



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707)445-7541

October 12, 2022

Enchanted Springs
Patrick Shannon
PO Box 1275
Willow Creek Ca, 95573

RE: Permit Application No.13201 PLN-13201-CUP APN: 522-175-004

Dear Applicant,

This letter provides an important update on your Conditional Use Permit application referenced above. On October 12, 2018 the County sent you a deficiency letter stating that additional information was required in order to process this application and review it for conformance with the criteria necessary to obtain approval. A follow up email was sent to you on August 23, 2021, referencing the deficiency letter and deficient application items. To date, we have not received the requested information and therefore continue to be unable to adequately review the application to determine consistency with the Humboldt County Code (specifically Section 312-2.4 of the Humboldt County Code, Required Findings for Approval of Conditional Use Permit).

This letter is to inform you that if the information requested in the aforementioned deficiency letter is not submitted within 30 days of the date of this letter, the referenced Conditional Use Permit will be denied.

If you wish to withdraw the application, please provide your request in writing within 30 days of this letter.

When you have assembled all of the requested material, submit the documents with this letter as a complete package to the Planning Department. Once the required information is received processing your application will promptly resume. If you have questions about this letter, please contact me at macevedo@co.humboldt.ca.us or by phone at (707) 441-2634.

Sincerely,

Megan Acevedo
Planner II

Enclosed: Deficiency Letter(s) Dated 10/12/2018
Email sent on 8/23/2021



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October 12, 2018

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Patrick Shannon
PO Box 1275
Willow Creek, CA 95573

RE: Permit Application No. 13201

APN: 522-175-004

Case No.: CUP16-1040

Dear Patrick Shannon:

Thank you for your submittal of the above referenced application for a commercial cannabis permit on 12/30/16 for 43,560 square feet of existing outdoor cannabis cultivation. Prior correspondence regarding the project has included an incomplete letter dated 2/9/17, and an incomplete letter dated 9/24/17. Additional application materials have been received, including on 12/12/17, and the project became eligible for an interim permit on 12/5/17. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

Listed below are the actions you must take for staff to continue processing this permit application:

1. Submit additional evidence of historic cultivation or amend the application. The county performed a cultivation area verification (CAV) on the parcel to find evidence of historic grow sites in existence prior to January 1, 2016. The CAV found 28,396 square feet of outdoor cultivation. In order to support the full application for 43,560 square feet (1 acre), additional evidence must be submitted. Alternatively, the project and associated materials (site plan, ops plan, etc.) may be amended to reflect what the county was able to verify.
2. Submit a completed DEH Form (attached).
3. Submit a route map from the publicly maintained road to the operation site (written directions will satisfy this requirement too).
4. Submit a copy of the current deed for the property where commercial activity will occur (we have document 2017-18391 but need 1998-026118 from the County Recorder's Office).
5. Submit a copy of County of Humboldt well permit/well application/completion log
6. Submit a completed Road Evaluation Report (enclosed). If selecting "Box 2", include evidence, such as photos or other documentation, justifying that determination.
7. Submit a copy of a Water Resources Protection Plan (WRPP) or Site Management Plan prepared for the project and submitted to the State Water Resources Control Board, or a letter from a qualified professional indicating that one is being prepared.
8. Submit a Biological Resource Assessment drafted by a qualified professional biologist, demonstrating that the site would not impact any sensitive habitat areas. Our records indicate that the proposed cultivation area overlaps with habitat for one or more rare and/or endangered species.

Be advised, if your source of water for cultivation and associated activities is a well, forbearance will be required pursuant to Humboldt County Code Section 314-55.4.11(l) unless it can be

demonstrated that the well is not hydrologically connected to surface water. As a condition of project approval you will be required to provide confirmation from CDFW that the well is not hydrologically connected to surface water, or ensure water storage capacity to comply with a mandatory forbearance period.

County staff will conduct a review of previous land use actions that have been approved on the subject parcel(s) to ensure that, "The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development" (HCC §312-2.4.1.2). If a relevant project is found and additional information is needed, our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Please note that this project became eligible for an Interim Permit on December 5, 2017, which, **when signed, notarized, and approved by the County**, authorizes the applicant to seek State licensure and continue operations until completion of the local permit review process or denial of a County permit, or January 1, 2019, whichever occurs first. Because this permit has not yet been issued, you must either execute the Interim Permit (enclosed), submit photographic evidence that no cultivation is occurring this year on the parcel, or withdraw the application to avoid being flagged for code enforcement action (Please see the letter from Director John Ford dated July 5, 2018 for more information).

The items requested in this letter **must be submitted within 30 days** in order to ensure timely processing of your permit. Please accumulate all requested material and submit as a complete package to the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter. For most efficient processing, please include a copy of this letter with your submittals.

Unless operating subject to a valid Interim Permit issued by the County, please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,



Isaac Hansen
Cannabis Services Division
vendorlaco@co.humboldt.ca.us

Attachments
Un-executed Interim Permit
DEH Worksheet
Road Evaluation Report

Acevedo, Megan

From: Acevedo, Megan
Sent: Monday, August 23, 2021 5:29 PM
To: pjshannon86@gmail.com
Subject: Enchanted Springs AppNo.13201
Attachments: 13201 Enchanted Springs Deficiency Letter 10.12.18.pdf; DEH Attachment for CMM Clearances.pdf; Road Evaluation Report Form (2017-10-26).pdf

Hi Patrick,

I am the assigned planner for your project located in Willow Creek at 522-175-004, application 13201. I was reviewing your project briefly today and I noticed that there has not been much progress on this application, and there are very few documents in the folder. I wanted to check in with you to see if you would like to move this project along, or if you would like to withdraw the application and request a refund for any remaining funds on the account. If you would like to move the project along please let me know and I can do a more thorough review of the application. I have also attached the most recent deficiency letter to help get you started on supplying us with additional documents for the project to move forward. Please feel free to reach out to me with any questions or concerns moving forward.

All the best!



Megan Acevedo
Planner I
Cannabis Services Division
[Planning and Building Department](#)
707-441-2634