

LSAA Restoration Plan for APN 211-362-015

On January 23rd 2019, CDFW conducted a site visit on this parcel. CDFW identified several issues during the inspection of legacy illegal roads and watercourse crossings. Please see attached documents of the following:

Letter of violations

Photos of violations

Restoration Plan

Site Plan

Grading Plan for permitted pond

Restoration Plan

Violations # 1 & #2 40.2583-123.7767

Photos 1-2

An unused historic road intersects with a class 3 watercourse. The natural watercourse has been disconnected, leaving the water to flow down the road causing sediment discharge.

1. Sediment discharge starts at the base of the hill where there was side cast materials from pond excavation. Reshape to natural contours and because of slope of over 40% utilize jute cloth and seed and straw to reduce sediment discharge.
2. Reshape watercourse to natural contours. Historic road will be reshaped to natural contours. Utilize native grass seed and straw as well as the abundance of on site woody debris for stabilizing exposed soil. Approx. 111 cu. Yds. Of material will have to be moved to address this area.

Violation#3 40.2886-123.7765

Photos 3-4-5

This is the continuation of the historic road which crosses another class 3 watercourse. The natural watercourse has been disrupted and water now flows down the road for approx. 100'.

1. Reshape and restore the water course to natural contours. This will include removing the road and woody debris.
2. Stockpile of approximately 8 yds of material will be removed and use for the restoration of the road.
3. Seed and straw exposed soil with native grass seed. Utilize on site woody debris for soil stabilization . Approx. 75 cu. Yds. Of material will be moved to reshape and restore this area.

Violation #4 40.2564-123.7777

Photos 6-7

This is an area in which a historical parking area and road have been developed in a class 3 watercourse.

1. Remove fill materials which have deposited in the natural watercourse. This is approximately 25 cu. Yds. As much as possible leave the small Douglas Fir trees which have grown in the area for stabilization. Remove the fill and use it to restore the natural contours of the road area adjacent to this feature.
2. Utilize native grass seed and straw to cover exposed soil. Due to the steepness of over 40% slope, utilize straw wattles to help stabilization of the slope. Place wattles horizontally at required spacing of 25 feet.
3. Utilize abundance of woody debris to help stabilization of exposed excavation.

Violation #5 40.2558-123.7740

Photos 8-9

This is an area in which the historic road was built by filling a class 3 watercourse with approximately 48 cu. Yds. Of debris and soil.

1. Remove the fill materials and recreate a natural watercourse. Use the material that is removed from the watercourse to reshape the road to natural contours. As much as possible save the live Douglas Fir trees for stabilization in the project area.
2. Utilize native grass seed and straw for soil stabilization. Utilize wattles and woody debris as above.

Equipment Needed

John Deere Excavator 120 or equivalent
Chain Saw
Hand tools

40 bales of weed free straw
100# native grass seed
220 linear feet of straw wattles
600 sq. ft. of jute cloth



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 - Northern
619 Second Street
Eureka, California 95501
(707) 445-6493
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 28, 2019

Certified Mail:

7012 2920 0001 8489 6461

Iris Carpenter
Coastal Prairie LLC
PO Box 31
Redway, CA 95560

Subject: Notice of Violation of Fish and Game Code Sections 1602, 5650, and 5652 in
Conjunction with Cannabis Cultivation

Dear Iris Carpenter:

On January 23, 2019, Department of Fish and Wildlife (Department) staff visited your property at Assessor's Parcel Number (APN) 211-362-015 (Property) within the South Fork Eel River watershed, County of Humboldt, State of California. During the visit, staff observed activities that are in violation of Fish and Game Code Sections 1602 and 5650. Staff also observed cannabis cultivation operations in conjunction with these activities.

Fish and Game Code (FGC) Section 1602 requires a person to submit a written notification to the Department before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. Hence, any person who engages in an activity subject to FGC Section 1602 without first notifying the Department violates Section 1602.

FGC Section 5650 makes it unlawful to pollute waters of the state. FGC Section 5650 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state any substance or material deleterious to fish, plant life, mammals, or bird life, including, but not limited to gasoline and oil, as well as sediment.

In the Department's view, notification under FGC Section 1602 was required for one activity that affected an Unnamed Tributary to Elk Creek and two activities that affected unnamed tributaries to Fish Creek. However, the Department was unable to locate a notification for these activities. The locations and descriptions of these activities are provided below (Table 1).

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Table 1. Summary of Fish and Game Code (FGC) violations documented during CDFW staff visit on January 23, 2019.

Violation #	FGC Violation	Latitude/Longitude	Description
1	1602	40.2583 -123.7767	Substantial change to the bed and banks of a stream.
2	5650^	40.2583 -123.7767	Water pollution from approximately 250 linear feet of an erosive hydrologically connected road surface resulting in the deposition of material deleterious to fish (e.g. sediment) into waters of the state.
3	5650	40.2886 -123.7765	Water pollution from approximately 100 linear feet of an erosive hydrologically connected road surface resulting in the deposition of material deleterious to fish (e.g. sediment) into waters of the state.
4	1602	40.2564, -123.7777	Unpermitted stream crossing resulting in; (1) substantial obstruction of natural flow of a stream and (2) substantial change to bed and banks of a stream.
5	1602	40.2558, -123.7740	Unpermitted stream crossing resulting in; (1) substantial obstruction of natural flow of a stream and (2) substantial change to bed and banks of a stream.
Violation Total	1602	3	
Violation Total	5650	2	
Grand Total	All	5	

Slope
40%+

Pie
1-6

Reshape
To Natural
36 yds

Natural Contour
89+0

11

14
25 yds

15-16

40 yds
Reshape
To Natural
Contour

The Department also observed two violations on the Property that are violations of FGC Section 5650 that affected an Unnamed Tributary to Elk Creek. The locations and descriptions of these activities are provided above (Table 1).

A person who violates FGC Sections 1602 and 5650 in conjunction with the cultivation or production of cannabis is subject to significant penalties or fines. Specifically, the Department may impose civil penalties administratively against any person found by the Department to have violated these FGC Sections in connection with the production or cultivation of cannabis following a complaint and, if requested, a hearing.

The Department may request a maximum civil penalty of \$8,000 for each violation of FGC Section 1602, and \$20,000 for each violation of FGC Section 5650. Each day the violation occurs or continues to occur constitutes a separate violation. (Fish & G. Code, § 12025, subds. (b)(1)(A), (2); (e)). Also, the District Attorney or the Attorney General may enforce a violation of FGC Section 1602 and FGC Section 5650 civilly. Specifically, under FGC sections 1615 and 5650.1, a person who violates FGC Section 1602 or Section 5650 is subject to a maximum civil penalty of \$25,000 for each violation. The District Attorney or the

Attorney General may also enforce a violation of FGC Sections 1602 or 5650 criminally. Under FGC Section 12000, each violation is a misdemeanor.

Be advised that absent provisions intended to protect patients and qualified caregivers, commercial cannabis cultivation without a state license is illegal. (Bus. & Prof. Code, § 26032.) The California Department of Food and Agriculture (CDFA) is the state licensing authority for commercial cannabis cultivation. CDFA and the Department are members of a multi-agency task force created to protect the state's resources from the adverse impact of cannabis cultivation. (Fish & G. Code, § 12029.) **Pursuant to state law, failure to address these violations may affect your ability to obtain a commercial cannabis cultivation license or license renewal from CDFA. (Bus. & Prof. Code, §§ 26057, 26060.1.)**

As a first step to address this matter, the Department requests you contact Environmental Scientist Kalyn Bocast at kalyn.bocast@wildlife.ca.gov within 14 days of the date of this letter. Ms. Bocast may propose certain actions to protect fish and wildlife resources that have been or could be affected by the activities described above and may ask you to submit a written notification and fee for these activities. While the Department, District Attorney, or Attorney General may still decide to initiate an enforcement action against you if they determine these activities are in violation of FGC Section 1602 or 5650, we encourage you to respond to this notice so that we may better assess the activity and limit any damage to resources.

The Department appreciates your cooperation.

Sincerely,



Warden Kyle Shaw
Watershed Enforcement Team

cc: Kyle Shaw, Douglas Willson, Scott Bauer, Curt Babcock, and Kalyn Bocast
Department of Fish and Wildlife
kyle.shaw@wildlife.ca.gov, douglas.willson@wildlife.ca.gov,
scott.bauer@wildlife.ca.gov, curt.babcock@wildlife.ca.gov, and
kalyn.bocast@wildlife.ca.gov

Diana Henriulle
Northcoast Regional Water Quality Control Board
diana.henriulle@waterboards.ca.gov

Steven Santos and Robert Russell
Humboldt County Planning and Building Department
[sasantos@co.humboldt.ca.us](mailto:santos@co.humboldt.ca.us) and russell@co.humboldt.ca.us

Addendum 8M – Coordinates (NAD83 Decimal Degree)

Project Site Location:

The proposed project site is located approximately 2.75 miles north east of the community of Miranda (see Attachment 1 for the Location Map and Attachment 2 for the Site Map and Interim Plan). Latitude and Longitude of the project site is 40.257515° N, and -123.777173° W. The parcel is approximately 38.5 acres in size (County of Humboldt GIS webpage). The project sits at the top of a ridge that slopes downward toward the south west toward the town of Miranda and is one third of a mile south west of Elk Mountain. The property is zoned timber (TPZ) and is suggested in the General Plan to be designated as agricultural exclusive (AE) timber production zoning (TPZ). The surrounding parcels currently have the same zoning and are suggested to be zoned either AE or TPZ in the Humboldt County General Plan. The approximate site elevation of the project site ranges from approximately 2,100 to 2,300' above mean sea level. Ingress/egress to the project parcel is provided via a private drive accessed from Barnum Road.

Proposed Schedule: Start & Completion Dates

The proposed project interim work is scheduled within the dates of September 27, 2019 through October 15th, 2019. Site Monitoring will be scheduled as necessary by rain even from October 15th, 2019 through May 15th, 2020. The proposed project permanent work is scheduled within the dates of May 15th through October 15th for years of 2020 through 2023. All project work will stop by the date of October 15th, 2023.

Storm Water Runoff Monitoring

Interim Plan monitoring of the over winter months shall be monitored by a qualified professional to ensure that interim erosion control measures are functioning adequately to prevent sediment deliver to the downslope watercourse.

<u>Constituent¹</u>	<u>Frequency²</u>	<u>Monitoring Frequency³</u>
Turbidity	Once per calendar month when precipitation exceeds 0.25 in/day or when storm water runoff from the site is generated.	All months until May 15th.
Materials deposited at staw bale rows	Once per calendar month when precipitation amount is forecast to exceed 0.25 in/day.	All months until May 15th.

- ¹ Constituents shall be monitored with a calibrated instrument.
- ² Samples shall be representative of storm water discharging from the disturbed area. Additional samples may be required to adequately characterize the discharge from all areas.

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- 3 Monitoring shall be performed during all months in which activity is occurring at the site until winterization is complete. Monitoring is not required after winterization is complete for unoccupied sites during winter months.

Deposited materials at any of the 8 straw bales rows shall be removed by excavation of sediment which is to be transported to a stable location and where erosion control BMP's shall be implement.

Photo Log

See **Attachment #1** for Site Map and Interim Plan.



Figure 1. Photograph taken looking west toward the residence and attached garage. A 5,000 gallon water tank can be viewed to the right and in front of a shed which is used to store generators and petroleum products. The shed has dimensions of 20 feet by 16 feet (see Site Plan).



Figure 2. Photograph taken looking at a generator shed that houses two generators and petroleum products.



Figure 3. Photograph taken looking toward the north-western side of Shed 1 that shows a 1,000 gallon diesel fuel tank that has secondary containment.



Figure 4. Photograph taken looking east toward Site 1 from the direction of the residence. Site 1 consists of two greenhouses that each have dimensions of 26 feet by 80 feet (see Site Plan, Greenhouse K and Greenhouse L). The two greenhouses located at Site 1 are used as nurseries. Two water tanks are located between the western side of the two greenhouses that are used for agricultural purposes. Site 1 is situated on an existing flat that was created between 2009 and 2010 for a residence and the two greenhouses. The flat runs east to west and is sloped at approximately 5% towards the north-east. The hill slope to the north of the flat are approximately 65% and the slopes on the south side of the flat are approximately 30-35%.



Figure 5. Photograph taken at Site 2 looking toward the north-west showing four of eight 2,400 square foot greenhouses along with a shipping container (see Site Map, Container 8) with dimensions of 20 feet by 8 feet. The shipping container is used to store batteries for the solar power system which supplies power to fans within the greenhouses. All 8 greenhouses are used for mixed light cultivation of cannabis.

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The greenhouses are located on a graded flat that was created between 2010 and 2011. The flat is situated on a ridge where the slopes are mild at between 2 and 5%. The average slopes to the south and south-east of the flat are approximately 35%. A watercourse is also located approximately 200 feet east of the flat. The existing impermeable area located at Site 2 is approximately 21,500 square feet (0.494 acres).



Figure 6. Photograph taken at Site 2 looking toward the west along greenhouse # C (see Site Map). The hillslope beyond the graded flat is approximately 55%. There are two watercourses located north of the flat with one starting approximately 175 feet from the extents of grading for the flat. The start of the other stream is located approximately 75 feet west of the extents of the graded area.



Figure 7. Photograph taken looking towards the north-east showing Shed 3 and shipping container Container 6. Shed 3 is used to store agricultural chemicals, pesticides and gardening supplies. Container 6 is used for drying.



Figure 8. Photograph taken looking towards the south-west showing the northern ends of greenhouses C, D, E and J along with shipping containers 1-5 and one of 4 solar arrays that provide power to the batteries in Container 8 along with fans. The closest two shipping containers in the photo (Containers 1 & 2) have the dimensions of 8 feet by 40 feet and are used for drying. The other three shipping containers have the dimensions of 8 feet by 20 feet (shipping containers 3-5). The furthest one in the photo is used for product storage and an administrative hold area. The other two containers (container 3 and 4) are used for drying.



Figure 9. Photograph taken looking towards the west shipping container number 5, one of the four solar arrays along with two water tanks that are used for agricultural purposes. A pump and pressure tank are also pictured that distribute water from the pond and tank to agricultural areas.



Figure 10. Photograph taken looking toward the south showing the location of the well with well pump (40.257466°, -123.777005°) along with the rainwater impoundment structure. The well is used for domestic use and the rainwater impoundment structure is used for agricultural purposes.



Figure 11. Photograph taken looking toward the south-west showing the rainwater impoundment structure and pump house. The settling pond can be viewed in the foreground and a greenhouse at Site 1 can be viewed in the background. The rain water impoundment structure collects rainwater and runoff from the structures located at Site 1 until the water used for agricultural purposes.



Figure 12. Photograph showing the impoundments berm on the northern side of the rainwater impoundment structure. Sloughing is occurring during ground saturating events due to not being compacted properly. The sloughed material has migrated down slope toward Drainage 1. The

sloughing will continue and the material will continue to migrate down slope unless addressed. To address the sloughing before the rainy season. The interim plan is to keep the water off the berm and fill bank below the berm by placing sheets of plastic on the slope. The sheets of plastic are to be held down with sand bags which are to be keyed into the fill bank. The plastic sheets are to span from the rain water impoundment structures liner to below the sloughed areas. A straw bale row is to be constructed below the plastic sheets to dissipate the rainwater and to collect potential sloughed materials.



Figure 13. Photograph showing the area north west of the impoundment where sloughing is occurring during saturated events. The sloughed material has migrated down slope onto a road that is hydraulically connected to a watercourse. Approximately 5 yards of material sloughed off the fill bank onto the road and is being transported towards the stream during rain events. Approximately 5 yards of rock slope protection will be place to stabilize the bank in this location.



Figure 14. Photograph showing the slope below the impoundment structures north side. Sloughing is occurring during ground saturating rain events. The sloughed material has migrated down slope toward a watercourse. The sloughing will continue and the material will continue to migrate down slope unless addressed which starts approximately 75 feet below is a swale. Approximately 75 yards of material from the fill-slope has slumped and is migrating down slope into the swale. The interim plan will be to place sheets of plastic used to cover the fill slope. The sheets of plastic are to be held down by sand bags. The permanent plan will be to stabilize the fill-slope by removing the organic matter from within the limits of fill, recompact in place and placing approximately 75 yards of rock slope protection (RSP) on the fill sloped. The RSP will be keyed three feet into original ground.



Figure 15. Photograph showing the sloughing that is occurring on slope below the rainwater impoundment north side. The sloughing will continue and the material will continue to migrate down slope unless addressed. The organic material within the limits of the fill shall be removed, the fill-slope shall be compacted in place and approximately 75 yards of rock slope protection (RSP) on the fill bank shall be placed. Much of the sediment transport is due to runoff from an increase in impermeable area at Site 2. I propose constructing a drainage ditch to prevent the increased runoff from Site 2 from flowing toward the north to Drainage 1. The drainage ditch will drain to the rain water impoundment structure which will drain to a bio-swale. The bio-swale will also be constructed to drain to the rainwater impoundment structure toward the hill side to the south. The bioswale shall be constructed so that the impoundments effluent water is dispersed to the hillslope where slopes are approximately 35%. The bioswale shall be a 6 feet wide, approximately 100 feet long and will be sloped at 5%. The bioswale shall be set 2 feet below the ground level and the bottom lined with 6 inches of rock.



Figure 17. Photograph showing the slope below the impoundment where sloughing is occurring. The sloughed material has migrated down slope toward a watercourse. The sloughing will continue and the material will continue to migrate down slope unless addressed. To address the sloughing before the rainy season, I propose constructing straw bale rows (SBR) to capture potential sloughing materials. The red rectangles in the photograph show the suggested locations of the placement of straw bale rows.



Figure 18. Photograph showing the slope below the impoundment where material is migrating downslope into the drainage below. Clear Ag-Services put into place temporary stabilization efforts implementing Stanslee Certified straw to cover exposed soils along with cut logs placed within the flow path. The red rectangles show the proposed placement of four straw bale rows within the flow path that shall be place as preventative measures for potential sediment transport.



Figure 19. The road leading to below the rainwater impoundment (Violations 1, 2 & 3) is transporting sloughed material into the stream channel. The road shall be disconnected from the stream channel by constructing a oversized water bar in the location shown.



SP1 (20 yards and 450 square feet): Area within the drainage where approximately 20 yards of soil was deposited from creating the through cut.

Figure 20. Photograph showing the access road leading towards Drainage 1 that materials are being transported along. The access road was created as a through cut generating approximately 35 yards of material that was pushed into the drainage along with organic materials. The generated soil has been pushed into four general piles. Pictured above is Soil Pile 1 (SP1) which consists of approximately 20 yards of soil mixed with organic debris and covers approximately 450 square feet. The permanent remediation will be to remove all of the organic materials from

the debris and place it on the access roads cut bank to create the original contour. No trees will be removed during the process of relocating soil pile SP1.



Figure 21. Photograph showing the access road leading towards the drainage that materials are being transported along. The access road was created as a through cut generating approximately 35 yards of material that was pushed into the drainage along with 8 fir trees and other organic material. The access road was created to access an old logging road that has four buildings located along its path (see Site Map, Buildings 1-4).



Figure 22. Photograph showing the access road where it enters Drainage 1. Organic debris and soil piles SP1 and SP2 are shown. The soils piles will be excavated and places on the road to rebuild the hills original contour. Soil pile SP2

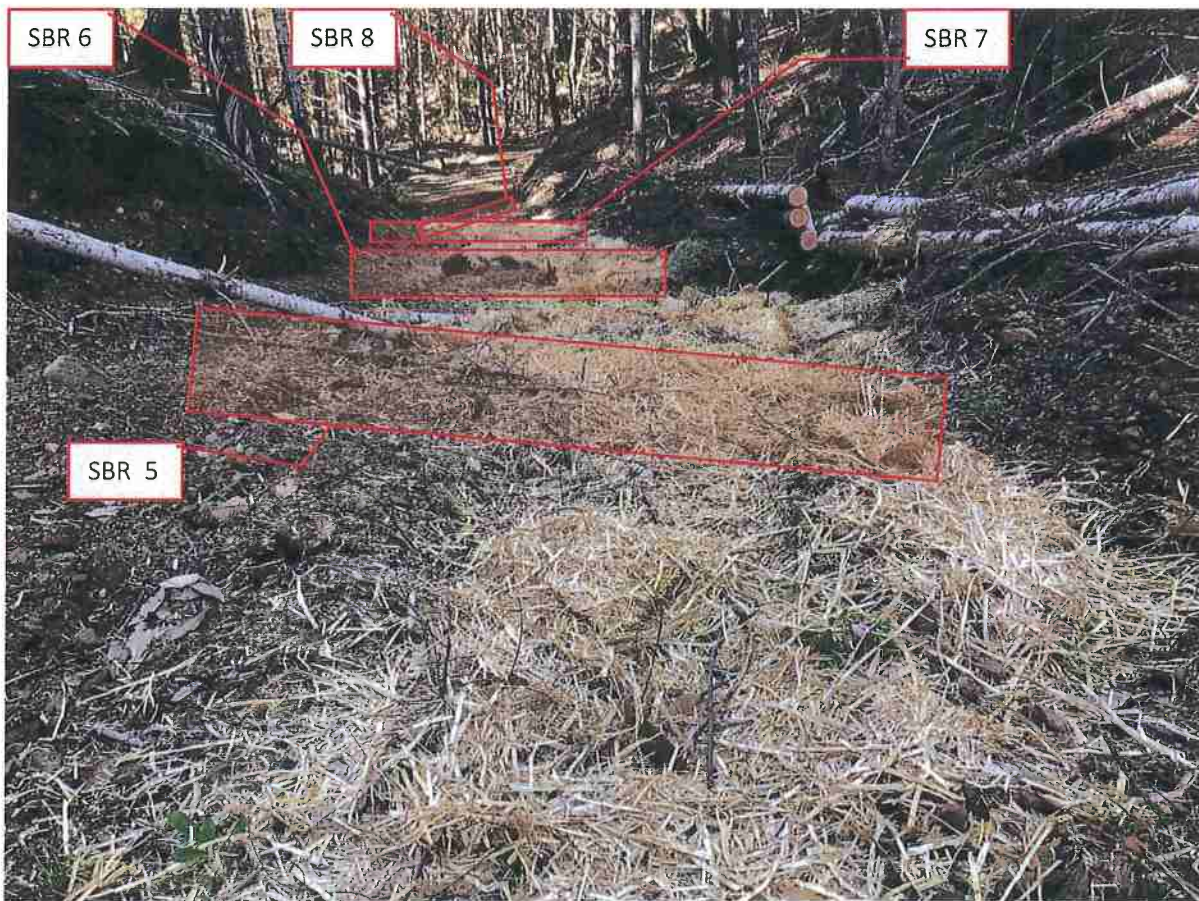


Figure 23. Photograph showing the access road below the impoundment structure where it enters the flow path of the drainage. The access road runs for approximately 80 feet in the drainage and flow path before exiting the drainage toward the east. The red rectangles show the placement locations of four proposed straw bale rows (SBR 5-8).

Soil Pile 3 (5 yards & 100 SF): Location of pushed fill during the construction of access the road. The permanent remediation will be to remove the road and reconstruct the stream bed. The fill is to be excavated and placed in the though cut and access road in the drainage so that they are reshaped to their natural contour.



The drainage flow path below the impoundment structure flows between the location of cut in the log pile. The flow path then flows approximately 80 feet down the access road until the road exit the drainage toward the east.

Figure 24. Photograph showing the access road below the impoundment structure where it enters the flow path of the drainage. The access road runs for approximately 80 feet in the drainage and flow path before exiting the drainage toward the east. The red rectangles show the placement locations of three proposed straw bale rows. The permanent remediation of the drainage will require pulling the transported material



Figure 25. Photograph taken looking up at the impoundment structure from the access road below showing the through cut and material pushed into the drainage. The red rectangles show the proposed location of three rows of straw bales.



Figure 26. Photograph showing where the access road enters Drainage 1 and the proposed placement location of two straw bale rows. The proposed locations of straw bale rows SBR 10 and SBR 5

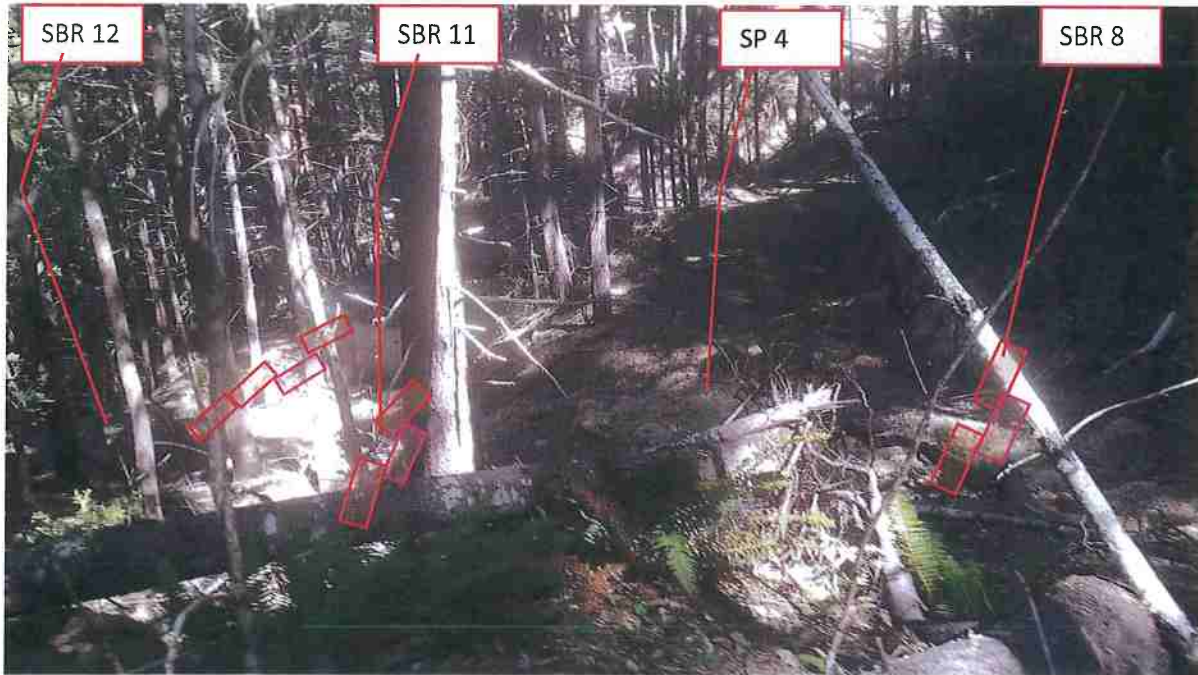


Figure 27. Photograph showing where the access road exits the drainage below the impoundment structure toward the east leaving drainage 1 and heading toward drainage 2. The drainage flow path flows to the west side of a structure that is situated on an old logging road (see Site Map, Building 2). The red rectangles above show the proposed placement locations of proposed straw bale rows SBR 8, 11 & 12 along with soil pile SP 4. The proposed straw bale rows will be used to collect potential transported sediment and act as velocity dissipation. Soil pile SP 4 consists of approximately 5 yards of soil that spans 60 square feet that was placed as the access roads fill in order to make the turn out of the stream channel.



Figure 28. Photograph showing the drainage flow path between the access road and the old logging road that Building 2 is situated on. Two rows of straw bales are proposed as being placed with locations shown by the red rectangles as part of the interim plan. The proposed straw bale rows will collect potential transported sediment. Approximately five yards of material from sloughing that occurred at the top of the access road has been transported down gradient by runoff from a hydraulically connected road network. The permanent remediation plan for the area will be to reconstruct the stream channel for approximately from 20 feet upgradient (south) of where the access road accessed the stream channel to the approximately 30 feet below the logging road and area below Buildings 1-4 (see Site Map). The stream starts approximately 20 feet above the access road and flows north before intersecting with the access road to flow another 60 feet before the access road exits the drainage. The stream then travels another 40 feet before flowing a crossed an old logging road to drop 25 feet to the channel below. There are no signs of erosion on the downhill side of the fill bank. Approximately 5 yards of soil has been transported by the stream onto the old logging road and around Building 2. Building 2 will be deconstructed and the channel will be reconstructed by removing three Douglas fir trees. Approximately 15 yards of fill will be pulled back onto the access road to create the hillslopes original contour in the area the photo was taken.



Figure 29. Photograph taken looking toward the south up the drainage flowline from the old logging road. Building 2 can be seen at the west side of the flowline where transported soil from the stream crossing has collected against the structure. The proposed location of two temporary rows of straw bales is shown by the red rectangles. The permanent remediation for the logging road removal will be to reconstruct the stream channel by pulling 20 yards of soil from the within the road surface so that the channel is set to original grade and contour. Approximately 8 yards of soil will be removed from the area above the cut bank.



Figure 30. Photograph taken looking north-east showing Building 2 and Building 3. Soil has been transported onto the base of Building 2 from the access road over the years.



Figure 31. Photograph showing the drainage below the old logging road that the access road accesses. Building 2 and Building 3 can be seen in the upper right-hand corner and will be removed. A second drainage flow path is situated beyond the buildings shown. The two drainages intersect approximately 10 feet below the road prism toe of the old logging road. The permanent remediation plan proposes reconstructing the two channels in the area of the logging

road. Channel 1 will disturb approximately 60 linear feet of channel in drainage 1 and 130 linear feet in channel two. The area disturbed for reconstructing the channel will be approximately 1,200 square feet in Drainage 1 and 20,000 square feet in Drainage 2. Reconstruction of Drainage 1 will necessitate the excavation of approximately 20 yards of material from Drainage 1 and 60 yards out of Drainage 2.



Figure 32. Photograph looking south showing the old logging road, access road, Building 2, Building 3 and the two drainages that intersect approximately 40 feet below the logging road (redline denotes the flow paths). Building 2 and Building 3 are not being used as cannabis.



Figure 33. Photograph looking east from the logging road at Drainage 2. The road runs for approximately 100 feet up the drainage before turning to the south. An interim plan was implemented in the spring of 2019 which consisted of placing logs and brush in the flow path. The interim plan implemented in the spring is sufficient for preventing erosion until the permanent plan is implemented. The permanent plan consist of reconstructing the stream channel by excavating the access road to the original contour and placing the material on the access road out of the drainage. The construction of the road in the stream course disturbed an approximately area of 1200 square feet. Approximately 30 yards of soil was pushed into the stream channel from construction of the access road.



Figure 34. Photograph showing the drainage flowline below the old logging road looking north west looking down stream. Pictured is the intersection point of the flowlines of Drainage 1 and Drainage 2.



Figure 35. Photograph looking north showing the flowlines located at Drainage 1 and Drainage 2. The red X's mark 10 oak trees that will need to be removed to rebuild the two drainage channels to their original contours. All organic materials will be stockpiled out of the construction area and then will be placed back on after reconstruction of the channel is complete.



Figure 36. Photograph showing Building 1 which is located approximately 100 feet east of western drainage of SC 1. Building 1 is not being used for cannabis.

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Figure 37. Photograph showing Building 4 which is located approximately 80 feet north of Drainage 2 of stream crossing SC 1. Building 4 is not used for cannabis.



Figure 38. Photograph showing Building 5 which is located in the south-east corner of the property. The building is not used for cannabis.



Figure 39. Photograph showing Site 4 which consists of Greenhouse K which is 900 square feet. The slopes of the graded flat are gradual sloping 5% toward the south. The slopes are approximately 40% above the cultivation area and are 30% below the cultivation area. The closest watercourse is situated approximately 250 feet to the east of Site 4 (see Site Plan).

Stream Crossing SC2



Figure 40. Photograph of stream crossing CS2 (40.2564, -123.7777) which is approximately 200 feet south west of the impoundment on the main access road leading to Site 3. At this location there is no channel above the road and a channel starts approximately 30 feet below the road prism toe of fill. There are no signs of erosion at this location. The road is within the SMA area and a rockford currently exists that lacks rock on the downhill fill slope. The road is to be rockford for approximately 50'

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in both directions from the crossing with 6 inches of road base. Refer to Chapter 4 Section 4 and Chapter 5 Section I.2 of Weaver et al. (2015) Handbook for Forest, Ranch and Rural Roads: A guide for planning, designing, constructing, reconstructing, upgrading, maintaining, and closing wildland roads for recommendations and best management practices associated with forest road bridge design.



Figure 41. Photograph of the area above the rolling dip above stream crossing CS2. No channel is present above the road.



Figure 42. Photograph of the area above the rolling dip above stream crossing CS2. No channel is present above the road.

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Figure 43. Photograph from the stream channel below the rolling dip (CS2). No channel is present below the road prism and the stream starts 30 feet below the toe of the roads prism.



Figure 44. Photograph showing the road prism. The fill bank shall be rocked with 6-12 inch rock slope protection (RSP) placed on a non-woven geo-fabric. 10 raspberry plants and 1 Sword Fern will be removed during the placement of the RSP

Addendum 8M – Coordinates (NAD83 Decimal Degree)

See **Attachment #1** and **#2** for Location and Site Map, respectfully.















Fig. 3





Addendum 12A – Erosion Control Measures for Construction Activities

The following soil stabilization measures shall be implemented as general best management practices.

1. Timing for soil stabilization measures within the 100 feet of a watercourse or lake: For areas disturbed from May 1 through October 15, treatment shall be completed prior to the start of any rain that cause overland flow across or along the disturbed surface. For areas disturbed from October 16 through April 20, treatment shall be completed prior to any day which a chance of rain of 30 percent or greater is forecast by the National Weather Service or within 10 days, whichever is earlier.
2. Within 100 feet of a watercourse or lake, the traveled surface of access roads shall be treated to prevent waterborne transport of sediment and concentration of runoff that results from operations. Treatment may consist of, but not limited to, rocking, outsloping, rolling dips, cross drains, water bars, slope stabilization measures, or other practices appropriate to site-specific conditions.
3. The treatment for other disturbed areas with 100 feet of a watercourse or lake, including: (A) areas exceeding 100 contiguous square feet where operations have exposed bare soil, (B) approaches to road watercourse crossings out to 100 feet or the nearest drainage facility, whichever is farthest, (C) road cut banks and fills, and (D) any other area of disturbed soil that threatens to discharge sediment into waters in amounts deleterious to the quality and beneficial use of water, shall be grass seeded and mulched with straw or fine slash. Grass seed shall be applied at a rate exceed 100 pounds per acre. Straw mulch shall be applied in amounts sufficient to provide at least 2 to 4 inch depth with a minimum of 90% coverage. Any treated area that has been subject to reuse or has less than 90% surface cover shall be treated again prior to the end of operations.
4. With 100 feet of a watercourse or lake, where the undisturbed natural ground cover cannot effectively protect beneficial use of water from operations, the ground shall be treated with slope stabilization described in #3 above per timing described in #1 above.
5. Sidecast or fill material extended more than 20 feet in slope distance for the outside edge of a roadbed, which has access to a watercourse or lake, shall be treated with slope stabilization measures described in #3 above. Timing shall occur per #1 above unless outside 100 feet of a watercourse or lake in which completion date is October 15.
6. Sidecast or fill material extended more than 20 feet in slope distance for the outside edge of a landing, which has access to a watercourse or lake, shall be treated with slope stabilization measures described in #3 above. Timing shall occur per #1 above unless outside 100 feet of a watercourse or lake in which completion date is October 15.
7. All roads shall have drainage and/or drainage collection and storage facilities installed as soon as practical following operations and prior to either (1) the start of any rain which cause overland flow across or along the disturbed surface within 100 feet of a watercourse or lake protection, or (2) any day with a National Weather Service forecast of a chance of rain of 30 percent or more, a flash flood warning, or flash flood watch.

CDFW LSA Notification
Sharp Ridge
APN: 211-362-015 (HUM)

General Best Management Practices

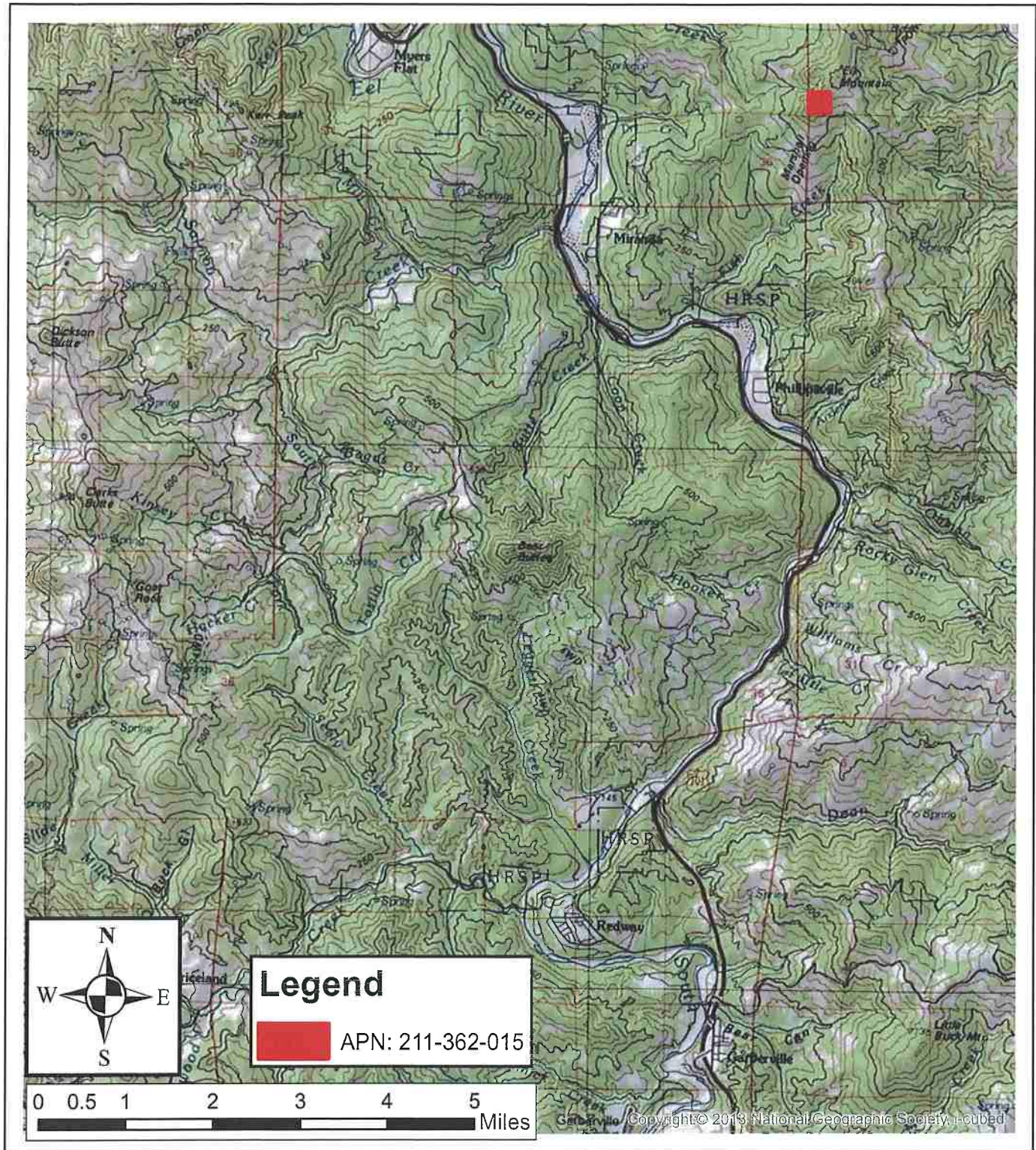
1. If operations require moving of equipment across a flowing stream, such operations shall be conducted without causing a prolonged visible increase in stream turbidity. For repeated crossings, the operator shall install a bridge, culvert, or rock-lined crossing.
2. During construction in flowing water, which can transport sediment downstream, the flow shall be diverted around the work area by pipe, pumping, temporary diversion channel or other suitable means. When a dam or artificial obstruction is being constructed, maintained or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain fish life below the dam. Equipment may be operated in the channel of flowing live streams only as necessary to construct the described construction.
3. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portion of any stream channel shall be restored to as near their original conditions as possible. Restoration shall include the mulching of stripped or exposed dirt areas at the crossing sites prior to the end of the work period.
4. Structures and associated materials not designated to withstand high seasonal flow shall be removed to areas above the high water mark before such flows occur.
5. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washing, oil or petroleum products, or other organic or earthen materials from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into water of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.

CDFW LSA Notification
Sharp Ridge
APN: 211-362-015 (HUM)

Attachment 1

Location Map

CDFW LSA Notification
Sharp Ridge
APN: 211-362-015 (HUM)



Project Location

ESRI Seamless USGS Topographical Map
FOR
COUNTY OF HUMBOLDT
Parcel Information From Humboldt County GIS
Does not reflect exact location of property lines

Project: 1063.02, Sharp Ridge L.L.C.
P.O. Box 31
Redway, CA 95560
Humboldt County

Project Location:

APN: 211-362-015

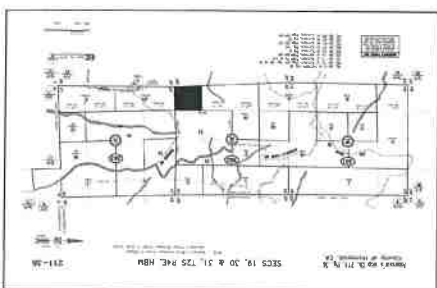
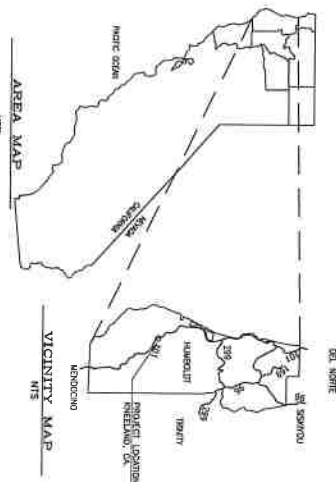
Attachment 2

Site Map

CDFW LSA Notification
Baldwin Ridge
APN: 008-010-17-00 (TRI)

APN: 211-362-015
FOR

KEDWAY, CA. 95560



SHARP RIDGE, LLC
APN: 211-352-015
P.O. BOX 31
REDWAY, CA. 95560
PLOT PLAN
HUMBOLDT COUNTY, CALIFORNIA



TVCE
 517 WALCHET WAY
 PO BOX 1567
 WILSON CREEK, CA 95673
 PHONE (530) 829-3000
 FAX (530) 829-3011

GENERAL NOTES
WATCH WELL FOR DOMESTIC USE &
RAINFALL DRAINAGE FLOW
POWER, SOLAR AND GENERATOR
PHONE, FRONTIER
CREEPS/STIMULUS, NONE
NEED TO BE REMOVED, NONE
GRADING: CUT, SEE GRADING PLAN

LEGEND

LEGEND

APPROXIMATE PROPERTY LINE
 20' PROPERTY LINE SET BACK
 ACCESS ROAD
 UNPAVED ROAD
 PROPERTY ENTRANCE
 (ADJACENT GATE)
 EXISTING RESIDENCE
 EXISTING AG BUILDING
 STRONGSIDE MANAGEMENT AREA
 (P)ROCK SLOPE PROTECTION
 WATERLINE
 MAIN
 RAIN CATCHMENT WATERLINE
 WATER TANK
 (P)ARTIAL DRAIN BOW

— (P) STRAW BALS RDR

ASSESSOR'S PARCEL MAP

SURVEY NOTES

A FIELD SURVEY FOR TOPOGRAPHIC PURPOSES WAS CONDUCTED BY TRINITY VALLEY CONSULTING ENGINEERS (TVE), A BOUNDARY SURVEY WAS NOT CONDUCTED. ALL PROPERTY LINES DEPICTED ON THESE PLANS REFLECT APPROXIMATE LOCATIONS BASED ON COUNTY RECORDS, PARCEL SHAPE DRAWN PER BOOK 3 OF SURVEYS, PAGE 31.

CONTRACTOR ALERT

CONTRACTOR MUST CONTACT USA DIG AT 800-277-2800 AT LEAST 72 HOURS BEFORE A LANDFILL OR ACTIVITIES THAT MAY AFFECT EXISTING UNDERGROUND UTILITIES.

E-01

May 6, 2021

Page 51

<p>SURVEY NOTES</p> <p>A FIELD SURVEY FOR TOPOGRAPHIC PURPOSES WAS CONDUCTED BY TRINITY VALLEY CONSULTING ENGINEERS (TNVE) ON 10/11/2017. THIS PRELIMINARY SURVEY WAS NOT CONDUCTED AT THE PROPERTY OF THE TRINITY VALLEY DISTRICT. THE SURVEY WAS CONDUCTED FOR THE PURPOSE OF RECORDS. PARCEL DRAWN PER BOOK 55 OF RECORD OF SURVEYS, PAGE 142.</p>	<p>CONTRACTOR ALERT</p> <p>CONTRACTOR MUST CONTACT LUGA DUE AT 800-227-2600 AT LEAST 72 HOURS BEFORE ANY EARTHWORK, OR ACTIVITIES THAT MAY IMPACT EXISTING UNDERGROUND UTILITIES.</p> <p>EXISTING UTILITY ALIGNMENTS BOTH HORIZONTALLY AND VERTICALLY MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES.</p>
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Attachment 4

CDFW Interim Plan Implementation Permission Email

CDFW LSA Notification
Baldwin Ridge
APN: 008-010-17-00 (TRI)

[Print](#) | [Close Window](#)

Subject: RE: Iris Carpenter-Sharp Ridge Remediation/1600/404
From: "Bocast, Kalyn@Wildlife" <Kalyn.Bocast@Wildlife.ca.gov>
Date: Wed, Sep 25, 2019 1:18 pm
To: "thorin@tvce.biz" <thorin@tvce.biz>, "Henriouille, Diana@Waterboards" <Diana.Henriouille@waterboards.ca.gov>
Attach: image001.jpg

Hello Thorin,

Thank you for contacting us regarding your interim and long term proposal for the Carpenter site. My comments are in green below.

Best,

Kalyn Bocast
Environmental Scientist
Watershed Enforcement Team
California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501
(707) 441-2077

From: thorin@tvce.biz <thorin@tvce.biz>
Sent: Thursday, September 19, 2019 4:31 PM
To: Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>; Henriouille, Diana@Waterboards <Diana.Henriouille@waterboards.ca.gov>
Cc: Shaw, Kyle@Wildlife <Kyle.Shaw@wildlife.ca.gov>; Willson, Douglas@Wildlife <Douglas.Willson@wildlife.ca.gov>; Bauer, Scott@Wildlife <Scott.Bauer@wildlife.ca.gov>; Babcock, Curt@Wildlife <Curt.Babcock@wildlife.ca.gov>; sasantos@co.humboldt.ca.us; rrussell@co.humboldt.ca.us; Diana Totten <clearwateragservices@gmail.com>
Subject: Iris Carpenter-Sharp Ridge Remediation/1600/404

Hellow Mrs. Bocast and Mrs. Henriouille,

I am working on the 1600 notification (No. 1600-2018-0769-R1_HUM), the 401 corrective workplan (for WDID # 1_12CC404012) and remediation plan for Iris Carpenter. A notice of violation was issued by Warden Kyle Shaw of CDFW on February 28, 2019.

I have done a site visit and reviewed the notice of violation from CDFW. During the site visit I observed:

1. The fill bank below the north side of the rainwater impoundment structure is sloughing. The sloughed material has migrated down slope into a watercourse. The sloughing will continue and the material will continue to migrate down slope unless addressed. To temporarily address the sloughing before the rainy season I propose using sheets of plastic to cover the fill slope. The plastic shall be held down by sand bags which are to be keyed in. The plastic shall extend from the impoundment liner to the toe of fill. A row of straw bails shall be set a crossed gradient below the plastic to act as velocity dissipation (see CO1, SITE MAP and CO3, Interim Plan). Seven additional rows of straw bails will be set down gradient of the first straw bail, five of which would be in the stream channel. *This interim plan is agreeable, however,*

CDFW requests periodic over winter monitoring by a you or other qualified professional to ensure that interim erosion control measures are functioning adequately to prevent sediment deliver to the downslope watercourse.

2. The road leading to the area below the impoundment (Violations 1, 2 & 3) is transporting sloughed material into the stream channel. I propose temporarily placing two rows of straw bales a-crossed the road. The straw bale rows will consist of bails placed on side set end to end and each of the straw bales will be pinned to the earth by two 2x4's. The purpose of each straw bale row is to create catchment basins to collect transported materials. The straw bail rows will also act as velocity dissipation (see C03, Interim Plan for straw bail row placement). *Comment same as above.*

Rock check dams are not proposed because the road is sloped at greater than 70% plus there is large volume of soil from below the impoundment that has a potential to migrate downslope. A waterbar will be place to divert road runoff above the straw bails and slumping materials.

3. In the stream flow there is material that is migrating from the sloughed fill slope down-stream. To temporarily address the potential for migrating soil from the fill slope I propose placing a series of eight (9) rows of straw bales a crossed the flow path of the two streams to catch potential transported material. The straw bale rows will also consist of bails placed on side set end to end and again each of the straw bales will be pinned to the earth by two 2x4's. The purpose of each straw bale row will be to create a catchment basins to collect transported materials (see C03, Interim Plan for straw bail row placement). *Comment same as above. Please ensure that sediment basins are managed to prevent overtopping of erosion control features. If excavation of sediment needs to occur, please transport sediment to a stable location and implement erosion control BMP's.*

Again, rock check dams are not proposed because of the road slope of greater than 60% and there is large volume of soil from below the impoundment that has a potential to migrate downslope in the stream channel.

I would like to obtain obtain CDFW's permission to implement the above interim plan before the rainy season. *Please implement the interim plan before the rainy season.*

For the permanent remediation for the impoundment I propose removing all of the organic material from within the limits of the fill, compacting the fill in place and placing rock slope protection on the fill bank (approximately 80 yards, not in the SMA and a modification to existing grading plan). The rock slope protection will be keyed three feet into native soil. *This proposal may be adequate, please provide additional plans with the notification submittal. Plans shall include a soils assessment provided by a licensed engineering geologist.*

There are also two developed flats that drain to the north, both draining to the area below the impoundment. I propose creating a drainage ditch lined with pipe and rock to collect runoff with potential of flowing north from the western flat (Site 1), thus sending the runoff to a rolling dip to cross the to a bioswale to disperse away from the area north of the impoundment. I also propose disconnecting the runoff from the eastern flat (Site 2) with a bioswale that drains to the impoundment. I propose sending the overflow from the impoundment through two culverts to a bioswale (see Site Map and Interim Plans). *This proposal is agreeable. To clarify, by bioswale, you mean a swale that is placed on contour and planted with native vegetation and rock?*

The notice of violation refers to three stream crossings which are:

Violation 1 (40.2583, -123.7763) is for a road that is located approximately 80 feet north of the impoundment. The road crosses two streams where the streams intersect. The proposed permanent remediation plan at Violations 1 will be remove the roads and restore the channels. *This proposal is agreeable.*

Violation 4 (40.2564, -123.7777) is for the stream crossing approximately 200 feet south west of the impoundment. At this location there is no channel above the road and a channel starts approximately 30 feet below the toe of fill from the road. There are no signs of erosion at this location. The road is within the SMA area. No remediation is needed at this location. Do you want this to be included as a project in the 1600 for the rocked rolling dip? No, you do not need to include this as a project point, however, please include information on your plans to upgrade this point to a rocked ford.

Violation 5 (40.2550, -123.7740) is for an off-property stream crossing located approximately 1,000 feet southeast of the impoundment and approximately 200 feet east of the subject property. The property that the stream crossing is located on is cultivating cannabis and the culvert is required to be address by the property owner by the waterboard. The 401 application requires the applicant to have a 1600 and 404 agreement/permit for the culverts and stream crossing that need to be fixed on the applicant property. I request that this notification point (Violation 5) be dropped as notification point, since it is not on Iris Carpenters property and the property that the culvert is situated on is cultivating cannabis. You do not need to include this point in the LSA Notification.

Please let my know if and when I am able to implement my proposal,

Thorin Lynn

Project Engineer
Trinity Valley Consulting Engineers, Inc.



67 Walnut Way
PO Box 1567
Willow Creek, CA 95573
Phone: (530) 629-3000
Cell: (707) 362-1438
Fax: (530) 629-3100

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