

Old Goat Farms, LLC PLN-11033-CUP

ATTACHMENT 5

PUBLIC COMMENTS

SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of:
February 6, 2020

<input checked="" type="checkbox"/>	Consent Agenda Item	No. E-2
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

Re: Old Goat Farms, LLC Conditional Use Permit

Record Number: PLN-11033-CUP
Assessor Parcel Number: 531-011-005
15112 Pine Creek Road, Weitchpec

Attached for the Planning Commission's record and review is the following supplementary information items that have been submitted to the Department after the date of the staff report:

1. Email dated February 4, 2020 from Elly Hoopes, Executive Director for the Yurok Tribe, raising significant objections to the approval of this project. In particular impacts to water quality, threatened and endangered species, armed security, ineffective communication and coordination between the applicant and the Tribe, and inaccuracies within the submitted archaeological report.

Staff believes that these issues are addressed in the staff report and attached technical documents, as well as in the email response from the Planning Director to the Yurok tribe included as the second supplemental item.

2. Email dated February 5, 2020 from John Ford, Planning Director to Elly Hoopes, Executive Director for the Yurok Tribe, responding to the February 4, 2020 email.
3. Yurok Tribe Correspondence records for Old Goat Farms, stamped received by Humboldt County February 6, 2020
4. Letter from Watson Well Drilling regarding Tribal Coordination for the drilling of the well.
5. Email from Brian Dell to Cliff Johnson dated January 30, 2020 including a history of email discussion between the applicant, Old Goat Farms and the Yurok Tribe.
6. Email from Brian Dell to Cliff Johnson dated February 3, 2020 summarizing correspondence between Old Goat Farms and the Yurok Tribe.

ATTACHMENT 1

To: Ford, John <JFord@co.humboldt.ca.us>

Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Kathleen Fischer <kfischer@yuroktribe.nsn.us>; Rosie Clayburn <rclayburn@yuroktribe.nsn.us>; Donald Barnes <dbarnes@yuroktribe.nsn.us>

Subject: Missed Call and Old Goat Hearing

Importance: High

Hi John:

It seems we crossed paths on our calls today. I am sorry we missed each other, but it is very important that we speak.

The Tribe received the staff report today and we have concerns about the recommendation to approve a conditional use permit. The Tribe has commented on the permit application, has communicated with you, Sheriff, William Honsal, and with your staff about those concerns. The Tribe has also attempted to work with the owners, Mr. Dell and Mr. Sayas, and has had a lengthy, albeit frustrating, correspondence with Mr. Dell. Therefore it was concerning when Mr. Johnson, your senior planner, stated in an email on January 29th, 2020:

"I have combed through our records and can not find any comments from the Tribe stating any specific objections to this application."

I am concerned that the Tribe's objections have not been included in the staff analysis of the proposed project. I am concerned about the County's review process and how communication is managed.

The Yurok's THPO officers have reached out to Old Goat multiple times over the past two years through both the present THPO, Rosie Clayborn, and the previous THPO, Vice Chair Myers, after reviewing and providing extensive corrections to a faulty cultural resources report. To date, there has been no response from either the archeologist, Mr. Arsenault, nor from Mr. Dell or Mr. Sayas. We are now concerned that the false and inaccurate report is part of the basis of the Department's recommendation. This is for a permit within the ancestral lands of the Yurok Tribe.

As I discussed with you and Sheriff Honsal, the owners of Old Goat have deployed armed guards (Omni Security) with no communication or agreement with the Yurok and Hoopa communities, who frequent the area as cultural practitioners and for subsistence activities.

Mr. Dell and Mr. Sayas were notified at three meetings and in writing that a cultural resource permit and cultural monitors were needed for any ground disturbing activities, yet they proceeded with construction of the well and other projects without any notification, permitting or monitoring.

Finally, the Yurok Tribe Environmental Program has indicated multiple concerns with the impact of the well and water use on a Class II creek. In brief:

- The Depth to the first water of the well, (50 ft) means that it is likely to be hydrologically connected to the diverted class II creek, and should be included in the right to divert water calculation
- The Diversion can only be supported if it doesn't negatively affect downstream resources.
 - We believe that the diversion and the cultivation operation could negatively affect:
 - turbidity levels
 - cold water refugia
 - the designation of Pine Creek as a groundwater Recharge area
 - The preservation of Threatened and endangered Species
- Pine Creek is listed as the third most important tributary for salmon habitat within the Hoopa Valley
- Nutrient Inputs from the farm could lead to an increased potential for bacterial and cyanobacterial contamination
- A discharge of sediment or nutrients from this project could result in a violation of the Hoopa Tribe's Pollutant Discharge Ordinance

- Federal dollars have been spent on Erosion Control and Prevention on Pine Creek. Agricultural projects located on the headwaters of this creek could negatively affect the Federal dollars spent on restoration within this watershed.

It is critical that the County and Department understand the risk to Yurok peoples' lives, the potential risks to water resources and the willful violations of cultural resource protection that have been the practice of the owners, as well as the serious errors in the Cultural Resources Report.

I am in Redding in the morning, and am driving back to the coast after noon. The Tribe is asking that permitting for PLN-11033-CUP/ Assessor's Parcel Number: 531-011-005 be tabled until further review and consultation occurs. In the process, perhaps we can also come to some better understanding of how to address these issues in the future.

Please let me know when there is some time to discuss. The hearing is currently scheduled for February 6, 2020. Again, the Tribe is asking to have this matter tabled.

Thank you for your attention and I look forward to hearing from you.

Wok-hlew'

Elly Hoopes
Executive Director
190 Klamath Blvd/PO Box 1027
Klamath, CA 95548
Tel.: (707) 482-1350 x 1305
Cell: (707) 954-2831
ehoopes@yuroktribe.nsn.us

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ATTACHMENT 2

Johnson, Cliff

From: Ford, John
Sent: Wednesday, February 5, 2020 12:10 PM
To: hhoopes@yuroktribe.nsn.us
Cc: Johnson, Cliff; Kathleen Fischer; Rosie Clayburn; Donald Barnes
Subject: RE: Missed Call and Old Goat Hearing

Hi Elly:

I agree we need to discuss this. I just attempted to call but your voicemail cannot accept more messages. I am in the Redway office today at (707) 383-4100. It is important that we discuss this because we have differing perspectives.

Perhaps most importantly is that County staff is hearing significant concerns expressed very late in the process. This is frustrating in light of the efforts made to obtain comments from the tribe throughout the project review process. The County received two written communications. The first was the November 13, 2018 email you sent me expressing concern about the use of armed security for this and several other sites. I did investigate this concern and determined that the use of a security agency did not violate County Code, and in light of the concern for security and the remoteness of the location, having a licensed security company on site was not a negative action. The planner on this project has made several attempts to elicit comments from the Yurok Tribe, the most recent being on December 9, 2019 when all relevant information was sent to the tribe with the notice that this would be scheduled for the January 9, 2020 Planning Commission.

The preparation of an archaeological report is a critical piece of the application process and we are sensitive to wanting this to be correct. The applicant's archaeologist has provided the County information outlining their attempts to coordinate with the Tribe with a lack of response.

We understand the concern with the well. The second communication was an email from Don who expressed concern with this site about lack of permits for the septic and well. I researched this and found that both had been permitted by the County. We understand that the Tribe wanted to consult with the people doing the work, and it is our understanding that the well driller attempted to coordinate with the Tribe, but there was no response.

The list of concerns with the project are all newly expressed concerns with an application that the county has been attempting to address with the Tribe for some time, with no response. We believe that these concerns have been addressed as part of the permit review and this is reflected in the staff report. The well is connected to groundwater, and there will be storage, and forbearance to address concerns associated with groundwater use. Water quality sampling has been conducted showing there is not runoff from the site. This information has been provided to the Tribe.

I look forward to discussing this with you to address this project and also to insure that we are effectively communicating on all applications.

John

From: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
Sent: Tuesday, February 4, 2020 10:56 AM

ATTACHMENT 3



Yurok Tribe Correspondence Records for:

Old Goat Farms, Application # 11033, APN: 531-011-005

Item 1: Correspondence between Kate Fischer, Yurok Tribe and Cliff Johnson, Supervising Planner for Humboldt County.

Item 2: Correspondence between Elly Hoopes, Yurok Tribe and John Ford, Director of Planning for Humboldt County.

Item 3: Correspondence between Elly Hoopes, Yurok Tribe and Fred Fletcher, Counsel for Old Goat Farms.

Item 4: Frankie Myers and Rosie Clayburn met with Mark Arsenault, hired archaeologist for the Cultural Resources Report.

Item 5: Correspondence between Don Barnes, Yurok Tribe and John Ford, Director of Planning for Humboldt County.

Item 6: Correspondence between Kate Fischer, Yurok Tribe and Brian Dell, Old Goat Farms.

Item 7: Correspondence between Kate Fischer, Yurok Tribe and Brian Dell, Old Goat Farms.

Item 8: Letter from Frankie Myers, Yurok Tribe to Brian Dell and Josef Sayas, Old Goat Farms.

Item 9: Letter from the Yurok Tribe Cannabis Taskforce to Brian Dell and Josef Sayas, Old Goat Farms.

Item 10: Referral response from Frankie Myers, Yurok Tribe to Humboldt County Planning Commission.

Item 1: Correspondence between Kate Fischer, Yurok Tribe and Cliff Johnson, Supervising Planner for Humboldt County.

January 29, 2020

Samantha Reid

From: Rosie Clayburn
Sent: Thursday, January 30, 2020 9:06 AM
To: Samantha Reid
Subject: FW: Apps#11033 Old Goat Farms, LLC on APN 531-011-005

From: Kathleen Fischer
Sent: Thursday, January 30, 2020 9:04 AM
To: Rosie Clayburn <rclayburn@yuroktribe.nsn.us>
Subject: FW: Apps#11033 Old Goat Farms, LLC on APN 531-011-005

Here is the notice from Humboldt County regarding Old Goat Farms.

From: Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Sent: Wednesday, January 29, 2020 12:29 PM
To: Kathleen Fischer <kfischer@yuroktribe.nsn.us>; Castellano, Caitlin <CCastellano1@co.humboldt.ca.us>; kenpnorton@gmail.com; Brian McCaughey <brian4epa@gmail.com>; hvt.thpo@gmail.com; Elly Hoopes <hhoopes@yuroktribe.nsn.us>; Rosie Clayburn <rclayburn@yuroktribe.nsn.us>
Cc: Elly Hoopes <hhoopes@yuroktribe.nsn.us>; Donald Barnes <dbarnes@yuroktribe.nsn.us>; Frankie Myers <fmyers@yuroktribe.nsn.us>; Rose Sylvia <rsylvia@yuroktribe.nsn.us>; Rich Nelson <richard@yuroktribe.nsn.us>
Subject: RE: Apps#11033 Old Goat Farms, LLC on APN 531-011-005

Ms. Fischer,

I have combed through our records and can not find any comments from the Tribe stating any specific objections to this application. Could you please forward any that you believe were submitted, or any new concerns that the Tribe has? Thanks,

Cliff Johnson, Supervising Planner
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
(707) 268-3721

From: Kathleen Fischer <kfischer@yuroktribe.nsn.us>
Sent: Friday, January 10, 2020 5:32 PM
To: Castellano, Caitlin <CCastellano1@co.humboldt.ca.us>; kenpnorton@gmail.com; Brian McCaughey <brian4epa@gmail.com>; hvt.thpo@gmail.com; hhoopes@yuroktribe.nsn.us; Rosie Clayburn <rclayburn@yuroktribe.nsn.us>
Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; hhoopes@yuroktribe.nsn.us; Donald Barnes <dbarnes@yuroktribe.nsn.us>; Frankie Myers <fmyers@yuroktribe.nsn.us>; Rose Sylvia <rsylvia@yuroktribe.nsn.us>; Rich Nelson <richard@yuroktribe.nsn.us>

Subject: RE: Apps#11033 Old Goat Farms, LLC on APN 531-011-005

Importance: High

Hi Caitlin,

I'm sorry to hear you are leaving, you will be missed.

On the afternoon of Wednesday, January 8th it was confirmed that the Planning Commission would not consider Apps#11033 Old Goat Farms, LLC on APN 531-011-005 and that the matter would be continued until February 6th. Because of that information, Tribal representatives did not attend the hearing.

The Tribe has significant objections to this application, which we have communicated to Director Ford previously. I presume that no action was taken on this application, per the information we received.

Mr. Johnson, will you please explain what actions were taken, if any?

Wok-hlew'

Kate

From: Castellano, Caitlin <CCastellano1@co.humboldt.ca.us>

Sent: Friday, January 10, 2020 4:47 PM

To: kenpnorton@gmail.com; Brian McCaughey <brian4epa@gmail.com>; hvt.thpo@gmail.com; Elly Hoopes <hhoopes@yuroktribe.nsn.us>; Kathleen Fischer <kfischer@yuroktribe.nsn.us>; Rosie Clayburn <rclayburn@yuroktribe.nsn.us>

Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>

Subject: RE: Apps#11033 Old Goat Farms, LLC on APN 531-011-005

Hello Tribal Representatives – Apologies you were notified that this project was continued to the 2/6/2020 Planning Commission meeting until the 1/9/2020 Agenda was published. The applicant requested a continuance to become a grandfather. Minor edits were made to the cultivation and operations plan (attached) and the plot plan is still pending but I wanted to forward as indicated in original email below because today, Friday 1/10/2020, is my last day with the County.

If you have any questions or have any information that you would like to be included in the staff report packet please send to Cliff Johnson, Supervising Planner at CJohnson@co.humboldt.ca.us and he can be reached via phone at 707-268-3721. Also, please contact Cliff for any other inquiries on projects in your respective areas until a new planner point-of-contact can be assigned.

Thank you,
Caitlin Castellano

From: Castellano, Caitlin

Sent: Monday, December 09, 2019 9:33 AM

To: 'kenpnorton@gmail.com' <kenpnorton@gmail.com>; 'Brian McCaughey' <brian4epa@gmail.com>; 'hvt.thpo@gmail.com' <hvt.thpo@gmail.com>; hhoopes@yuroktribe.nsn.us; 'Kathleen Fischer' <kfischer@yuroktribe.nsn.us>; 'rclayburn@yuroktribe.nsn.us' <rclayburn@yuroktribe.nsn.us>

Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>

Subject: Apps#11033 Old Goat Farms, LLC on APN 531-011-005

Hello Tribal Representatives – This is a follow-up email to provide updated project materials your records and review. This project is planned for the January 9, 2020 Planning Commission hearing. Attached is a zip folder of updated documents that will be included in the staff report. Both Tribes will be included in project noticing for the hearing

The applicant worked to address some of Hoopa EPA's concerns regarding water quality and quantity by abandoning a surface water diversion, installing a well and preparing various technical reports addressing water quality. To ensure the long-term viability of the well and ground water, the County will condition to project to increase water storage to 100,000 gallons to enable less reliance on well water during the dry months. Please let me know if you have any questions, comments or recommendations.

List of documents in zip folder:

- Plot Plan*
- Cultivation and Operations Plan*
- Well Completion Log
- Timber Conversion Report
- Restocking Plan
- Site Management Plan
- Notice of Applicability with State Water Board
- LSAA with CDFW
- Ambient Water Quality Report
- Technical Memorandum for Existing Streams Near Cultivation Areas
- Water Rights
- Biological Assessment
- Generator Specs and sound levels
- Cultural Resources Investigation by Mark Arsenault
- Follow-up correspondence with Mark Arsenault

*Please note: minor updates to the plot plan and cultivation and operations plan are pending to correct existing water storage amounts and estimated water usage to be consistent with the Site Management Plan.

Thank you,



Caitlin Castellano, Planner II
Current Planning, Cannabis Services
Planning & Building Department
Direct: 707-268-3731
Main: 707-445-7541
Email: ccastellano1@co.humboldt.ca.us

New Redway Office Hours

Monday and Wednesday, 9:30 am to 3:30 pm

3156 Redwood Dr, Redway (707) 383-4100

Mondays – Building, Current Planning and Code Enforcement

Wednesdays – Building, Cannabis Planning and Long Range Planning

Item 2: Correspondence between Elly Hoopes, Yurok Tribe and John Ford, Director of Planning for Humboldt County.

November 13, 2018

From: Ford, John <JFord@co.humboldt.ca.us>
Sent: Saturday, November 17, 2018 11:43 AM
To: Elly Hoopes <hhoopes@yuroktribe.nsn.us>; Kathleen Fischer <kfischer@yuroktribe.nsn.us>
Cc: Honsal, William <WHonsal@co.humboldt.ca.us>; Duke, Natalie <NDuke@co.humboldt.ca.us>
Subject: RE: Omni Security in Ancestral Lands

Thanks Elly

John



John H. Ford
Director
Planning and Building Department

707.268.3738

From: Elly Hoopes [<mailto:hhoopes@yuroktribe.nsn.us>]
Sent: Tuesday, November 13, 2018 12:26 PM
To: Ford, John; Kathleen Fischer
Cc: Honsal, William; Duke, Natalie
Subject: Omni Security in Ancestral Lands

Hi John:

It was nice to see you on Friday.

I wanted to make sure you were aware of the properties that we have seen people with guns and signage around. There are two properties with signs up: Old Goat APN 531-011-055-000 application #: 11033, and Sullivan LLC APN 531-011-009-000 and APN 531-011-010 application #: 12858 and 12849.

It sounds as if code enforcement would be the appropriate responding unit, but to keep everyone on the same page, I am cc'ing Natalie Duke and Sheriff Honsal because they were a part of the initial conversation regarding the guns in ancestral lands.

I am not sure of the status of the permits, but the Tribe agrees that guns are not the appropriate response to the Humboldt County cannabis permitting process, and that the area would be much safer without hired armed security. In the event that this is the response by permitted grows, we may want to discuss how to give notice to the tribe so there can be better safety precautions all around.

Again thank you for touching base on this Friday, and please let me know how we can be of assistance. We look forward to hearing about the outcome.

Wok-hlew'

Elly Hoopes | ASSOCIATE GENERAL COUNSEL
YUROK TRIBE OFFICE OF THE TRIBAL ATTORNEY
PO BOX 1027
KLAMATH, CA 95548
TEL: (707) 482-1350 EXT. 1303 | CELL: (303) 517-4264 | FAX: (707) 482-1363
EMAIL: [HHOOPES@YUROKTRIBE.NSN.US](mailto:hhoopes@yuroktribe.nsn.us)
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Item 3: Correspondence between Elly Hoopes, Yurok Tribe and Fred Fletcher, Counsel for Old Goat Farms.

May 30, 2018

Elly Hoopes

From: Fred Fletcher [<mailto:fletcher@lawca.us>]
Sent: Wednesday, May 30, 2018 4:20 PM
To: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
Cc: Brian Dell <brian4034@msn.com>
Subject: Re: RE: Old Goat Farms LLC

Elly,

This is to confirm I left you 2 voice messages today and would like to discuss this project.

From: Fred Fletcher [<mailto:fletcher@lawca.us>]
Sent: Wednesday, May 30, 2018 4:20 PM
To: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
Cc: Brian Dell <brian4034@msn.com>
Subject: Re: RE: Old Goat Farms LLC

Elly,

This is to confirm I left you 2 voice messages today and would like to discuss this project.

>Sent May 16, 2018

Elly,

The major concern is the provision the applicant submit to the Tribe's jurisdiction.

If the applicant is otherwise cooperative, consenting to the Tribe's jurisdiction is not needed.

There's no such requirement in the ordinance.

What is a good time to call you?

Fred Fletcher, Esq.
Fletcher Law Offices
417 2nd Street, Suite 204
Eureka, CA 95501
(707) 502-2642
California SBN 238038
Washington State SBN 49360

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Sent: Tuesday, May 15, 2018 at 11:36 AM
From: "Elly Hoopes" <hhoopes@yuroktribe.nsn.us>
To: "Fred Fletcher" <fletcher@lawca.us>, "Brian Dell" <Brian4034@msn.com>
Subject: RE: Re: Old Goat Farms LLC

Hi Brian and Fred:

I can be reached at any of the contact below.

Elly Hoopes | ASSOCIATE GENERAL COUNSEL

YUROK TRIBE OFFICE OF THE TRIBAL ATTORNEY

PO Box 1027

KLAMATH, CA 95548

TEL: (707) 482-1350 EXT. 1303 | CELL: (303) 517-4264 | FAX: (707) 482-1363

EMAIL: HHOOPES@YUROKTRIBE.NSN.US

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Item 4: Frankie Myers and Rosie Clayburn met with Mark Arsenault, archaeologist hired by Timberland Resource Consultants to complete the Cultural Resources Report for Old Goat Farms.

May 21, 2018

Frankie Myers and Rosie Clayburn gave edits on the report to Mark Arsenault at an in-person meeting and discussed the report being inaccurate and offensive to the Yurok Tribe and its cultural resources. To date, there have been no revisions sent to Rosie Clayburn, current Tribal Heritage Preservation Officer for the Yurok Tribe.

Item 5: Correspondence between Don Barnes, Yurok Tribe and John Ford, Director of Planning for Humboldt County.

May 14, 2018

From: Donald Barnes
Sent: Monday, May 14, 2018 5:12 PM
To: jford@co.humboldt.ca.us
Cc: CannabisTaskForce <CannabisTaskForce@yuroktribe.nsn.us>
Subject: Yurok Tribe - HC BoS G2G Meeting Follow-up

Hi John,

Thank you for speaking with me after the G2G meeting on Friday, May 4, regarding the applicant "Old Goat Farms LLC". As discussed during our meeting, the owners of Old Goat Farms (Apps # 11033), Brian Dell and Josef Sayas, met with the Yurok Tribe Cannabis Task Force on May 2. During their consultation visit with us, the owners disclosed they had taken it upon themselves to have a septic system installed on their property and that they were in the process of having Watson Well install a well for water consumption needs related to their operation (in lieu of the surface water diversion that currently exists and the proposed 500,000 gallon pond). Mr. Dell explicitly told the task force the county permitting process was too cumbersome and would take too much time to wait for, so they were installing the infrastructure ahead of the necessary permits to help set up their grow site in preparation for the upcoming outdoor growing season.

As I explained to you during our side conversation, Old Goat Farms' disregard for county permitting requirements is very concerning to us on the task force. If Mr. Dell does not see the need to comply with your county processes, there is little confidence he will be forthcoming and honest when dealing with us. Our hope is that you will instruct your staff to investigate this matter further and, if unpermitted construction has been occurring, determine the appropriate course of action moving forward.

Thank you for your time and attention, and we look forward to hearing what you discover regarding this matter.

Don Barnes
TERO Director



THE YUROK TRIBE

190 Klamath Blvd
P.O. Box 1027
Klamath, CA 95548
707-482-1350 ext. 1388
707-954-0546 (C)

Item 6: Correspondence between Kate Fischer, Yurok Tribe and Brian Dell, Old Goat Farms.

May 4, 2018

From: Kathleen Fischer
Sent: Friday, May 4, 2018 3:25 PM
To: Brian Dell <Brian4034@msn.com>
Cc: CannabisTaskForce <CannabisTaskForce@yuroktribe.nsn.us>; Elly Hoopes <hhoopes@yuroktribe.nsn.us>; Louisa McCovey <lomccovey@yuroktribe.nsn.us>; Frankie Myers <fmyers@yuroktribe.nsn.us>; 'Rosie Clayburn (rclayburn@yuroktribe.nsn.us)' <rclayburn@yuroktribe.nsn.us>
Subject: RE: Old Goat farms
Importance: High

Hi Brian,

It was good to meet you and Josef on Wednesday. I wanted to follow up on the consultation with our tribal attorney and your attorney and on the permitting and monitoring processes we discussed. Elly Hoopes, copied here, is the attorney working on cannabis for the tribe. She can answer questions about the last paragraph in the application that were unfamiliar to your attorney.

I also wanted to remind you that, prior to beginning work on your well or any other activity that disturbs soils or involves water, waste water or other building/construction projects, you must contact the cultural and environmental departments of the Tribe to secure the necessary permits and cultural monitors. For environmental permits, you should work with Louisa McCovey, copied here, and for cultural resource management permits and monitors you should contact Rosie Clayburn and Frankie Meyers, copied here. I cannot emphasis strongly enough how important these steps are. Failure to consult at this stage would prejudice your application significantly.

We look forward to receiving a copy of your archeologist's report and to hearing from you and your attorney so we can move the permit process forward.

Respectfully,

Kate

Kate Fischer
Assitant Director
Planning and Community Development Dept.
Yurok Tribe
kfischer@yuroktribe.nsn.us

Item 7: Correspondence between Kate Fischer, Yurok Tribe and Brian Dell, Old Goat Farms.

March 28, 2018

From: [Brian Dell](#)
To: [Kathleen Fischer; CannabisTaskForce](#)
Cc: [Caitlin Camp; josefsayas1@gmail.com; Maddy Rueda; Cannabis Services Division](#)
Subject: Re: Yurok Letter Dated January 19 2018
Date: Wednesday, March 28, 2018 4:40:46 PM

Hi Kate,

Please feel comfortable to use my first name, always ok.

We may need to meet a little later in the Month and should be able to provide a few options later this week, hope that will work.

Thank You

Best

Brian

From: Kathleen Fischer <kfischer@yuroktribe.nsn.us>
Sent: Wednesday, March 28, 2018 1:02 PM
To: Brian Dell; CannabisTaskForce
Cc: Caitlin Camp; josefsayas1@gmail.com; Maddy Rueda; Cannabis Services Division
Subject: RE: Yurok Letter Dated January 19 2018

Mr Dell,

We would like to meet with you in Klamath next Wednesday, April 4th. If that is acceptable, please let me know at your earliest convenience.

Respectfully,

Kate

Kate Fischer
Assistant Director
Planning and Community Development
Yurok Tribe
PO Box 1027
Klamath, CA 95548
707.482.1350 x1358
kfischer@yuroktribe.nsn.us
<http://www.yuroktribe.org/>

From: Brian Dell [mailto:Brian4034@msn.com]
Sent: Wednesday, March 28, 2018 11:22 AM
To: CannabisTaskForce <CannabisTaskForce@yuroktribe.nsn.us>; Kathleen Fischer <kfischer@yuroktribe.nsn.us>
Cc: Caitlin Camp <ccamp@co.humboldt.ca.us>; josefsayas1@gmail.com; Maddy Rueda <mrueda@timberlandresource.com>; Cannabis Services Division <cannabis@co.humboldt.ca.us>
Subject: Fw: Yurok Letter Dated January 19 2018

Hi Kate,

Noted below in the google document link is all the information you requested in your letter dated January 19th of this year. Should you require any additional information please be sure to contact me directly and we will make all efforts to get what you need.

In addition and pursuant to a letter received March 14th from Frankie Meyers that the Yurok Task Force has completed the initial review and perceives no problems with our Application # 11033 and moving it forward to the Yurok Tribal Council for final review. As requested in this letter we would like to set up a initial consultation with you.

Please call 310 849 7980 or email me directly with some options.

Hi Caitlan,

As John Ford was sent the same January 19th letter and when I was at planning they requested I include them on all correspondence.

Please include this email and correspondence in the file for our Application, APN 531-011-005-000

Best

Brian Dell
Old Goat Farms
310 849 7980

----- Original Message -----

Subject: Timberland Resource Consultants: Yurok Tribe Packet

From: mrueda@timberlandresource.com

Date: 3/20/18 3:15 pm

To: "Brian Dell" <Brian4034@msn.com>

Hello Brian,

Below is a link with all the docs needed to submit to the Yurok Tribe. If you need anything else, please let me know.

<https://drive.google.com/open?id=1CCMcuf8bfj2bXnHIIIGS0JBwNMCfdfdc>

Best,

Maddy Rueda

Timberland Resource Consultants

707-725-1897

Item 8: Letter from Frankie Myers, Yurok Tribe to Brian Dell and Josef Sayas, Old Goat Farms.

March 14, 2018



YUROK TRIBE

Heritage Preservation Office

HC 67, Box 196, Highway 96 • Hoopa, CA 95546

Phone: (530) 625-4130 • Fax: (530) 625-4841

March 14, 2018

Brian Dell and Josef Sayas,
Old Goat Farms
APN 531-011-005-000
Application # 11033
3744 Foothill Road
Santa Barbara, CA 93105

Skue-yen ue' kechoyhl Mr. Dell and Mr. Sayas:

The Yurok Tribal Heritage Preservation Office along with the Yurok Cannabis Task Force have completed the initial review of your commercial cannabis cultivation application file. At this time, the tribal review committee does not perceive problems with moving your application forward to the Yurok Tribal Council for final review. The review process is in accordance with Humboldt County Ordinance #2544 section 55.4.10 application requirements.

We are requesting that you contact Kate Fischer, Assistant Director Planning Community Development for the Yurok Tribe, to set up an initial consultation with the Yurok Tribe's review committee. You can reach Kate Fischer at kfischer@yuroktribe.nsn.us to set up an appointment.

Wok-hlew'

A handwritten signature in blue ink, appearing to read 'Frankie Myers', is written over a horizontal line.

Frankie Myers
Tribal Heritage Preservation Officer
Yurok Tribe

Cc. John Ford, Planning and Building Director, Humboldt County

Item 9: Letter from the Yurok Tribe Cannabis Taskforce to Brian Dell and Josef Sayas, Old Goat Farms.

January 19, 2018



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548
(707) 482-1350 Fax (707) 482-1365

RECEIVED
JAN 24 2018
Humboldt County
Planning Division

Date: January 19, 2018

APPS 11033

Re: Commercial Cannabis Cultivation Permit

APN #: 531-011-005

Applicant / Owner: Brian Dell & Josef Sayas

Old Goats Farms

Address: 3744 Foothill Road

Santa Barbara, CA 93105

CC: John Ford
Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501

Mr. Brian Dell & Mr. Josef Sayas
Old Goats Farms,

The Yurok Tribe has been notified of an application filed under Humboldt County's Commercial Cannabis Cultivation Land Use Ordinance. In order for the Tribe to assess the scope of impacts to Yurok territory, the Yurok Tribe is requiring a consultation with Yurok Tribe's Tribal Historic Preservation Officer.

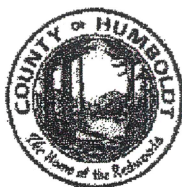
Before consultation we are requesting you to complete the Tribal application form for consultation go to www.yuroktribe.nsn.us, Planning Dept. , Cannabis Task Force, and Yurok RRR Site Remediation Application, provide an application fee of \$2,500 (started on Jan. 1, 2018), and to provide a copy of the Humboldt County application to include filing with State Water Resources Control Board Cannabis Cultivation water rights permit or registry, CalFire's Timberland Conversion Permit, Regional Water Quality Control Board's water quality regulatory program enrollment, Fish & Wildlife's streambed alteration permit, and any grading plans for site conditions such as concentrated areas of run-off, etc., as determined applicable to your parcel.

Failure to show a good faith effort towards consultation will result in a categorical denial to Humboldt County in regards to the Yurok Tribe's review process. Please contact the Yurok Tribe's Cannabis Task Force email: cannabistaskforce@yuroktribe.nsn.us if you have any questions.

Thank you,
Cannabis Task Force
Planning & Community Development
Yurok Tribe

Item 10: Referral response from Frankie Myers, Yurok Tribe to Humboldt County Planning Commission.

September 21, 2017



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

9/21/2017

PROJECT REFERRAL TO: Yurok Tribe

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Yurok Tribe, Hoopa Valley Tribe, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, HCSO, CA Water Resources Control Board, Division of Water Rights, Klamath Trinity School District

Applicant Name Old Goat Farms, LLC **Key Parcel Number** 531-011-005-000

Application (APPS#) 11033 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-132

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 10/6/2017

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

☐ Recommend Approval. The Department has no comment at this time.

☐ Recommend Conditional Approval. Suggested Conditions Attached.

☒ Applicant needs to submit additional information. List of items attached.

☐ Recommend Denial. Attach reasons for recommended denial.

☐ Other Comments: Will contact applicant for additional information and consultation.

DATE: 9/27/17

PRINT NAME: Frankie Myers

ATTACHMENT 4



1/30/2020

Hi Bryan,

I am responding to the question of did our company have any communications with the Yurok Tribe prior to drilling your water well which began on the morning of 6-1-18 and was completed on 6-5-18 mid-day.

Sometime prior to the actual drill date, you told me that the Yurok tribe wanted to be aware of the day of the drill and if I recall correctly, I thought they wanted to be present for the drill. As you may recall, during that period our drilling schedule was booked well over a year making it hard to commit to an exact day that we would start the drill for the purposes of them scheduling their site visit. We passed on a range of dates as to the prospective drill day. Our phone number was passed on to them and they stated they would be in contact with us as we approached the proposed drill dates. We never did receive any calls from them either before the proposed drill dates or after the drill was completed.

Hopefully this answers any questions that have been asked pertaining to your drilling schedule and well completion.

Best regards,

Don Watson

Don Watson

ATTACHMENT 5

Johnson, Cliff

From: Brian Dell <brian4034@msn.com>
Sent: Thursday, January 30, 2020 1:56 PM
To: Johnson, Cliff
Cc: Ford, John
Subject: Fw: August 29th Conference Call Update With Yurok
Attachments: Yurok Contractor List09162018124751.pdf

Cliff,

Please note the email thread below, as I discussed with you I have included the attachment that was provided to me by Yurok Tribe during my initial meeting with the Yurok Tribe in their offices I believe on May 2 2018. Our initial understanding, (as Yurok provided me with the enclosed attachment noting Watson Well) is that Yurok would contact Watson Well directly to coordinate as Watson Well Schedule is fluid.

I spoke with Don Watson and he told me he would welcome the call and happy to coordinate, Yurok never followed up and would not accept any responsibility about the follow up, our the priority was in fact to eliminate the stream diversion, accomplished and which is a positive step.

Best

Brian Dell

From: Brian Dell <Brian4034@msn.com>
Sent: Monday, September 17, 2018 2:39 PM
To: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
Cc: Fred Fletcher <fletcher@lawyer.com>; kfischer@yuroktribe.nsn.us <kfischer@yuroktribe.nsn.us>
Subject: Re: August 29th Conference Call Update

Hi Elly,

Thank you for getting back to us and we would welcome and look forward to a site visit with Frankie Myers and any other individuals you feel are appropriate on October 5th. I would also be happy to meet at a convenient location and drive together to the property, whichever is the easiest.

As you can see from the attachment and copy that was given to me from a individual during our initial meeting with Yurok Tribe it was our understanding that the Yurok Tribe was coordinating direct with Watson Well as the schedule with Watson Well was a moving target. A primary goal was to eliminate stream bed diversion, which is now accomplished and a positive move for all. My truest understanding was that the Yurok Tribe was coordinating directly with Watson and unfortunate we had this mis communication.

We will focus on moving forward in a collaborative manner so we may all set a positive example of what may be accomplished for all interested parties by working together. As we previously agreed to we are holding off on any infrastructure until we can finalize a timely written agreement with the Yurok Tribe.

As I will be out of the Country after October 5th I encourage all of us to stay on this schedule, thank you.

Best Regards

Brian Dell

From: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
Sent: Friday, September 14, 2018 5:16 PM
To: Brian Dell
Cc: fletcher@lawca.us; Kathleen Fischer
Subject: August 29th Conference Call Update

Hi Brian:

Thank you for the THPO letter sent last March 2018.

The cannabis group met yesterday and tried to get through a body of material that included your requests. Frankie Myers, the THPO Officer, is at the Jump dance through September 25. I did manage to get in touch with him enough to ask that he schedule a visit and try to respond.

As you were advised in Kate's May 4 email, prior to beginning work on your well or any other activity that disturbs soils or involves water, waste water or other building/construction projects, you must contact the cultural and environmental departments of the Tribe to **secure the necessary permits and cultural monitors**. For environmental permits, you were advised to work with Louisa McCovey, and her email was copied, and for cultural resource management permits and monitors you should contact Rosie Clayburn and Frankie Myers, who were also copied. The email continued "I cannot emphasize strongly enough how important these steps are. Failure to consult at this stage would prejudice your application significantly."

At this time, Frankie Myers thinks the best way to proceed is with a site visit. He is requesting to be a part of that site visit and his first available dates are 10/5 or 10/9.

Please contact me with any questions or concerns.

Thank you,

Elly Hoopes | ASSOCIATE GENERAL COUNSEL
YUROK TRIBE OFFICE OF THE TRIBAL ATTORNEY
PO Box 1027
KLAMATH, CA 95548
TEL: (707) 482-1350 EXT. 1303 | CELL: (303) 517-4264 | FAX: (707) 482-1363
EMAIL: [HHOOPES@YUROKTRIBE.NSN.US](mailto:hhoopes@yuroktribe.nsn.us)
NOT LICENSED IN CALIFORNIA. LICENSED IN COLORADO AND YUROK.

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From: Brian Dell [<mailto:Brian4034@msn.com>]
Sent: Thursday, September 13, 2018 12:54 PM
To: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
Cc: fletcher@lawca.us; Kathleen Fischer <kfischer@yuroktribe.nsn.us>
Subject: Re: August 29th Conference Call Update

Hi Elly,

FYI

Here if you have any questions

Best

Brian Dell
Old Goat Farms

From: Brian Dell <Brian4034@msn.com>
Sent: Wednesday, September 12, 2018 12:07 PM
To: Elly Hoopes
Cc: fletcher@lawca.us; Kathleen Fischer
Subject: Re: August 29th Conference Call Update

Thank you

Best

Brian
Sent from my iPhone

> On Sep 12, 2018, at 11:50, Elly Hoopes <hhoopes@yuroktribe.nsn.us> wrote:

>

> It already was.

>

> Thank you.

>

> Elly Hoopes | ASSOCIATE GENERAL COUNSEL

> YUROK TRIBE OFFICE OF THE TRIBAL ATTORNEY

> PO BOX 1027

> KLAMATH, CA 95548

> TEL: (707) 482-1350 EXT. 1303 | CELL: (303) 517-4264 | FAX: (707) 482-1363

> EMAIL: HHOOPES@YUROKTRIBE.NSN.US

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>

>

>
> -----Original Message-----
> From: Brian Dell [<mailto:brian4034@msn.com>]
> Sent: Wednesday, September 12, 2018 9:09 AM
> To: Elly Hoopes <hhoopes@yuroktribe.nsn.us>
> Cc: fletcher@lawca.us; Kathleen Fischer <kfischer@yuroktribe.nsn.us>
> Subject: Re: August 29th Conference Call Update

>
> Good Morning Elly

>
> Please make all efforts to forward my recent email to the Cannabis Task Force.

>
> Best

>
> Brian
> Sent from my iPhone

>
>> On Sep 11, 2018, at 17:03, Brian Dell <Brian4034@msn.com> wrote:

>>
>> Hi Elly

>>
>> Thank you for the update and please advise the cannabis task force that I would be willing to fly up tomorrow and be present for any questions or conversation on Thursday.

>>
>> Thank you

>>
>> Best

>>
>> Brian
>> Sent from my iPhone

>>> On Sep 11, 2018, at 16:39, Elly Hoopes <hhoopes@yuroktribe.nsn.us> wrote:

>>>
>>> Hi Brian:

>>>
>>> Thank you for your email.

>>>
>>> Please do not consider this a response to your email in general because the Cannabis Task Force is in discussion.

>>>
>>> I do want to clarify that though I am a licensed to practice law in Colorado and with the Yurok Tribal Court, and took the attorney bar exam for California, I don't get any official results until November, and there is an extensive moral character background check that can add additional time before any official licensing if you pass the written exam. To say: I am not yet licensed in California.

>>>
>>> As to our conversation you raised in your email, the Cannabis Task Force initiated discussions on some of the issues you raised in our conversation, and those discussions are ongoing. We will be meeting this Thursday and next and should have a formal response to you after that.

>>>
>>> Please understand that there are many topics before the Yurok Tribal Task Force since we advise the Yurok Tribe generally on most issues to do with cannabis, and in an effort to be thorough, we try to allow for all perspectives to be heard. We will be getting back to you as soon as we can.

>>>
>>> Thank you for confirming that you we will hold off on infrastructure projects so we may finalize a timely agreement. To have such an agreement by the end of September may not be entirely possible, but the Tribe understands it

is your desire.

>>>

>>> Thanks,

>>>

>>> Elly Hoopes | ASSOCIATE GENERAL COUNSEL

>>> YUROK TRIBE OFFICE OF THE TRIBAL ATTORNEY PO BOX 1027 KLAMATH, CA 95548

>>> TEL: (707) 482-1350 EXT. 1303 | CELL: (303) 517-4264 | FAX: (707) 482-1363

>>> EMAIL: HHOOPES@YUROKTRIBE.NSN.US

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>>>

>>>

>>>

>>>

>>>

>>> -----Original Message-----

>>> From: Brian Dell [<mailto:brian4034@msn.com>]

>>> Sent: Tuesday, September 11, 2018 1:30 PM

>>> To: Kathleen Fischer <kfischer@yuroktribe.nsn.us>

>>> Cc: Fred Fletcher <fletcher@lawca.us>

>>> Subject: August 29th Conference Call Update

>>>

>>> Hi Kathleen,

>>>

>>> As you may know after several months Fred Fletcher and myself finally were able to connect with Elly Hoopes. We spoke for about a hour and discussed many topics.

>>>

>>> We reviewed our meeting with your team in May when we discussed a concept of a written contract/ agreement in a effort to move forward and follow agreed upon guidelines that would be important to Yurok Tribe. It was a bit of a challenge to implement a contract due to Elly not being licensed in California.

>>>

>>> The positive part is that Elly is now Licensed and as confirmed on the phone with Elly we are prepared to move forward with specific terms and conditions that meet concerns for all those involved.

>>>

>>> It was our goal post our May meeting to start following the Yurok Guidelines as outlined in a written agreement in a more timely manner.

>>>

>>> Since we were not able to finalize a Agreement/Contract our mandate and requirements were and are to follow the written guidelines, which are numerous, to stay compliant with Humboldt County Planning as Humboldt was maintaining jurisdiction.

>>>

>>> We have and continue to follow all of the guidelines from Humboldt Planning including implementation of Track and Trace.

>>>

>>> Collectively we now have a opportunity to move forward together to proceed in a collaborative manner.

>>>

>>> Since we are now communicating we will hold off on infrastructure projects so we may finalize a timely agreement. Our goal is to work with your team so that Yurok Tribe will feel comfortable in supporting our project and completing the permit.

>>>

>>> I only request that we all make a concerted effort to get this Agreement done by end of September. I will make this a priority, just need help from Yurok Tribe in expediting.

>>>>
>>>> Please note the Archaeologist CRI report that was completed and Yurok Tribe than requested additional revisions on is ready with the exception of one area, (Yurok Records Search) Mark Arsenault has emailed Mr. Meyers so Mark may have access to obtain this data. As of today Mark has not heard back from Mr. Meyers.
>>>>
>>>> On the call with Elly I did mention the CRI report to Elly along with a option for a follow up meeting with Yurok so we may all make a effort to finalize a agreement. We have not heard back from Elly since the call on August 29th.
>>>>
>>>> Elly did mention that even with a signed agreement that we may not get a approval which was perplexing and contrary to what we discussed when we all met, otherwise why have a written agreement.
>>>>
>>>> I can only emphasize that we are available, ready to expedite and move forward together in a timely and collaborative manner.
>>>>
>>>> Best
>>>>
>>>> Brian Dell
>>>> Sent from my iPad
>>>>

ATTACHMENT 6

Johnson, Cliff

From: Brian Dell <brian4034@msn.com>
Sent: Monday, February 3, 2020 3:56 PM
To: Johnson, Cliff
Subject: Recap of Yurok Communication

Cliff,

*I prepared this recap so that as needed i could refer back to my emails.
Let me know if you need any copies of the letters from Yurok,*

January 19 2018 Letter from Yurok:

John Ford CC on letter

Letter from Yurok Tribe requesting \$2500.00, Tribal application Form, and Site Remediation Application, \$1500.00 **(Signature Required to consent to Yurok Tribal Jurisdiction, Laws and Policies, request to sign and certify as requested on this Application. The Application had 4 individual terms that we could not sign on and are not supported or required by Humboldt County. We are under the regulations and laws from Humboldt County Planning .)**

Submitted all other requested documents in the letter on March 28th 2018.

March 14 2018 Letter from Yurok:

John Ford CC on letter

Received letter from Yurok Tribe:

The Tribal Review Committee does not perceive problems with moving your application forward to the Yurok Tribal Council for final review.

Signed by Frankie Myers.

March 28 Email from Brian to Kathleen

Forwarded documents that were requested in the January 19th Letter from Yurok.

Brian Requested Meeting with Yurok Tribe.

April 9th Email

Confirmed meeting at Yurok Tribal Office for May 2nd.

April 20th Email thread From Kathleen/Yurok

Received the Yurok Cannabis Application on April 20th 2018 with a request to pay:

\$2500.00 Application Fee

\$1240.00 Review Fee

\$260.00 Property Profile

675.00 Compliance Inspection

TOTAL \$4675.00

Was advised by Humboldt Planning that this not a requirement as I am bound by Humboldt County Planning. Articulated to Kathleen.

Also was told that documentation requested by Humboldt County as it pertains to our application will be submitted to Yurok for comments.

Meeting May 2nd at the Yurok Tribal Office,

Discussed a option to work on a contract that is in compliance with **Humboldt County Planning** and would **address Yurok Tribe Concerns.**

Updated Fred Fletcher, our attorney on 5/14/18, to initiate dialog with Yurok Team.

During the May 2nd meeting we received from **Yurok a vendor list, on that list was Watson Well.** As we had urgency in completing the and had contracted with Watson Well we had understood that Yurok Tribe would contact Watson Well directly.

I notified Watson Well to expect a call from Yurok so they may be present during the drilling, emphasized with Yurok that it was best for Yurok to coordinate direct with Watson Well, which was agreed to as Drilling Timeline was fluid due to weather and work load. Watson Well also reached out to Yurok as noted in the letter from Don Watson, owner.

Well was installed June 1st 2018.

May 4th Email thread From Kathleen/Yurok follow up from May 2nd meeting.

Introduction to Elly Hoopes, Yurok attorney,

On 5/14 sent contact info to Fred Fletcher.

Fred Fletcher advised that Elly was not licensed in California.

Goal was to initiate the process of a formal agreement between us and Yurok that would be compliant with Humboldt County Planning.

Email also Informing us that before we complete any infrastructure, including the Well, we need to secure multiple permits from them, once again we were staying compliant with Humboldt County Planning and were told that additional permits were not a requirement. We were making efforts to have a formal Agreement.

As noted above:

We understood from the May 2nd meeting that Yurok Tribe would contact Watson Well and I also notified Watson Well to expect a call from Yurok so they may be present during the drilling.

Emphasized that it was best for them to coordinate direct with Watson as Drilling Timeline was fluid due to weather and work load. **(Note Letter From Watson Well) Priority was to terminate our Stream diversion and install a Well which was completed June 5th 2018.**

Unfortunate Misunderstanding that I tried to clarify in emails.

May 8 2018 Email

Submitted Cultural Resource Report to Kathleen Fischer at Yurok.

Kathleen told me they were never contacted by Mark prior to Mark initiating the work. I advised Kathleen that Mark did send letters to Yurok pertaining to his planned work as noted in the report on pages 38 and 39. Mark had not received any response back from Yurok.

May 21st 2018

Mark Arsenault met with Rosie and Frankie from Yurok to discuss the CRI Report, he informed me he than followed up with phone calls and eventually a email on August 29th.

August 29th Conference Call Brian Dell, Fred Fletcher, Elly Hoopes email follow up from Elly,

Elly mentioned that the cannabis group met but did not provide any details

Elly Reiterated/ restated Kathleen May 4th email

I Mentioned that Mark, who prepared the CRI was trying to reach Frankie Meyers as additional information was being requested by Yurok. Mark was initiating efforts to coordinate.

Elly told us that even with a written agreement it would not be in conjunction with any approval, perplexing as why would Yurok want a signed agreement.

Told us the Frankie Meyers felt the best way to move forward is with a site visit on October 5th or the 9th.

September 11, 2018 Email from Brian to Kathleen

Long email to Kathleen updating her regarding the challenge of contacting Elly Hoopes but finally making progress.

Noting that since we still have no agreement in place and Emphasizing that we must be compliant with Humboldt County Planning first and foremost.

We would hold off on major infrastructure so we may complete a timely agreement.

Mark the Archaeologist who prepared CRI emailed Frankie Meyers on August 29th (as well as me mentioning it to Elly Hoopes on a August 29th conference call with Fred Fletcher and Elly) as it pertained to the request from the Yurok Tribe to coordinate access to additional information from Yurok and as appropriate incorporate that into the CRI Report.

As of September 11th, the date of my email Mark had not received any communication from Frankie.

September 11, 2018 Email from Elly Hoopes and my response.

Elly Acknowledging that she is not Licensed in California as of yet.

Cannabis Task Force is meeting on some of our concerns.

Confirming my email that we will hold off on infrastructure projects.

My response offering to fly up to address any questions from the Cannabis Task Force since they were meeting.

September 17 2018 Email

Confirming site visit on October 5th 2018

Email to Elly showing why there may have been miscommunication as it pertained to Well with a copy of the Vendor list we received from Yurok during the May 2nd meeting.

We would like to move forward in a collaborative way, wanted to finalize a written agreement.

Yurok Site Visit October 5th.

Several people from Yurok Tribe showed up plus a individual who said he was consultant as he had his own cannabis cultivation farm.

Was informed that ours was the first legal Farm they have visited

Also understood they would follow up with us.

10/15/18 Email from Brian to Elly

My Follow up to October 5th site visit, no response

10/18/18 Email from Brian to Elly

Second follow up to site visit, no response

As of February 2020 no response and moving forward to Planning Commission Hearing on February 6th.