

ATTACHMENT 5
PLN-13337-CUP

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

| Referral Agency | Response | Recommendation | Location |
|--|-----------------|-----------------------|--------------------------|
| Ag Commissioner | | No Response | |
| Building Inspection Division | ✓ | Approval | On file |
| Division Environmental Health | ✓ | Conditional Approval | Attached |
| Sheriff | ✓ | Comment | On file |
| Public Works, Land Use Division | ✓ | Approval | On file |
| CA Regional Water Quality Control Board. | | No Response | |
| CA Department of Fish & Wildlife | ✓ | Comment | Attached |
| CalFire | ✓ | No Comment | Attached |
| North Coast Regional Water Quality Control Board | | No Response | |
| Northwest Information Center | ✓ | Further Study | On file and confidential |

Division of Environmental Health
Referral Response 05.17.2021
PLN-13337

PLN-13337-CUP 

Finmark Farms LLC...
A Conditional Use ...

STATUS

> Staff Report
03/12/2025 by ...

LOCATION

> None Provided

CONTACT

> FinMark Farms ...

WORKFLOW

> 17 total Task


Workflow History (37)

Comments (6)

Documents (29)

Conditions of Approval (0)

Locks Holds (1)

Address (0)

Owner (1)

Parcel (1)

Cancel

Help

Task

Environmental Health

Due Date

05/27/2021

Assigned Date

05/13/2021

Assigned to Department

Environmental Health

Assigned to

Joey Whittlesey

Status

Approved with Conditions

Action by Department

Environmental Health

Action By

Joey Whittlesey

Status Date

05/17/2021

Start Time

End Time

Hours Spent

0.0

Billable

No

Overtime

No

Comments

Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure.

Time Tracking Start Date

Est. Completion Date

In Possession Time (hrs)

Display E-mail Address in ACA
No

☒ Display Comment in ACA

Comment Display in ACA
☒ All ACA Users

Santos, Steven A

From: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Sent: Friday, March 21, 2025 2:32 PM
To: Santos, Steven A
Cc: Johnson, Cliff; Manthorne, David@Wildlife
Subject: PLN-13337-CUP, APN: 218-081-002
Attachments: 1600-2019-0851-R1_HUM_Finley_Final_LSAA.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-13337-CUP
Project Name: Finmark Farms LLC
APN(s): 218-081-002
CEQA No: CEQA-2025-10078-R1

Project Description:

Finmark Farms LLC - CUP 40,000 SF of Ex OD

A Conditional Use Permit for 40,000 square feet of existing outdoor commercial cannabis cultivation with no separate ancillary nursery. Estimated annual water usage is 386,812 gallons sourced from two rainwater catchment ponds. One pond is located on APN 218-051-008 and the other is located on APN 218-081-003. Total water storage consists of the 350,000-gallon pond on APN 218-051-008 and the 2,000,000-gallon pond on APN 218-081-003, and a 5,000 gallons onsite in tanks. Onsite processing in the form of drying is proposed with all other processing to proposed to occur on 218-081-003. Power is provided by PGE and no generator use is proposed.

CDFW COMMENTS:

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

On August 14, 2024, and on March 19, 2025, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 218-081-002. 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-13337-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

1. On April 20, 2022, a final Lake and Streambed Alteration Agreement (LSAA, 1600-2019-0851-R1; see attached) was issued to the applicant for six points of water diversion (Point of Diversion: POD) from unnamed tributaries and springs to Chamise Creek, stream restoration, modifying or decommissioning of four ponds, and to upgrade, maintain or decommission 16 stream crossings. The LSAA 1600-2019-0851-R1 permits projects on APNs: 218-081-001, 218-081-002, 218-081-006, 218-091-005 (now 218-190-001) and 218-051-008. During staff site visits on August 14, 2024, and on March 19, 2025, CDFW identified several instances of non-compliance with the LSAA, including failure to submit required reporting, and the installation of water meters on the PODs. Additionally, the LSAA includes 26 projects, including an

extensive stream restoration and pond decommissioning project. None of the projects have been initiated and the LSAA conditions the projects for completion prior to the LSAA expiration date of April 20, 2027. CDFW requests, as a condition of approval, that the applicant/permittee completes the following items listed below by the specified dates or within two weeks of project approval, and achieves and maintains compliance with the LSAA.

- a. Install water meters for the PODs by May 15, 2025, and prior to diverting water.
 - b. Provide updated water monitoring reports for the 2024 water diversion season by May 15, 2025.
 - c. Submit an amendment to the LSAA to include the Point of Water Diversion (Point of Diversion: POD) that is not currently listed as a project on the LSAA (Located at 40.0356, -123.5976 on APN: 218-081-006).
 - d. Submit a Pond Decommission/Stream Restoration Plan within 90 days of project approval and implement the plan before the end of the final work period (October 31, 2026), ensuring that all work is completed prior to the LSAA expiration date of April 20, 2027.
 - e. Submit a Revegetation Plan within 90 days of project approval and implement the plan before the end of the final work period (October 31, 2026), ensuring that all work is completed prior to the LSAA expiration date of April 20, 2027.
 - f. Submit an implementation timeline by May 15, 2025, outlining when the Permittee/Applicant plans to complete all projects listed in the LSAA before the end of the final work period (October 31, 2026), ensuring that all work is completed prior to the LSAA expiration date of April 20, 2027.
 - g. Submit a map showing all PODs on the parcels, including the POD outflow locations. While the Permittee is not currently diverting water from the PODs for use, the PODs are discharging concentrated water flow into stream channels or diverting water from the stream channel onto nearby hillslopes, causing instability and erosion. Remove all infrastructure that is diverting and discharging water flow from the PODs by October 15, 2025.
2. While onsite, CDFW observed a cultivation site (at coordinates 40.0306, -123.6012) located within the Streamside Management Area (SMA) of Class III drainage. The cultivation site drains towards the stream channel, posing a threat to Waters of the State. CDFW requests, as a condition of approval, that the that all cultivation and cultivation related infrastructure are removed from all SMAs on the parcel. CDFW further requests, as a condition of approval, that the applicant implements a stormwater plan to ensure runoff is routed away from the stream channel and into settling basins or bioswales, where runoff can be incorporated into groundwater, and away from streams.
 3. To minimize the risk of wildlife entrapment, CDFW requests, 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
Eureka, CA 95501

Application Number

Key APN

We have reviewed the above application and recommend the following (please check one):

The Department has no comment at this time.

Suggested conditions attached.

Applicant needs to submit additional information. List of Items attached.

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary: