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June 19, 2017

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

Dear Humboldt County Planning Division:

The following is an evaluation of potential timberland conversion on proposed cannabis cultivation sites and associated areas included in the Humboldt County Cannabis Permit Applications for Paul Cabeen within APNs 107-096-007 and 107-095-003. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j), sited below.

"Alternately, for existing operations occupying 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 provide CAL-FIRE written Notice of Availability of the RPF's report. If CAL-FIRE takes no action within ten (10) days of the notice of availability, the report recommendations shall become final."

Timberland Resource Consultants (TRC) inspected and evaluated the proposed cultivation sites and associated areas contained within the application on June 5th, 2017. Landowner Paul Cabeen also attended the field inspection. The RPF and his representatives have exercised due diligence in reviewing all sites and all available resources to fully assess potential timberland conversion. This report evaluates the cultivation sites and associated areas for timber operations only. All other land alteration such a grading, construction, and other permit-regulated activities do not fall within the scope of this report. All property features and sites unrelated to cultivation activities also do not fall within the scope of this report. All findings are summarized in the report below.

Project Summary

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

The legal description of the ownership is as follows:

APNs: 107-096-007 (164 GIS acres/160 assessed lot acres), Humboldt County Zoning: TPZ 107-095-003 (38 GIS acres/40 assessed lot acres), Humboldt County Zoning: AE-B-5(160) Section 9 & 10, Township 3S, Range 1W, Humboldt Base & Meridian, Humboldt County

Located on Shubrick Peak USGS 7.5' Quadrangle

Site Address: 42870 Mattole Rd, Honeydew, CA 95545

As shown on the General Location Map, the property is located on a private road off Mattole Rd. The parcel is approximately 7.2 air miles south west of the town of Honeydew, California.

## Project Summary cont'd

The property consists of two adjacent parcels. Both parcels are dominated by a Douglas-fir stand with a minor component of hardwoods including tanoak and madrone (see Photos 1 and 2). The parcels were logged, likely on several occasions, in the last century as evidenced by the well-established, seasonal road system as well as overgrown skid trails and log landings. No timber harvesting has been recorded by Cal Fire on the property in the past 20-25 years (Watershed Mapper v2). Current landowner Paul Cabeen purchased Parcel 107-096-007 in 2006 and Parcel 107-095-003 in 2016 (Parcel Quest).

#### Parcel 107-096-007

As mentioned previously, APN 107-096-007 is zoned TPZ. Three cultivation sites were inspected during the field assessment within Parcel 107-096-007. The sites are labeled as follows (corresponding to the 1600 2016 DOQ Map and SHN Consulting Engineers & Geologists, Inc. Maps) and are described below:

- Cultivation Site 1
  - Generator Battery & Inverter Shed
  - Solar Array Area
  - o Processing, Storage, & Work Cabin
  - Water Storage Bladder
- Cultivation Site 2
- Cultivation Site 3

## Cultivation Site 1

Cultivation Site 1 represents the active cultivation site as well as four surrounding associated areas (totaling 0.47 acres) located in the southeastern portion of the property (see Photos 1-4). The breakdown of specific acreages is shown in the table below:

Cultivation Site/Associated Areas	Acreage (ac)
Cultivation Site 1	0.23
Generator Battery & Inverter Shed	0.02
Solar Array Area	0.05
Processing, Storage, & Worker Cabin	0.09
Water Storage Bladder	0.08
TOTAL	0.47

As shown on DOQ Map 1, Cultivation Site 1 is intertwined in historic seasonal logging roads and contains a remnant log landing near the center, which was still mostly clear of vegetation as of 1998. Between 2005 and 2009, the opening was expanded and trees and vegetation removed, including all stumps. No commercial operations occurred. Most slash and woody debris was scattered nearby or piled along the northern edge of the cultivation site. The cultivation activities and associated areas 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 agricultural cultivation. Thus, Cultivation Site 1 constitutes a timberland conversion.

### Cultivation Site 2

Cultivation Site 2 is a 0.20-acre area located in the northeastern portion of the property (see Photo 5). Between 2005 and 2009, the area was cleared of trees and vegetation including all stumps. No commercial operations occurred. Most slash and woody debris was scattered or piled along the northeastern and southern edges of the cultivation site. The cultivation activities observed onsite 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 agricultural cultivation. Thus, Cultivation Site 2 constitutes a timberland conversion.

## Cultivation Site 3

Cultivation Site 3 is a 0.87-acre area located near the center of the property (see Photos 7-9). Between 2005 and 2009, the area was cleared of trees and vegetation including all stumps. No commercial operations occurred. Most slash and woody debris was piled or scattered along the western and southern sides. The Cultivation Site 3 polygon excludes a strip of land representing the cut-bank between the upper and lower flats (see note on DOQ Map 2). This strip is fully stocked to Forest Practice Rules (FPR) standards with Douglas-fir seedlings and saplings; thus, it is not included in the conversion area. The cultivation activities observed onsite 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 agricultural cultivation. Thus, Cultivation Site 3 constitutes a timberland conversion.

Cabeen (APN 107-096-007 & 107-095-003) - Timberland Conversion Evaluation

## Project Summary cont'd

## Other Mapped Features

Overview Map 1 also shows locations of scattered water tanks, a sheltered generator, and a Storage/Scrap Pile used in part for cultivation purposes (see Photos 14 and 15)\*. These associated areas were also inspected. Though minor tree and vegetation clearing may have occurred to install these structures, the surrounding stand still meets the stocking standards of the Forest Practice Rules. Ultimately, these features do not impede the use of the land for current or future timber growth and harvesting; therefore, they do *not* constitute timberland conversion. The two residences near Cultivation Site 1 are *not* associated with cultivation activities.

In total, TRC observed approximately 1.54 acres of timberland conversion within APN 107-096-007. This total does not exceed the three-acre conversion exemption maximum.

### Parcel 107-095-003

As mentioned previously, APN 107-095-003 is zoned AE-B-5(160). Timberland is defined in the California Forest Practice Rules as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees." Timberland is not defined in any way by zoning. Even though this parcel is zoned for agriculture, it still contains productive timberland, and, consequently, timberland conversion. Two cultivation sites were inspected during the field assessment on Parcel 107-095-003. The sites are labeled as follows (corresponding to the 1600 2016 DOQ Map and SHN Consulting Engineers & Geologists, Inc. Maps) and are described below:

- Cultivation Site 4
- Cultivation Site 5

## Cultivation Site 4

Cultivation Site 4 consists of two areas (totaling 0.29 acres) located in the northwestern portion of the property (see Photos 10 and 11). As shown on DOQ Map 2, the northern area of Cultivation Site 4 was mostly cleared as of 1998, likely a remnant road turnout or log landing. The southern area of Cultivation Site 4 does not appear to occupy a remnant logging feature. Between 2005 and 2009, all trees and vegetation were removed including stumps. No commercial operations occurred. Most slash and woody debris was scattered or piled along the western and northern sides of the southern area. The cultivation activities observed onsite 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 agricultural cultivation. Thus, Cultivation Site 4 constitutes a timberland conversion.

#### Cultivation Site 5

Cultivation Site 5 is a 0.19-acre area located in the southwestern portion of parcel 107-095-003 (See Photos 12 and 13). As shown on the Quadrangle in the General Location Map, Cultivation Site 5 once occupied a natural grassland or prairie as indicated by the white polygon. However, over time, this site was encroached upon by the surrounding stand, and now occupies productive timberland (as shown on DOQ Map 2). Between 1998 and 2005, the site was initially cleared of trees and vegetation. Between 2005 and 2009, the site was expanded. No commercial operations occurred. Most slash and woody debris was scattered or piled along the eastern and southern edges of the site. The cultivation activities observed onsite 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 agricultural cultivation. Thus, Cultivation site 5 constitutes a timberland conversion.

#### Other Mapped Features

Overview Map 1 also shows a water tank(s) used for cultivation purposes (see Photos 15)\*. This associated area was also inspected. Though minor tree and vegetation clearing may have occurred to install this structure, the surrounding stand still meets the stocking standards of the Forest Practice Rules. Ultimately, this feature does not impede the use of the land for current or future timber growth and harvesting; therefore, they do *not* constitute timberland conversion.

In total, TRC observed approximately 0.48 acres of timberland conversion within APN 107-095-003. This total does not exceed the three-acre conversion exemption maximum.

<sup>\*</sup>Several water tanks (though not individually identified) are used for fire suppression, not cultivation purposes.

# 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)."

Cultivation Site 1 is located within close proximity to the Class II watercourses in the southeastern portion of the property. This site has an estimated average slope of 40-45%. A 75-foot WLPZ was measured along the Class II watercourses; Cultivation Site 1 was found to be outside of the 75-foot buffer. The other inspected sites do not exist within close proximity to any watercourses, springs, or wet areas. No conversion activities appear to have impacted water resources.

## Slash and Woody Debris Treatment

14CCR 1104.1(a)(2)(D)(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."

Most of the slash and woody debris generated form the conversion activities has been scattered or piled near the conversion areas (see Photos16-18). All slash and downed logs should be treated according to the FPRs (Recommendation #1).

## 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 (CNDDB) on June 5th, 2017 showed three (3) observations of sensitive, rare, threatened, or endangered species or species of special concern within a 1.3-mile radius area surrounding the cultivation sites and associated areas (see CNDDB Tables). No evidence of these special wildlife or plant species was observed during the TRC field assessment of the property.

The query of the CNDDB also resulted in two (2) known Northern Spotted Owl (NSO) Activity Centers within a 1.3-mile radius area surrounding the cultivation sites and associated areas (see CNDDB Tables). No distinct NSO habitat or evidence of NSO individuals was observed during the TRC field assessment; however, adequate habitat may exist elsewhere on the property.

The conversion activities do not appear to have altered wildlife habitat for all other non-listed species. No evidence of felled snags was observed.

No major forest health issues were observed during the field assessment. Though the property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD), no symptoms, signs, or evidence of oak mortality were detected (Oak Mortality Disease Control). According to UC Berkeley's Mobile SOD Map, no SOD-positive trees have been recorded within a mile radius of the property. No risk assessment was made at the property. The conversion activities do not appear to have impacted forest health.

## **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. Per 14 CCR 1104.2(2)(I), all required Native American tribes and organizations have been notified of the project location and are encouraged to respond with any information regarding archaeological sites, cultural sites, and/or tribal cultural resources within or adjacent to the project area.

## Recommendations

In summary, a total of 1.54 acres of timberland conversion has occurred within APN 107-096-0070. A total of 0.48 acres of timberland conversion has occurred within APN 107-095-003. These acreages are below the three-acre conversion exemption maximum. The conversion activities conducted on the property do *not* comply with the standards set forth in the California Forest Practice Act and the California Forest Practice Rules. The RPF suggests the following recommendations or mitigation measures for the converted areas:

1. Treat all slash piles and log decks as soon as possible using one of the following methods: burying, chipping and spreading, piling and burning, or removal from site.

Sincerely,

Chris Carroll, RPF #2628 Timberland Resource Consultants 165 South Fortuna Blvd, Suite 4 Fortuna, CA 95540

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trc@timberlandresource.com

#### Enclosures:

General Location Map
Overview Map 1
Overview Map 2
DOQ Map 1
DOQ Map 2
1600 2016 DOQ Map (prepared by TRC)
SHN Consulting Engineers & Geologists, Inc. Maps (by APN):
107-095-003

- Site Overview Map (Figure 1)
- Cultivation Site 1 Map (Figure 2)
- Cultivation Site 2 Map (Figure 3)

## 107-096-007

- Site Overview Map (Figure 1)
- Cultivation Site 1 Map (Figure 2)
- Cultivation Site 2 Map (Figure 3)
- Cultivation Site 3 Map (Figure 4)

Photos CNDDB Tables Resources Cabeen - Timberland Convesion Evaluation Section 9 & 10, T3S, R1W HB&M, Humboldt County **General Location Map** 

APN: 107-095-003

Property Boundary

Shubrick Peak USGS 7.5' Quad Map Scale: 1" = 2,000' Contour Intervals = 40 feet

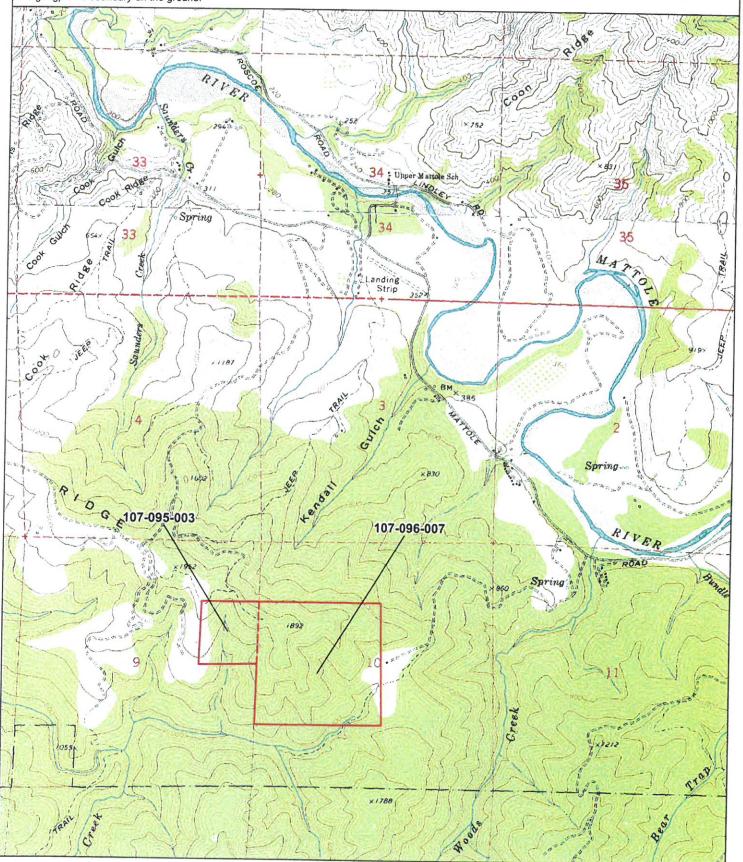


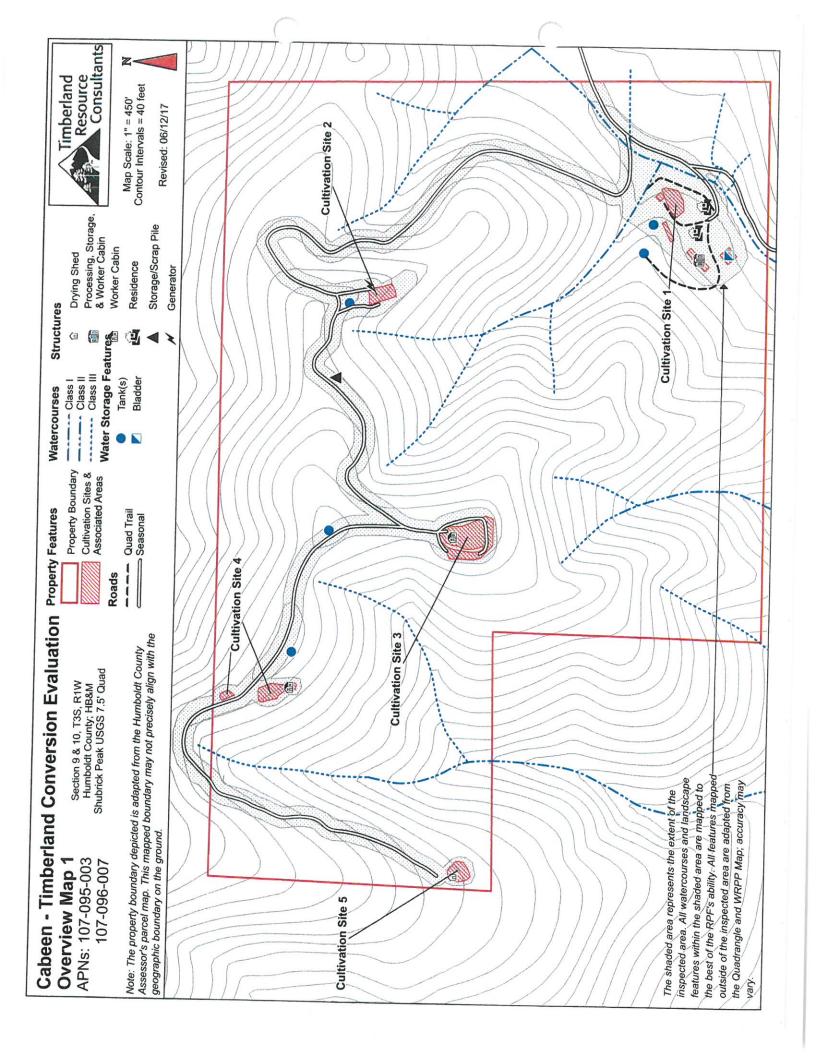
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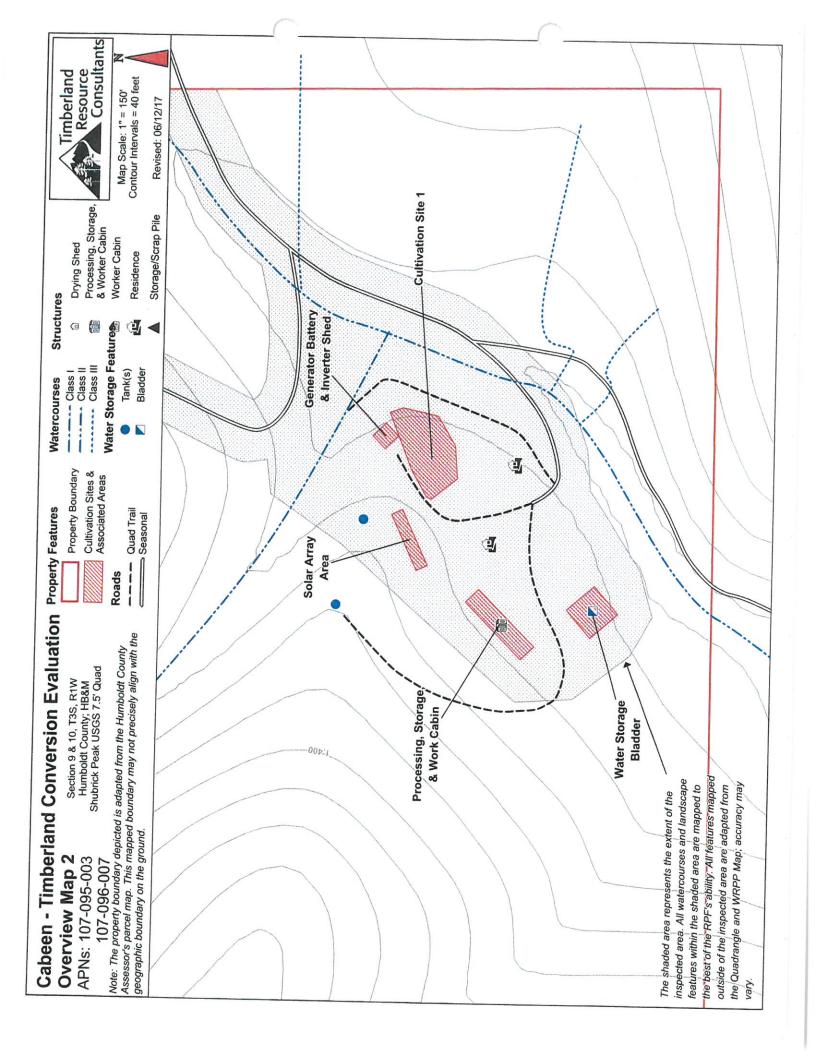
107-096-007

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Note: The property boundary depicted is adapted from the Humboldt County Assessor's parcel map. This mapped boundary may not precisely align with the geogprahic boundary on the ground.



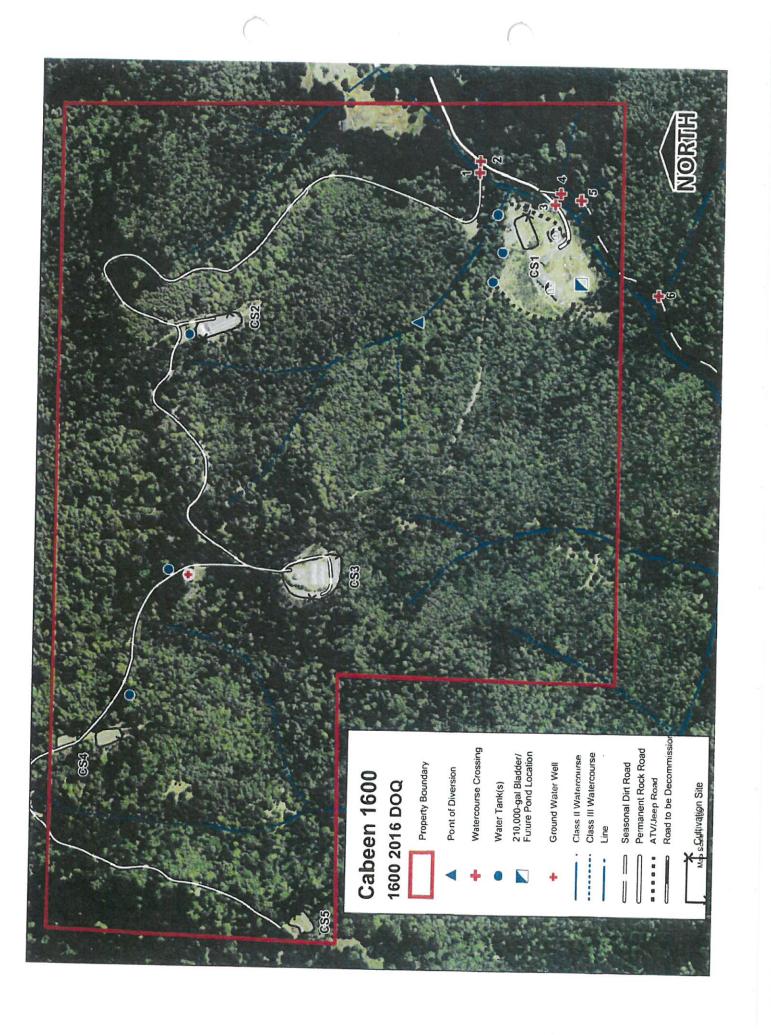


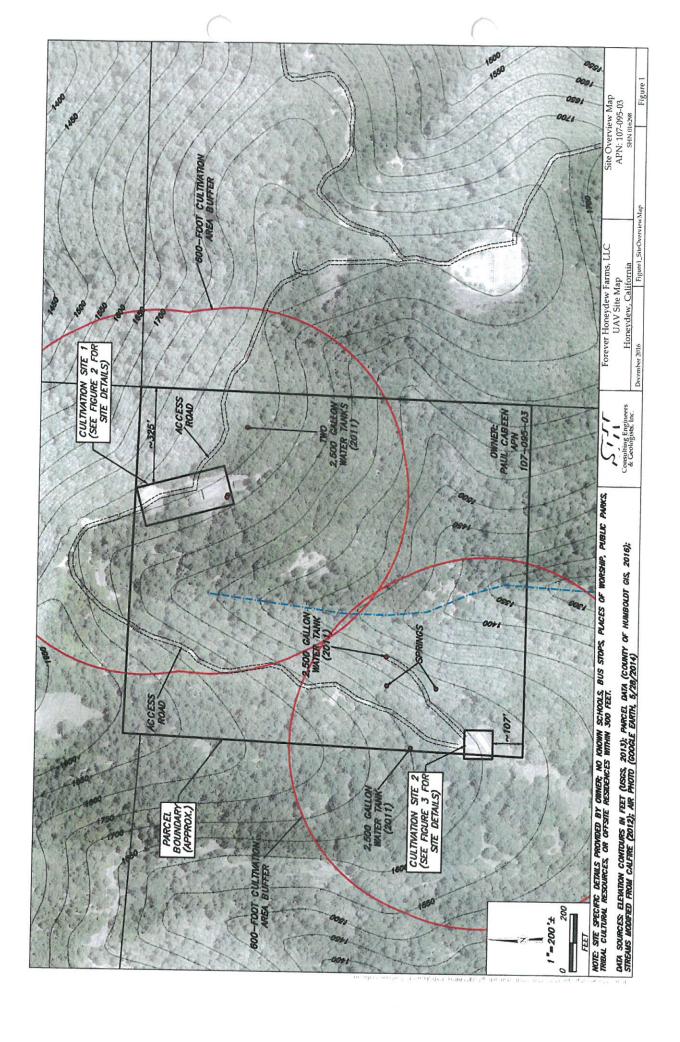


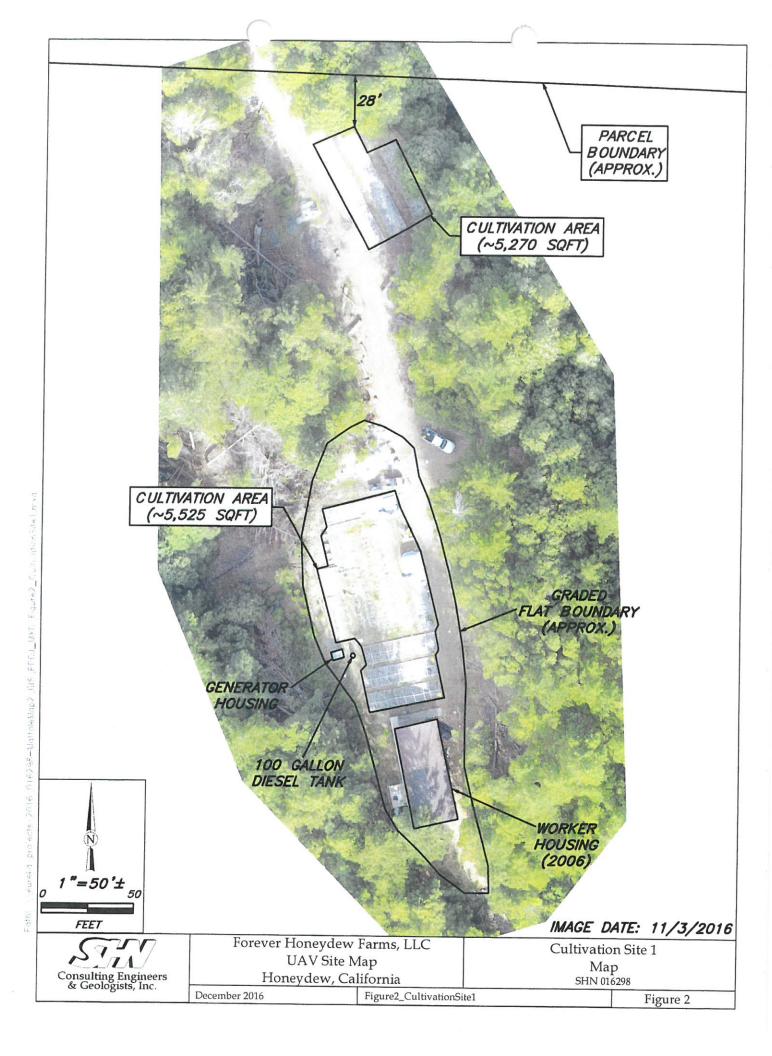
Cabeen - Timberla	and Conversion Evaluation	Humboldt County: HB&M	Timberland
APN: 107-095-003	Property Boundary	Shubrick Peak USGS 7.5' Quad Map Scale: 1" = 200'	Resource Consultants
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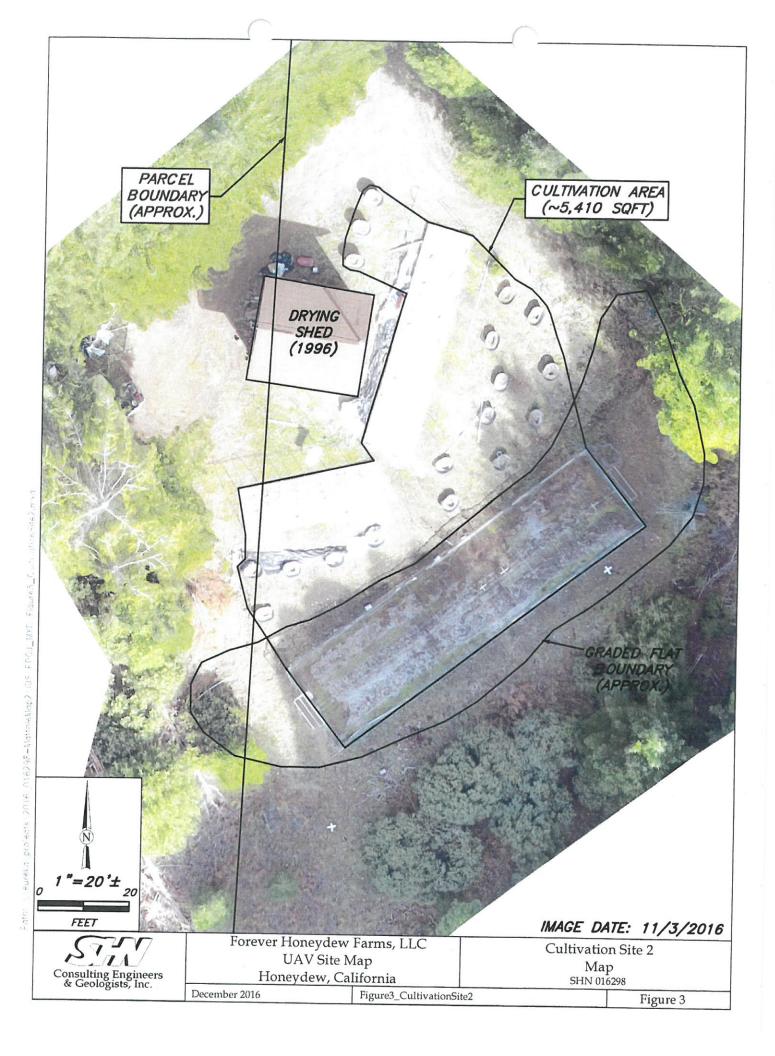
<b>DOQ Map 2</b> APN: 107-095-003	Property Boundary	Shubrick Peak L Map Scale	JSGS 7.5' Quad	Timberland Resource Consultants
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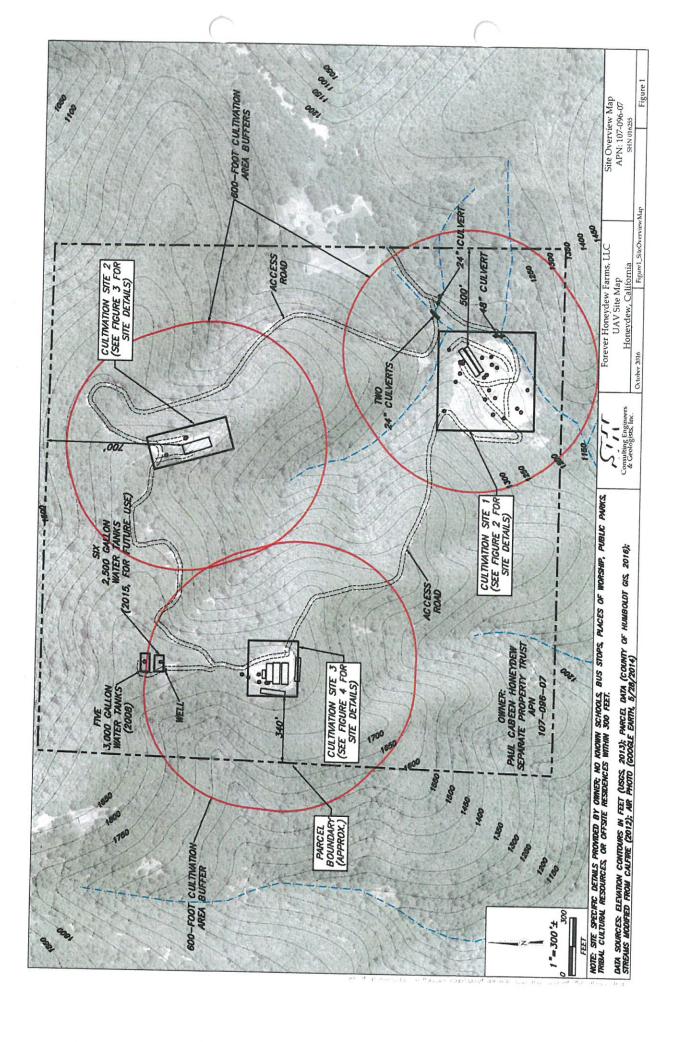
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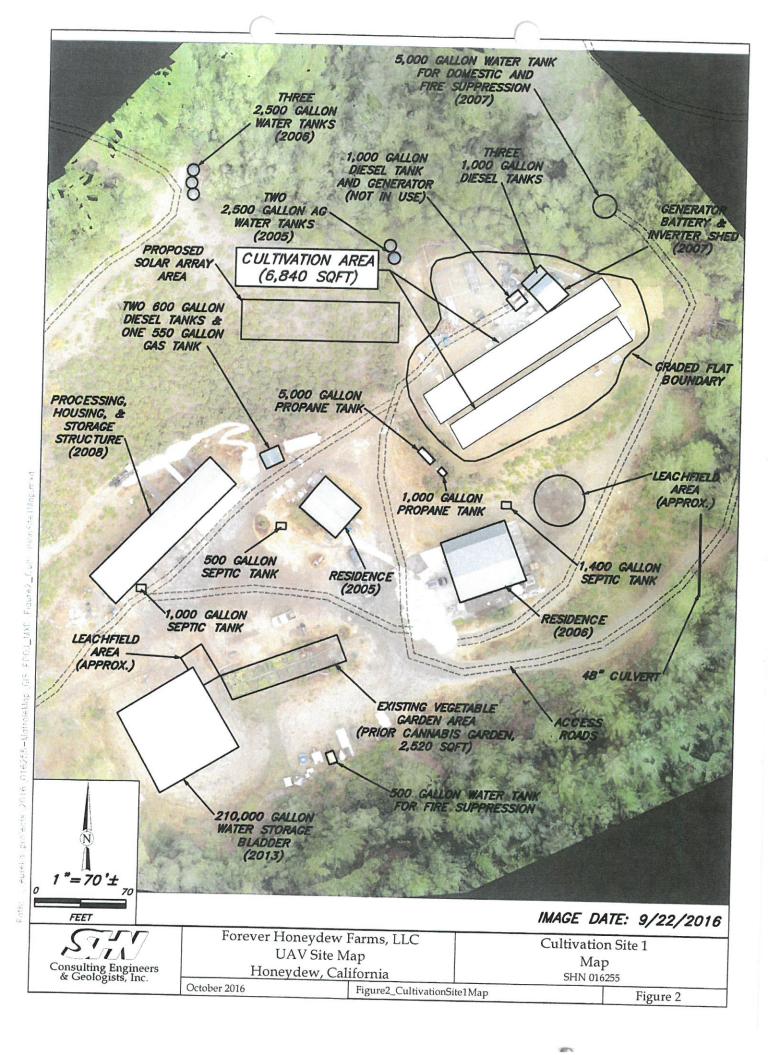


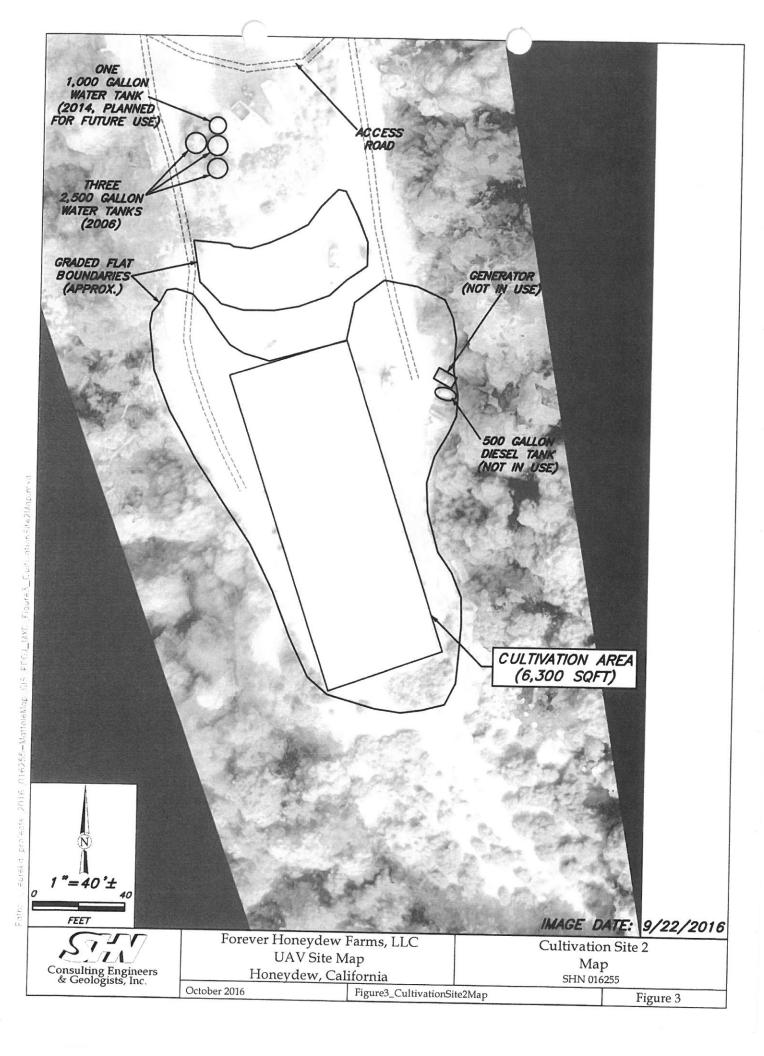


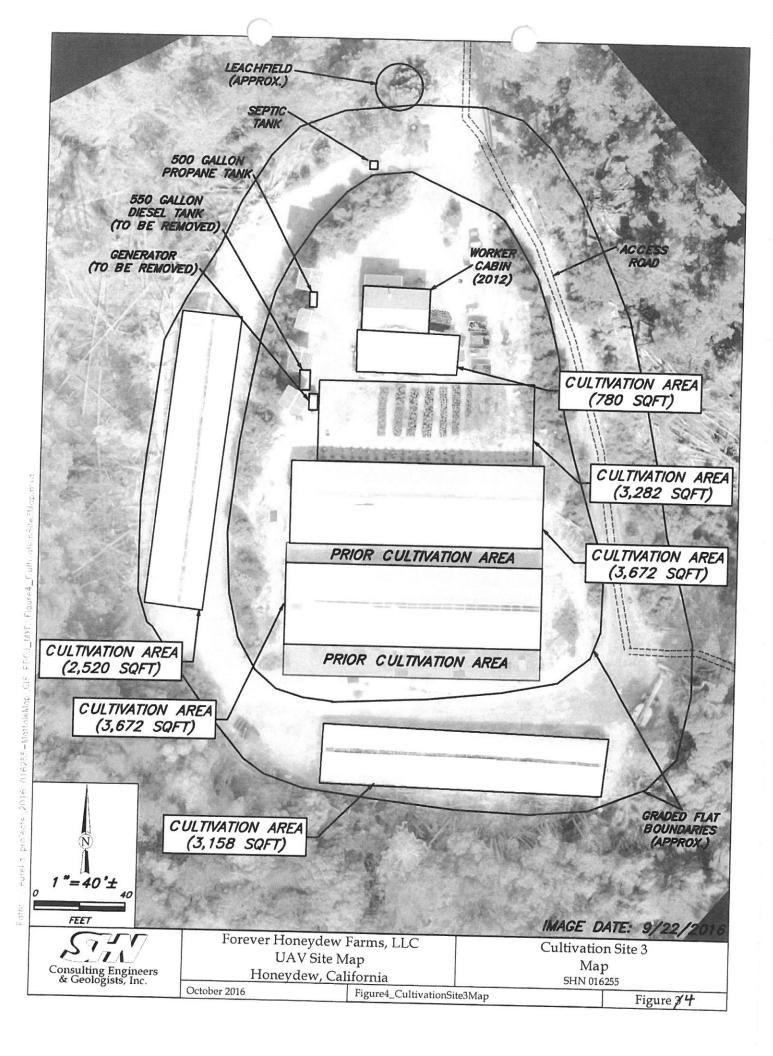












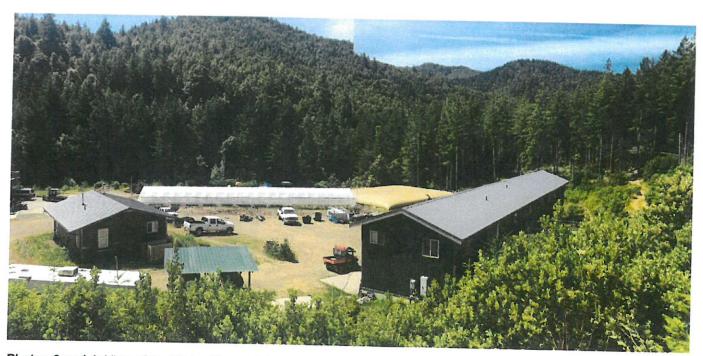
## **Photos**

The following photos were taken by Brita Rustad of Timberland Resource Consultants at APN 107-095-003 and 107-096-007 during the field inspection on June 5, 2017.





Photos 1 and 2: View of Solar Array Area (still under construction) and Cultivation Site 1 facing east (left). View of the Generator Battery & Inverter Shed facing northeast (right).



**Photos 3 and 4:** View of the Water Storage Bladder and the Processing, Storage, & Worker Cabin facing southwest. The timber in the background represents the stand throughout the property: a Douglas-fir stand type with a minor component of hardwoods.

Cabeen (APN 107-095-003 & 107-096-007) - Timberland Conversion Evaluation





Photos 5 and 6: View of Cultivation Site 2 facing north (left) and view of the generator at Cultivation Site 2, which is not in use; this site is not included in the total conversion area because the area meets stocking standards of the FPRs.



Photos 7: View of the upper flat of Cultivation Site 3, facing south. Not Pictured: Worker Cabin.





Photos 8 and 9: View of the lower flats of Cultivation Site 3, facing north (left) and west (right).

Cabeen (APN 107-095-003 & 107-096-007) - Timberland Conversion Evaluation





Photos 10 and 11: Views of Cultivation Site 4; the southern portion, facing south (left), and the northern portion, facing north (right).





Photos 12 and 13: Views of Cultivation Site 5 (including the Dry Shed) facing east (left) and facing west (right).





Photos 14 and 15: View of the Storage/Scrap Pile (left) and view of the Water Storage Tanks north of Cultivation Site 3 (right). These are examples of map features that are fully stocked and do not constitute conversions.

Cabeen (APN 107-095-003 & 107-096-007) - Timberland Conversion Evaluation





Photos 16, 17, and 18: Examples of slash piles and small log decks near the converted sites.

## **CNDDB Tables**

# Plants: Sensitive, Rare, Threatened, or Endangered Species or Species of Special Concern

Species	Listing/Status	Year(s) of Observation	Description of Observation
Leafy reed grass Calamagrostis foliosa	State: Rare RPlantRank: 4.2	1980	Specimen observed in clearing on undisturbed prairie.
Relevance:			
<ul> <li>Presumed extant in boundary.</li> </ul>	279-acre polygon in F	Fiddle Prairie, as	close as 4,600 feet south of the south property
<ul> <li>The property does r</li> </ul>	not contain habitat for	this species.	
Methuselah's beard lichen Usnea longissima	Not listed RPlantRank:4.2	Unknown	No description of observation.
		2002	Two remnants seen in old growth Douglas-fir trees.
Relevance:			g. c. v.a. 2 dagido in trocs.
<ul> <li>Presumed extant in corner.</li> </ul>	two polygons (totaling	77 acres), as clo	ose as 4,000 feet east of the northeastern property
Though no late sera     property	I forest was observed	during the field a	ssessment, pockets of habitat may exist on the

# Animals: Sensitive, Rare, Threatened, or Endangered Species or Species of Special Concern

Species	Listing/Status	Year(s) of Observation	Description of Observation
out Species of Special Concern 2000  Not listed 2000  CDFW: Species of Special Concern	Several observations between 1982 and 2000 in 16 survey sites along the Mattole River and large tributaries.		

property.

- Presumed extant in 4,684-acre polygon, following the Mattole River, from mouth to about 1 mile east of Four Corners, as close at 4,300 feet northeast of the northeastern property boundary.
- The property does not contain habitat for this species.

## Northern Spotted Owl (NSO) Observations

NSO Activity Center	Year(s) of Establishment	Proximity to Project
HUM 1012	2004	<ul> <li>4,700 feet north of northern property boundary.</li> <li>Falls within 1.3 mi buffer</li> </ul>
HUM 536	1992	<ul> <li>1,800 feet southeast of the southeastern property corner.</li> <li>Falls within 0.7 mi buffer</li> </ul>

## Resources

- California Forest Practice Rules 2017. Sacramento: CAL FIRE, 2017. Print.
- California Natural Diversity Database. California Department of Fish and Wildlife. Web. https://www.wildlife.ca.gov/Data/CNDDB. Accessed 5 June 2017.
- Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed\_mapper/. Accessed 5 June 2017.
- Humboldt County Web GIS. County of Humboldt. Web. http://webgis.co.humboldt.ca.us/HCEGIS2.0/. Accessed 5 June 2017.
- Oak Mortality Disease Control. Plant Quarantine Manual 3700. California Department of Food and Agriculture. Web. http://pi.cdfa.ca.gov/pqm/manual/pdf/455.pdf. Accessed 5 June 2017.
- Parcel Quest. Web. https://pqweb.parcelquest.com/#home. Accessed 5 June 2017.
- SODMAP Mobile. UC Berkeley Forest Pathology and Mycology Lab. Mobile Phone Application. www.sodmapmobile.org. Accessed 5 June 2017.