ATTACHMENT 5 PLN-13351-CUP

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			
District Attorney			
Division Environmental Health	✓	Conditional Approval	Attached
County Counsel			
Sheriff			
Public Works, Land Use Division	✓	Conditional Approval	Attached
North Coat Unified Air Quality			
Management District			
School District			
Fire Protection District			
CA Division of Water Rights	✓	Approval	Attached
Regional Water Quality Control Board			
Cal Fire	✓	Comment	Attached
CA Department of Fish & Wildlife	✓	Comment	Attached
Northwest Information Center	✓	Further Study	On file and
			confidential

PLN-13351-CUP

Division of Environmental Health Referral Response May 26, 2022

PLN-13351-CUP © STATUS LOCATION CONTACT WORKFLOW > Staff Report > None Provided > Mark Finley > 20 total Task Mark Finley - CUP 3... 10/05/2025 by S... A Conditional Use P... Cancel Help Workflow History (30) Comments (8) Due Date 06/06/2022 Assigned Date 05/26/2022 **Environmental Health** Assigned to Department Assigned to Status Documents (27) Environmental Health Senior Joey Whittlesey Approved with Conditions Conditions of Approval (0) Action by Department Environmental Health Senior Action By Joey Whittlesey Status Date 05/27/2022 LU Locks Holds (0) Start Time **End Time** Hours Spent 0.0 Address (0) Billable Overtime Comments Processing activities must be supported by an approved onsite wastewater treatment system. Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation No Owner (1)

areas.

Parcel (1)



DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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

CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388 LAND USE 445-7205

ON-LINE
WEB: CO.HUMBOLDT.CA.US

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

7491 NATURAL RESOURCES
NATURAL RESOURCES PLANNING
7377 PARKS
7493 POADS ADMINISTRATION BUSINESS ENGINEERING FACILITY MANAGEMENT 445-7491 445-7652 445-7377 445-7493 445-7741 267-9540 445-7651 445-7421 ROADS

MEMORANDUM LAND USE DIVISION INTEROFFICE

Steven Santos, Supervising Planner, Planning & Building Department TO:

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 06/02/2022

RE:

Applicant Name	Island Mountain Farms
APN	218-101-002
APPS#	PLN-13351-cup

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

\boxtimes	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.
\boxtimes	Road Evaluation Reports(s) are required; See Exhibit "D"
	Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

It is unclear where the applicant exists Island Mountain Road, no directions on the site plan and no road evaluation was provided.

Whether specifically addressed or not within the road evaluation report, per Section 1273.03 of State Fire Safe Regulations, California Code of Regulations (CCR), Title 14 Natural Resources, Division 1.5 Department of Forestry, Chapter 7 - Fire Protection, Subchapter 2 SRA Fire Safe Regulations, which have been established pursuant to California Public Resource Code Section 4290 et seq. (a) At no point shall the grade for all roads and driveways exceed 16 percent; (b) The grade may exceed 16%, not to exceed 20%, with approval from the County of Humboldt Planning & Building Department with mitigations, such as paving, to provide for the same practical effect. Mitigation measures other than paving require an exception to be approved per Section 1270.06. [Note: Fire Safe Regulations set forth in County Code Section 3111-1, et seq. have been superseded by the 01/01/2020 CCR since County Code has not been recertified by the Department of Forestry pursuant to Section 1270.04.]

// END //

	MIDIL A	
	ublic Works Recommended Conditions of Approval	A DDG // 12251
(A.	ll checked boxes apply) COUNTY ROADS- PROXIMITY OF FARMS:	APPS # 13351
	Applicant is advised that County maintained roads may generate dust and other impacts to farm locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for prot against these impacts. Applicant shall hold the County harmless from these impacts. Applicant paved road may not always remain paved and Applicant shall locate their farms appropriately. A that the amount of traffic on a road will vary over time which may increase or decrease the impact.	ecting their farm(s) is advised that a Applicant is advised
	COUNTY ROADS- FENCES & ENCROACHMENTS: All fences and gates shall be relocated out of the County right of way. All gates shall be setback the County road so that vehicles will not block traffic when staging to open/close the gate. In adeshall be stored or placed in the County right of way.	sufficiently from dition, no materials
	This condition shall be completed to the satisfaction of the Department of Public Works prior to operations, final sign-off for a building permit, or Public Works approval for a business license.	commencing
	COUNTY ROADS- DRIVEWAY (PART 1): The submitted site plan is unclear and/or shows improvements that are inconsistent with County Department of Public Works policies. The applicant is advised that these discrepancies will be a time that the applicant applies to the Department of Public Works for an Encroachment Permit. It wishes to resolve these issues prior to approval of the Planning & Building permit for this project should contact the Department to discuss how to modify the site plan for conformance with County Department of Public Works policies. Notes:	ddressed at the If the applicant et, the applicant
	COUNTY ROADS- DRIVEWAY (PART 2): Any existing or proposed driveways that will serve as access for the proposed project that conn maintained road shall be improved to current standards for a commercial driveway. Applicant mobtain an encroachment permit from the Department of Public Works prior to commencement of County maintained right of way. This also includes installing or replacing driveway culverts; min typically 18 inches.	ust apply for and any work in the
	 If the County road has a paved surface at the location of the driveway, the driveway apron sh minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the 	
	 If the County road has a gravel surface at the location of the driveway, the driveway apron sh minimum width of 18 feet and a length of 50 feet where it intersects the County road. 	nall be rocked for a
	 If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that be replaced. 	
	The exact location and quantity of driveways shall be approved by the Department at the time the to the Department of Public Works for an Encroachment Permit.	e applicant applies
	This condition shall be completed to the satisfaction of the Department of Public Works prior to operations, final sign-off for a building permit, or Public Works approval for a business license.	commencing
	COUNTY ROADS- DRIVEWAY (PART 3): The existing driveway will require substantial modification in order to comply with County Code. wish to consider relocating the driveway apron if a more suitable location is available.	The applicant may
	COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF: Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County facility.	maintained
	This condition shall be completed to the satisfaction of the Department of Public Works prior to operations, final sign-off for a building permit, or Public Works approval for a business license.	commencing
\boxtimes	COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY: All driveways and private road intersections onto the County Road shall be maintained in accord Code Section 341-1 (Sight Visibility Ordinance).	ance with County
	This condition shall be completed to the satisfaction of the Department of Public Works prior to operations, final sign-off for a building permit, or Public Works approval for a business license.	commencing
	COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD) Any existing or proposed non-county maintained access roads that will serve as access for the proposed to a county maintained road shall be improved to current standards for a commerci Applicant must apply for and obtain an encroachment permit from the Department of Public Work commencement of any work in the County maintained right of way. This also includes installing intersection culverts; minimum size is typically 18 inches.	al driveway. ks prior to or replacing
	 If the County road has a paved surface at the location of the access road, the access road sh minimum width of 20 feet and a length of 50 feet (or break in slope) where it intersects the Co 	
	 If the County road has a gravel surface at the location of the access road, the access road sh minimum width of 20 feet and a length of 50 feet where it intersects the County road. 	all be rocked for a
	This condition shall be completed to the satisfaction of the Department of Public Works prior to operations, final sign-off for a building permit, or Public Works approval for a business license.	commencing
	COUNTY ROADS- ROAD EVALUATION REPORT(S): All recommendations in the <i>Road Evaluation Report(s)</i> for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing sign-off for a building permit, or approval for a business license. An encroachment permit shall be Department of Public Works prior to commencement of any work in the County maintained right	e issued by the

// END //



COUNTY OF HUMBOLDT

PLANNING AND BUILDING DEPARTMENT

CURRENT PLANNING

3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

5/26/2022

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, FPD: Palo Verde VFC, RWQCB, NCUAQMD, School District: Southern Humboldt Joint, Cal Fish & Wildlife, Division of Water Resources, CalFire, NWIC

Applicant Name Key Parcel Number 218-101-002-000

Application (APPS#) PLN-13351-CUP Assigned Planner Steven Santos 707-268-3749

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than: 6/10/2022

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

Email: PlanningClerk@co.humboldt.ca.us Fax: (707) 268 - 3792

We have reviewed the above application and recommend the following (please check one):						
⊠ F	Recommend Approval. The department has no comment at this time.					
□ F	□ Recommend Conditional Approval. Suggested conditions attached.					
	□ Applicant needs to submit additional information. List of items attached.					
	Recommend Denial. Attach reasons for recommended denial. This site is registered with the Division of Water Rights with a Cannabis Small Irrigation Use Registration (H508126).					
Other (Comments:					
	5/26/2022	Jonathan Pham Environmental Scientist Division of Water Rights				
DATE:		PRINT NAME:				

Key APN

Application Number

Santos, Steven A

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

Sent: Monday, October 27, 2025 2:19 PM

To: Santos, Steven A

Cc: Manthorne, David@Wildlife; Johnson, Cliff Subject: PLN-13351-CUP, APN: 218-101-002

Attachments: 1600-2019-0135-R1_HUM_MJ Carlson_Water Diversion& Stream Xing_FinalLSAA.pdf

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

Good afternoon,

Please see the comments below regarding the above-referenced project.

Project Number: PLN-13351-CUP

Project Name: Mark Finley - CUP 33,560 SF Ex OD and 10,000 SF Ex ML

APN(s): 218-101-002

CEQA No: CEQA-2022-0205-0000-R1

Project Description

A Conditional Use Permit for 10,000 square feet of existing mixed light and 33,560 square feet of existing outdoor commercial cannabis cultivation supported by a 4,356 square foot ancillary nursery. Estimated annual water usage is 545,000 gallons sourced from a point of diversion and a rainwater catchment pond. The point of diversion is located on APN 218-091-006 shared with application 13295. The pond is also shared with both applications 13359 and 13295 on APN 218-091 -004 and 218-101-006 respectively. Total tank storage on site for the project is 175,000 gallons and the pond is estimated to have a capacity of approximately 2,155,000 gallons. Drying occurs onsite with additional processing occurring offsite. Power will be provided by renewables, reserving generators for emergency use only.

On October 20, 2025, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 218-101-002. During the site visit, staff walked the property to observe current and historic 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-13351-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

1. On February 9, 2021, a final LSAA (No. 1600-2019-0135-R1; see attached) was issued to Bridget Carlson for projects associated with APNs: 218-101-003, 218-101-002 and 218-091-006. The LSAA was issued for two points of water diversion (Point of Water Diversion: POD) from two unnamed tributaries to Chamise Creek, upgrades to four stream crossings, and the restoration of a stream channel that had been diverted around a cannabis cultivation site. During a site inspection on October 20, 2025, CDFW identified several instances of non-compliance with the LSAA, including failure to submit required reporting, failure to install a water meter for the POD, and the failure to complete the required work by the specified work completion date of October 15, 2021. It is to CDFW's understanding that Bridget Carlson is no longer associated with the subject parcels or with the cannabis cultivation activities on APNs: 218-101-003, 218-101-002 and 218-091-006. Additionally, LSAA No, 1600-2019-0135-R1 is set to expire on February 9, 2026. As of October 24, 2025, the LSAA has not been transferred to the current applicant or landowner. CDFW recommends, as a condition of approval, that the applicant completes the following actions by December

15, 2025, or within two weeks of project approval, and achieves and maintains full compliance with the LSAA:

- a. Submit a new Notification to obtain an LSAA under the applicant's name or request to transfer the existing LSAA to the applicant.
- b. Submit an implementation timeline detailing when all the projects in the LSAA will be completed.
- c. Install water meters for the POD, as conditioned in the LSAA, prior to the diversion of any water from the POD.
- d. Install screens on all POD intakes, as conditioned in the LSAA, prior to the diversion of any water from the POD.
- 2. While onsite, CDFW observed that a cultivation site (located at coordinates 40.0351, -123.5828) is mapped on the site plan as part of the proposed project. The cultivation site is located within an area that has a required stream restoration project intended to restore a diverted stream channel that has caused substantial erosion as a result of the development of the cultivation site. The stream channel and restoration area are not currently mapped on the proposed site plan. Once the stream is restored, the cultivation site will likely be located within the SMA. CDFW recommends that, prior to project approval, the project site map be revised to accurately depict the planned stream restoration area and confirm that all proposed cultivation areas are located outside of all SMAs.
- 3. The water for the proposed project is partially sourced from a pond that is hydrologically connected to a stream channel. The pond, located approximately at coordinates 40.0403, -123.5925, currently provides habitat for the American bullfrog (*Lithobates catesbeianus*). During a site visit on October 20, 2025, CDFW observed adult bullfrogs at the pond on site. CDFW recommends, as a condition of project approval, that the applicant develop and implements a Bullfrog Management plan by April 15, 2026, to address and mitigate the spread of the invasive bullfrog population onsite.
- 4. While onsite, CDFW observed that the applicant has a filled 50,000-gallon water bladder (at coordinates 40.0342, -123.5840). A failure of the water bladder could result in rapid water loss, potentially causing substantial erosion and discharge to Waters of the State. CDFW recommends, as a condition of approval, that the water bladder is retired as soon as possible, but no later than December 31, 2025.
- 5. While onsite, CDFW observed sediment discharge to Waters of the State through erosion of a hydrologically connected road (at coordinates 40.0328, -123.5829). CDFW recommends, as a condition of approval, that the applicant submit and implement an erosion control plan to deconcentrate surface flow off roads and away from streams.
- 6. To minimize the risk of wildlife entrapment, CDFW recommends, as a condition of approval, either the prohibition of synthetic netting (e.g., plastic or nylon), including photo or biodegradable plastic netting, for use in cultivation operations and/or erosion control, or, if the applicant uses synthetic netting, that the applicant is required to follow Best Management Practices (BMPs) that provides requirements on responsible storage, disposal, and use.

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