accurate mapping of the proposed reduced SMA from Redwood Creek. CDFW further requests, as a condition of project approval, that the reduced SMA is marked by a physical barrier (e.g., fence) to ensure that all staged and stored equipment, materials, and infrastructure associated with the proposed project is located outside of the reduced SMA.
- The project description states that the water source and water storage is a 250,000-gallon onsite rainwater catchment pond. The pond is located within 10 ft from Redwood creek and appears to be constructed sometime between 2006 and 2009 without the appropriate permits or environmental review. CDFW requests, as a condition of project approval, that the pond's stability is evaluated by a licensed engineering geologist to ensure that the pond will not pose a threat to Redwood Creek. Additionally, the pond's spillway outlet directs overflow directly into Redwood Creek, posing a threat to water quality and pond stability. CDFW requests the pond's overflow spillway is properly designed to direct water, if feasible, to a stable location away from a watercourse. If the above recommendations cannot be met, CDFW recommends the pond be decommissioned.
- The lined pond onsite has the potential to provide habitat for the invasive American bullfrog (*Lithobates catesbeianus*). CDFW requests, as a condition of project approval, that the applicant provides and implements an Invasive Species Management Plan. The Invasive Species Management Plan shall include, at a minimum, an annual survey for invasive species including the American bullfrog. If invasive aquatic species are identified, a qualified biologist shall coordinate with CDFW to develop necessary eradication measures.
- While onsite, CDFW observed uncovered soil associated with cannabis cultivation. CDFW requests, as a condition of project approval, that the applicant fully contain all imported soil onsite and that all discarded soil is removed and properly disposed of at a waste management facility.

Thank you for the opportunity to comment on this project.

Corrina Kamoroff

Environmental Scientist
Habitat Conservation and Planning
Humboldt/Del Norte LSA Program
California Department of Fish and Wildlife
619 Second Street
Eureka, CA 95501

Santos, Steven A

From: Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>
Sent: Monday, March 30, 2026 1:36 PM
To: Santos, Steven A
Cc: Johnson, Cliff
Subject: Plant Humboldt (PLN-12788-SP) ; follow up; CDFW CEQA #2017-0773

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Hi Steven,

Please see my additional comments in red below in response to the BA recommendations provided for this project. Should the Planning Commission decide to approve this project with a substantial SMA reduction, CDFW would recommend that the items listed as recommendations in the BA, with additional comments from CDFW in red below, be included as conditions of approval.

Plant Humboldt BA Recommendations:

- Clean up green waste and discontinue future dumping of vegetation (both associated with the nursery and residential use) within the SMA.

CDFW concurs.

- Secure fencing that is within or have the potential to fall into the SMA. Move fencing to the line of honey locusts ~3 meters south of the SMA.

Most of this site is within the SMA, so it is assumed this recommendation is specific to the proposed SMA within this document. The fencing at the entrance to the site is at the top of bank but cannot be relocated due to the driveway access. The fence should be relocated on the lower terrace a minimum of 20 feet from the active channel. Currently the fence is located at the active channel, with floods inundating the fence and causing debris racking on the fence.

- Remove all bamboo that has fallen or is at risk of falling into the SMA.

Bamboo is located within and adjacent to the active channel. CDFW recommends removing bamboo within 50 feet of the active channel. Additionally, bamboo has spread into the active channel. CDFW recommends the applicant develop a plan to remove the Bamboo from Redwood Creek. This removal will require an amendment to the current LSA.

- Move fencing up from bank failure on north side of the pond.

The fence should be relocated on the lower terrace a minimum of 20 feet from the active channel.

- Plant native trees and shrubs (i.e., CA bay, willow, alder, etc.) for bank stabilization.

CDFW concurs with this request. A plan should be developed and proposed to stabilize the bank with vegetation. Implementation of this project will require an amendment to the LSA.

Beyond the recommendations provided in the BA, it seems appropriate to relocate all project related items and supplies to the south end of the parcel furthest from the stream and SMA. Please let me know if you have any questions related to these follow up comments.

Thank you

David Manthorne
Senior Environmental Scientist Supervisor
Habitat Conservation and Planning
Humboldt/Del Norte LSA Program
California Department of Fish and Wildlife
619 Second Street
Eureka, CA 95501
david.manthorne@wildlife.ca.gov

Santos, Steven A

From: Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>
Sent: Thursday, March 19, 2026 10:13 AM
To: Santos, Steven A; Hamer, Georgia@Wildlife
Cc: Johnson, Cliff
Subject: Re: 12788 Plant Humboldt Biological Report (Correspondence) - Request for Comment

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Hi Stephen,

As I stated in a previous email, CDFW concurs with the 20-foot buffer as recommended by the biologist and would consider minor reductions in that buffer in coordination with County Planning staff, and as appropriate to improve operational feasibility at the site. A reduction of the buffer to the top of bank is not a SMA buffer that would be supported by CDFW. We appreciate your consideration of our recommendations as trustee agency for fish and wildlife.

Thank you

From: Santos, Steven A <sasantos@co.humboldt.ca.us>
Sent: Thursday, March 19, 2026 9:59 AM
To: Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>; Hamer, Georgia@Wildlife <Georgia.Hamer@Wildlife.ca.gov>
Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Subject: 12788 Plant Humboldt Biological Report (Correspondence) - Request for Comment

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Hi David and Georgia:

County of Humboldt Planning and Building Department as lead agency is requesting consultation and comment on the correspondence below. While the agent did not update the attached biological assessment that was provided with their February 25, 2026 correspondence, there is a clear request to reduce the SMA to the top of bank.

Due to a noticing error, the project/permit will return to the Planning Commission on April 16 for reconsideration. The applicant's most recent request will be included in the proposal packet therefore comments from CDFW regarding the top of bank proposal would be appreciated and helpful.

County staff will be visiting the site on March 25 at 11AM. The invitation for CDFW to attend that site visit remains open but also understand if scheduling does not work out. I will provide CDFW a summary of any relevant outcomes from the site visit.

Steven Santos

Senior Planner
707-268-3749

From: Tim Metz <tim@restorationforestry.com>
Sent: Wednesday, February 25, 2026 3:50 PM
To: Santos, Steven A <sasantos@co.humboldt.ca.us>
Cc: Giacomo Renzullo <giacomo@bbwassociates.com>; Mikal Jakubal <mikal@mikaljakubal.com>
Subject: Plant Humboldt Biological Report

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Steven,

We spoke last year regarding the SMA reduction request for Plant Humboldt's nursery operations in Briceland, California. The owner of the property has pointed out an error in our version management regarding the width of the SMA as you enter the property. The final version should have read from the top of the Cut Bank rather than 20' from the top of the cut bank which is unworkable for the property and adds no usable filter strip to the SMA. This 20' is literally packed gravel, driveway and containers to the edge of the cut bank as it used to be the County road alignment.

The biologist and I completely agreed with the project proponent at the time, but somehow our final version continued to add this unhelpful extra width. We would be happy to add a 6" straw waddle along the outside edge of the flat former county road alignment in order to eliminate any potential fines from migrating off the parking area and to the filter strip of the riparian zone. I have highlighted the mistaken text in this version of the report. This mistake was just brought to our attention today or we would have advocated for this change almost 9 months ago. I'm available for a phone call if needed. My number is listed below.

We would like a way forward to correct our mistake and give the project proponent the use that makes sense commercially and biologically for this property.

Sincerely,
Timothy Metz

Registered Professional Forester #2601
Restoration Forestry, Inc.
1425 Buttermilk Lane
Arcata, CA 95521
tim@restorationforestry.com
(707) 496-0322