



**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)



June 26, 2023



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-SP APN: 108-026-006-000

After careful review the Bureau of Land Management (BLM) has the following comments:

1. The BLM has no record of any legal right to cross public lands for the purpose of providing legal access to APN 108-026-006. For an individual to maintain a road across public land, they need to either show a deeded right to the road or they need a right-of-way with the BLM. The applicant needs to provide documentation of legal access to their property that demonstrates their use is not a trespass upon BLM lands. Even if the applicant holds or obtains a legal right-of-way to access their residence, any activity or resource damage related to cannabis operations on public land such as transportation, cultivation, production, or distribution of supplies or product violates the Controlled Substances Act and therefore the BLM cannot issue a right of way for that purpose.
2. The proposed cannabis cultivation site is surrounded by BLM lands within the Congressionally designated King Range National Conservation Area. The parcel is located within the North Fork Bear Creek watershed and contains designated critical habitat for federally threatened coho salmon, Chinook salmon, and steelhead. In addition, the BLM determined that North Fork Bear Creek is suitable for inclusion into the national Wild and Scenic Rivers System due 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. The proximity of these areas has the potential to deliver nutrients and other pollutants to the adjacent watercourse and affect these BLM managed values. We request that any permitting be conditioned to avoid these impacts.
3. The Northern Spotted Owl (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. We request that any permitting be conditioned to avoid impacts.

Sincerely,

COLLIN EWING

Digitally signed by COLLIN  
EWING  
Date: 2023.06.26 12:14:55  
-07'00'

Collin Ewing  
Field Manager