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December 17, 2021

County of Humboldt
Planning and Building Department - Cannabis Services Division
3015 H Street
Eureka, CA 95501

**RE: Permit Application No. PL10750-CUP
APN 522-024-004**

Dear Humboldt County Planning Department:

The following attached document is an evaluation of an existing, unauthorized timberland conversion which was inspected by Blair Forestry LLC within APN 522-024-004. Please accept this letter as the Registered Professional Forester's (RPF) written report showing sufficient evidence that the converted area was inspected as required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10(j), sited below.

"Alternately, for existing operations occupying HUMBOLDT COUNTY, CA- ORDINANCE NO. 2559 Page 12 of 35 sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. ..."

The RPF has exercised due diligence in inspecting and evaluating the past timber conversion and in making recommendations so that the past conversion falls into compliance with the California Forest Practice Rules (CFPRs).

Sincerely,

Thomas Blair RPF#2607

A handwritten signature in blue ink, appearing to read "Thomas Blair", with a long horizontal flourish extending to the right.

Enclosed: Conversion Evaluation Report, Photos, General Location Map, 2005 and 2020 Orthographic Imagery Maps, Biological Resources Map

Timberland Conversion Evaluation Report

December 17, 2021

As mandated by:

Humboldt County Code, Ordinance No. 2599 (Commercial Cannabis Land Use Ordinance for areas outside the Coastal Zone), Section 55.4.12.2.4:

"All terms of any permit or exemption approved by the California Department of Forestry and Fire Protection (CAL-FIRE), including a less-than-3-acre conversion exemption or timberland conversion permit.

Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment."

Contact Information

1. Timberland Owners(s): **John Piccirilli**
Phone: **(707) 321-4727**
2. Timber Owner(s): **Same as above**
3. Registered Professional Forester (preparing report): **Thomas Blair**
RPF Number: **2607**
Address: **Blair Forestry LLC**
PO Box 2517
McKinleyville, CA 95519
Phone: **(707) 834-2990**

Location of Project

Legal Description of Ownership:

Address: **Approximately 7.6 miles up 3 Creeks Road**
Willow Creek, CA 95573

APN: **522-024-004**

S½ of SE¼, SE¼ of SW¼, and E½ of SW¼ of SW¼ of Section 21; Township 7-North, Range 4-East; HB&M

Parcel Size: **140 (Assessed)**

Approximate Unauthorized Converted Acreage: **0.75 acres**

Project Description

Property History

Note: Property boundaries are based on the Humboldt County Assessor's APN parcel map and may vary geographically. Assessor's Parcel data in the GIS mapping program differed slightly geographically. The property background has been summarized using personal accounts of current landowners, historic orthographic photography, Humboldt County Web GIS, and CAL FIRE Watershed Mapper v2. This conversion evaluation report will focus on unauthorized conversion activities from the last 12 years.

Unregulated historic timber harvesting has occurred in this area since the late 1950s and early 1960s. CALFIRE Forest Practice Watershed Mapper has no record of harvest plans on the parcel area, however timber on the parcel appears to be 50 to 60 years old and consists primarily of Douglas-fir, tanoak chinkapin, and madrone. Review of historic imagery of the parcel does not show any apparent changes to the timberland from 2005 until sometime in 2010 where approximately 0.1 acre appears to have been cleared on the southeast side of an existing historic landing area (Conversion Site #1). By 2012, approximately 0.35 acres were cleared along the east side of the same landing (Conversion Site #2) and an approximate 0.16-acre area was opened along the ridge to the northeast (Conversion Site #3). Around 2016, another small approximate 0.14-acre clearing shows up just to the north along the ridge (Conversion Site #4).

Vegetation clearing at Conversion Sites was observed to be associated with historic logging roads and a historic landing opening. There was no evidence of any large conifers having been removed. Aerial imagery analysis, personal communication with the landowner, and inspection of vegetation slash onsite was consistent with these observations.

Project Description

The current landowner, John Piccirilli, purchased the property in 2010. Timberland conversion activities (approximately 0.75 acres) took place under current ownership. In September 2019, The Humboldt County Planning and Building Department – Cannabis Services Division requested the landowner to provide Timberland Conversion Report prepared by a Registered Professional Forester (RPF) to ensure compliance with the Forest Practice Act and the Humboldt County Code Section 314-55.4.10(j).

As such, this report will address remedial actions necessary to bring the Conversion Sites into compliance with provisions of the Forest Practices Act, specifically 14 CCR 1104.1. The landowner intends on maintaining the converted area for a project.

The total acreage of converted timberland on the property is approximately 0.75 acre which is less than the total maximum acreage allowed to be converted, and thus consistent with, a Less Than 3-acre Conversion Exemption (14 CCR 1104.1).

Humboldt County has zoned this parcel **Timber Production Zone (TPZ)** which is defined as – established under the Timberlands Preservation Act (California Government Code Section 51113), a zoning district to designate and set standards in areas designated for growth, harvesting, and production of timber, timber products, and other compatible uses.

A field inspection of the property and conversion area was conducted on November 2, 2021, by representatives of Blair Forestry Consulting LLC. All relevant sites concerning past conversion activity were examined. Findings from this evaluation are summarized below.

Timber Stand Description

The property near the around the Conversion Sites is dominated by 40 to 80-year-old Douglas-fir with understory comprised of younger Douglas-fir, tanoak, live oak, madrone and chinquapin. Sub canopy and shrub cover consists of live oak, maple, manzanita, ceanothus, and blackberry. The general region consists of a forested conifer stands mixed with areas of dense true oak and tanoak. The parcel is adjacent to Six Rivers National Forest along the eastern edge. Conifer stocking is sparse in a few areas where hardwoods dominate forest composition but otherwise, the timber stands around the conversion areas appear healthy with adequate conifer stocking.

The property is located within Humboldt County, which is in the Zone of Infestation for Sudden Oak Death (SOD). No symptoms or signs of SOD were observed during evaluation.

Analysis of Consistency Between Unauthorized Conversion and Applicable California Forest Practice Rules (CFPRs)

Timber Harvesting and Operations

14 CCR 914.1 Felling Practices

14 CCR 914.2 Tractor Operations

14 CCR 914.7 Timber Operations, Winter Period

Although there are no documents or records of timber harvesting, personal communication with the landowner indicates that operations involved hand felling with chainsaws and manual piling. Much of the harvesting that occurred was small manzanita, conifer saplings, and other brush species. Felling practices and tractor operations appear to have been consistent with 14 CCR 914.1 and 914.2.

Although no winter operations plan was proposed prior to operations, the landowner claims that operations were conducted in dry non-saturated conditions. Soils in this region have a particularly rocky component and road conditions in most places exhibited a well armored surface. Observations on site did not indicate that operations were conducted during saturated conditions. The RPF has no recommendations concerning Timber Harvesting and Operations.

Roads, Soil Stabilization and Erosion Control

14 CCR Article 12 Logging Roads, Landings, and Logging Road Watercourse Crossings

14 CCR 914.6 Waterbreaks

The road systems accessing the parcel from Highway 299 and accessing the Conversion Sites within the parcel are a product of historic logging operations. Soils on all Conversion Sites were observed to be stabilized. Soils on Roads and Conversion Sites should be stabilized to the extent necessary to minimize soil erosion and sediment transport and to prevent significant sediment discharge. Bare soil on logging roads or landing cuts, fills, transported spoils, or sidecast that is created or exposed by timber operations shall be stabilized to the extent necessary to minimize soil erosion and sediment transport

and to prevent significant sediment discharge. Examples where soil stabilization measures should be considered include, but are not limited to:

- (1) Sidecast or fill exceeding 20 feet in slope distance from the outside edge of a logging road or a landing that has access to a watercourse or lake.
- (2) Cut and fills associated with approaches to logging road watercourse crossings of Class I or II waters or Class III waters where an ELZ, EEZ, or a WLPZ is required.
- (3) Bare areas exceeding 100 continuous square feet within a WLPZ.

These situations were not observed onsite associated with any of the conversion activities. Minor grading appears to have occurred on the ridge at Conversion Sites #3 and #4 associated with a historic road. The remainder of the sites were incorporated into an existing network of road surfaces and landing areas. As stated above - road, skid road, and landing surfaces were observed to be rocky and well drained. Through the process of permitting the landowner's current project on this site, an erosion control plan will be implemented and enforced and should adhere minimally to all road work rules described in 14 CCR Article 12.

There were no observed inconsistencies with 14 CCR Article 12 concerning erosion control. The soils, slope and aspect in the conversion area all suitable for the converted uses concerning soil stabilization and erosion control. The RPF has no recommendations concerning soil stabilization and erosion control.

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

All areas around and adjacent to the Conversion Sites were inspected for Class I through IV waters. No timber operations were conducted within Watercourse and Lake Protection Zone (WLPZ) buffers required by Humboldt County or the California Forest Practice Rules. No watercourses or Water Resources appear to have been significantly affected by conversion activities.

The conversion area appears to comply with 14 CCR 1104.1(a)(2)(F). No recommendation is suggested regarding Watercourses and Water Resources.

Hazard Reduction

14 CCR 1104.1(a)(2)(D)(6): "Full slash and woody debris treatment may include any of the following: a. burying; b. chipping and spreading; c. piling and burning; or d. removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated."

The Conversion Sites and surrounding timber stand were walked and assessed for debris resulting from timberland conversion activities. Minor Hazard Reduction sites (Observation Sites 3(a) & 4(a)) were observed where debris, presumably resulting from conversion activities, accumulated along the top of the ridge adjacent to Conversion Sites #3 and #4. The timber stand surrounding the Conversion Areas was otherwise clean and free of excessive debris.

The RPF Recommends that the landowner Cut slash and sawlogs to a minimum of 2 feet in length as per 14 CCR 1104.1(a)(2)(D)(1) or pull slash components out onto open Conversion Site, obtain proper County burn permits and burn slash during rainy period.

Biological Resources

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895. 1"

No surveys were conducted on this parcel for Northern Spotted Owls (NSOs) or other potential Rare, Threatened or Endangered Species or Species of Special Concern (RTES or SSC) associated with timberland conversion operations. Protocol level surveys are intended to assess potential impact to habitat prior to harvest operations. Without survey information prior to conversion activities, it is impossible to know whether RTES or SSC were historically present or that the conversion activities negatively affected known or unknown occurrences of these species.

The California Natural Diversity Database (CNDDDB) showed no known sites of RTES or SSC on or around the subject parcel or Conversion Sites. Less Than 3 Acre Conversion Exemptions under 14 CCR 1104.1 are generally exempt from biological surveys but require that disturbance to any known or discovered sensitive, rare, threatened, or endangered species (RTES) or species of special concern (SSC) be avoided.

The attached Biological Resources Map is based on current CNDDDB data and shows known occurrences of RTES. No recommendation is suggested regarding biological resources.

Cultural Resources

14 CCR 1104.1 (2)(1): "No timber operations are allowed on significant historical or archeological sites."

Pre-field research included literature review and evaluation of topography to assess potential of Conversion Sites to overlap with areas of moderate to high cultural resource potential, such as ridgeline spurs, watercourses, springs, confluences, flats near perennial watercourses, ecotones, and mid-slope benches. The parcel is located on the southern mid slope of Buck Buttes, a prominent trending ridgeline connecting Brannan Mountain, Johnson's Prairie, and Indian Field Ridge. A cursory survey was conducted during site visit. The Conversion Sites have already experienced a high degree of disturbance from historic road building and landing construction when the area was originally logged decades ago. Although no thorough archaeological investigation was completed, no archeological sites or artifacts were observed during Conversion Site field evaluation. The landowner is unaware of the presence of any archaeological sites or artifacts on the parcel as of date. No recommendation is suggested regarding cultural resources.

Summary

It is the opinion of the RPF that Conversion Sites #3 and #4 do not entirely meet the standards set forth in the CFPRs concerning 14 CCR 1104.1. Hazard reduction sites along the edge of the graded flats include

white oak, small Douglas-fir, and tanoak saw logs. The RPF Recommends that the landowner Cut slash and sawlogs to a minimum of 2 feet in length as per 14 CCR 1104.1(a)(2)(D)(1) or pull slash components out onto open Conversion Site, obtain proper County burn permits, and burn slash during wet winter period. The overall conversion acreage is minor in scope and does not exceed 3 acres. The RPF has no additional recommendations required to bring the Conversion Sites into compliance with provisions of the Forest Practices Act, specifically 14 CCR 1104.1.

Site Maps

General Location Map: Shows ownership boundary in proximity to recognizable landmarks and general location of conversion within property boundary.

Timberland Conversion Orthographic Maps: Shows location of timberland Conversion Sites on 2005 and 2020 orthographic images, location and classification of watercourses, Observation Sites, and roads.

Biological Resources Map based on data from California Natural Diversity Database (CNDDDB): Location of timber conversion in relation to biological resources.

Resources

California Forest Practice Rules 2020. Sacramento: CAL FIRE, 2021. Print.

California Natural Diversity Database. California Department of Fish and Wildlife. Web. <https://www.wildlife.ca.gov/Data/CNDDDB>. Version 5.96.99. Accessed October 29, 2021.

California Native Plant Society, Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed November 30, 2021].

Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed_mapper/. Accessed December 14, 2021.

Handbook of North American Indians: volume 8 – California, Robert Heizer - 1978

Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>. Accessed October 29, 2021.

Google Earth Pro. Accessed October 29, 2021.

Weaver, W.E., Weppner, E.M. and Hagans, D.K., 2015, Handbook for Forest, Ranch and Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining and Closing Wildland Roads (Rev. 1st ed.), Mendocino County Resource Conservation District, Ukiah, California.



Photo 1. Looking northwest from Conversion Site #1 toward Conversion Site #2.



Photo 2. Conversion Site #2, clearing on historic landing area.



Photo 3. Looking southeast from Conversion Site #2 toward Conversion Site #1.



Photo 4. Conversion Site #3, clearing on historic logging road.



Photo 5. Observation Point 3(a) – Hazard Reduction.



Photo 6. Conversion Site #4, clearing on historic logging road.



Piccirilli Conversion Evaluation General Location Map

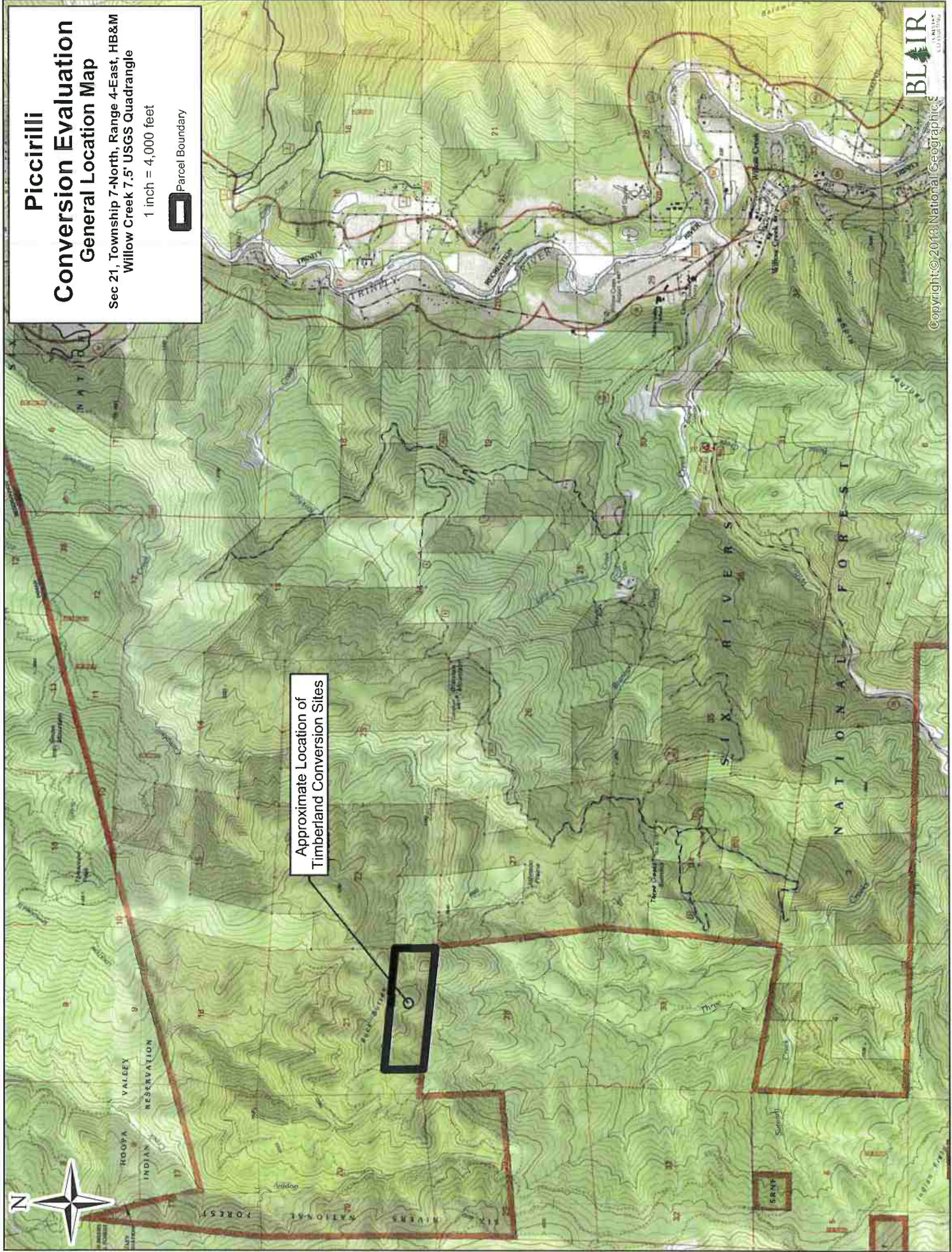
Sec 21, Township 7-North, Range 4-East, HB&M
Willow Creek 7.5' USGS Quadrangle

1 inch = 4,000 feet



Parcel Boundary

Approximate Location of
Timberland Conversion Sites



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Piccirilli Conversion Evaluation 2005 Orthographic Map

Sec 21, Township 7-North, Range 4-East, HB&M
Willow Creek 7.5' USGS Quadrangle

1 inch = 200 feet



Parcel Boundary

Conversion Site

Seasonal Road

Watercourse



Conversion Site #4

Conversion Site #3

Conversion Site #1

Conversion Site #2



Piccirilli Conversion Evaluation 2020 Orthographic Map

Sec 21, Township 7-North, Range 4-East, HB&M
Willow Creek 7.5' USGS Quadrangle

1 inch = 200 feet

- Parcel Boundary
- Conversion Site
- Seasonal Road
- Watercourse



Conversion Site #4

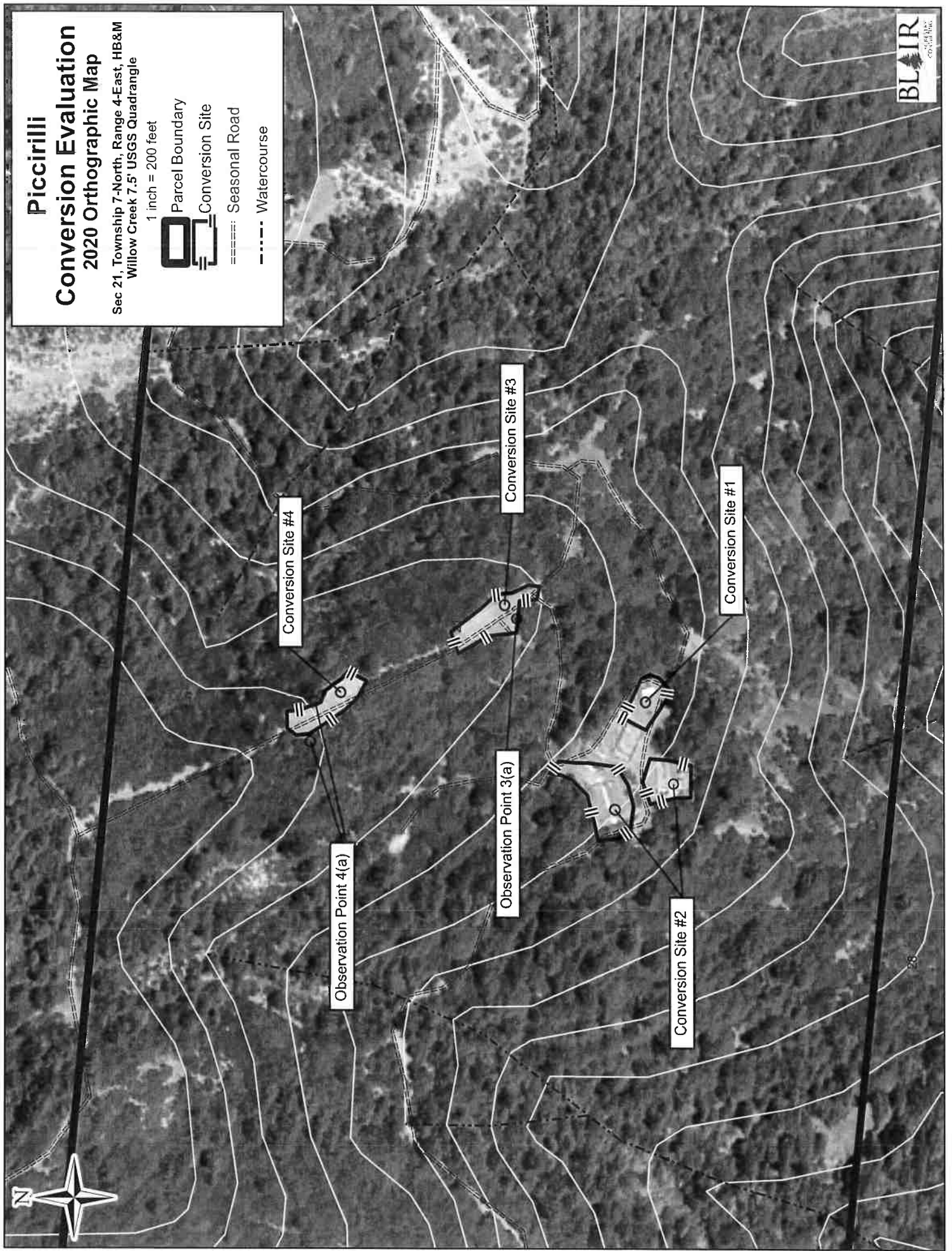
Conversion Site #3

Conversion Site #1

Observation Point 4(a)

Observation Point 3(a)

Conversion Site #2



Piccirilli
Conversion Evaluation
Biological Resources Map
 Sec 21, Township 7-North, Range 4-East, HB&M
 Willow Creek 7.5' USGS Quadrangle
 1 inch = 2,000 feet

 Parcel Boundary
 Seasonal Road
 Northern Spotted Owl Activity Center

