



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

March 27, 2024

Amos John
2700 Forest Knoll Lane
Eureka, CA 95503

(Sent certified and also by email)

RE: Permit Application No. 11697, APN 210-231-021, Notice of Revocation Hearing April 23, 2024

Dear Amos John,

This letter is to inform you that the above referenced commercial cannabis permit has been scheduled for a hearing in front of the Humboldt County Board of Supervisors to consider revocation of the issued permit. The cannabis operation has been out of compliance with the approved permit conditions and existing in a manner which is a public nuisance since at least the 2022 annual compliance inspection and efforts to reach you by email and regular mail have been unsuccessful.

Attached to this letter you will find a copy of the 2022 and 2023 annual inspection reports, past due county invoices, and a notice of hearing for April 23, 2024. If the issues identified in the 2022 and 2023 inspections have not been addressed and the past due balance of \$5,174.80 has not been addressed by April 23, 2024 your permit is at risk of revocation. If the permit is revoked the Planning and Building Department will refer the matter to County Code Enforcement for further action.

If you have questions about this letter, please contact Elliott Bowen at (707) 268-3718 or at ebowen@co.humboldt.ca.us.

Sincerely,

Cliff Johnson, Planning Manager
Humboldt County Planning and Building Department

C: Agent, Jeffery Slack Esq., Jansen Malloy LLP, PO Drawer 1288, Eureka, CA 95502
Miles Recycling, 1220 5th Street, Arcata, CA 95521

Enc. 2022, 2023 Inspection Reports
County Planning and Building Department Invoices
Notice of Revocation Hearing



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
3015 H STREET, EUREKA, CA 95501 - PHONE (707) 445-7245

PLANNING PROJECT

ANNUAL COMPLIANCE INSPECTION REPORT

APPLICANT AND AGENT INFORMATION

Applicant:
Applicant Address: AMOS JOHN, PO BOX 202
RIO DELL, CA 95562
Agent: JANSSEN MALLOY, LLP
Agent Address: JEFFERY SLACK, ESQ., PO DRAWER
1288
EUREKA, CA 95502

PROJECT INFORMATION

Project Number: PLN-11697-CUP
Primary Parcel Number: 210-231-021-000
Inspection Date: 04/19/2022
Inspection Type: Annual Compliance Inspection
Inspector Name: Devin Sutfin
Inspector Email: dsutfin1@co.humboldt.ca.us
Cannabis: Y

PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|---------------|---|------------|
| Completed necessary conditions prior to operating | NON-COMPLIANT | No executed Compliance Agreement was located in file, and was due within 60 days of approval. Project was approved 08/01/2019. All items listed on Compliance Agreement are to be demonstrated as complete within two years, that deadline has passed. REMEDY: 1) Provide executed Compliance Agreement within 30 days (by June 13, 2022), AND 2) Complete all Compliance Agreement items by end of year and provide evidence of completion. | 12/31/2022 |
| County Business License | NON-COMPLIANT | Apply for and obtain a business license by end of year. | 12/31/2022 |
| Cultivation in approved location(s) | NON-COMPLIANT | Project approval was predicated on relocating historic cultivation and remediating the former cultivation sites in accordance with a restoration plan. We observed no onsite relocation and located no restoration report in the file. REMEDY: 1) Develop the project in accordance with approved site plan, AND 2) Provide restoration plan for relocation in accordance with Compliance Agreement item # 5. Complete these tasks prior to initiating cultivation in 2022. | 05/19/2022 |
| Development/structures in approved locations | NON-COMPLIANT | | |

Visit the Accela Citizen Access portal to view record data online:

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[Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011ZL&agencyCode=HUMBOLDT](https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011ZL&agencyCode=HUMBOLDT)



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PLANNING PROJECT

ANNUAL COMPLIANCE INSPECTION REPORT

PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---------------------------------------|---------------|---|------------|
| Drainage, runoff, and erosion control | NON-COMPLIANT | <p>We observed multiple areas of pooling water immediately adjacent to cultivation. The site needs to be winterized each year to address any potential erosion or sedimentation, in accordance with the state waterboard requirements for Tier 1 and Tier 2 dischargers.</p> <p>CORRECTIVE ACTION: The site needs to be winterized each year to address any potential erosion or sedimentation, in accordance with the state waterboard requirements for Tier 1 and Tier 2 dischargers.</p> | 05/19/2022 |
| Monofilament netting | NON-COMPLIANT | <p>Monofilament netting was observed outside where wildlife can access.</p> <p>REMEDY:</p> <p>If monofilament netting is used for any reason, ensure it cannot be accessed by wildlife. Only use in enclosed greenhouses where animals cannot access, and dispose of properly to prevent wildlife entanglement.</p> | |

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PLANNING PROJECT

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PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|---------------|--|------------|
| Noise (dB) | NON-COMPLIANT | <p>Power source could not be verified onsite, and no generator noise was measured onsite. No generator use can be allowed until the noise from the operation can be demonstrated to comply with Condition of Approval # 16:</p> <p>"16. The Applicant shall assume presence of Northern Spotted Owl and avoid impacts during breeding season (February 1 to July 9) and implement avoidance measures including the prohibition of generators, project lighting , and fans, including those used in ancillary structures. These restrictions shall remain in place until a qualified biologist, in consultation with CDFW, conducts a scoping report for Northern Spotted Owl and Marbled Murrelet habitat. If habitat is present within the project vicinity, a light and noise attenuation plan shall be developed in consultation with the Planning Department and California Department of Fish and Wildlife prior to the use of any lights, generators, or fans . Conformance will be evaluated using auditory disturbance guidance prepared by the United States Fish and Wildlife Service and any other relevant published literature . Should the applicant propose to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction."</p> <p>REMEDY:</p> <p>Do not use fans, lights, or generator(s) until a scoping report for Northern Spotted Owl and Marbled Murrelet has been obtained and provided to the Planning Division for review and approval. Failure to provide report will jeopardize the cannabis permit.</p> | 05/19/2022 |
| Operation is meeting ongoing conditions | NON-COMPLIANT | <p>Project was approved 08/01/2019, and is subject to a Compliance Agreement. Items listed on Compliance Agreement are to be demonstrated as complete within two years. That deadline has passed, and no evidence of completion has been submitted.</p> <p>REMEDY:</p> <p>Complete all Compliance Agreement items by end of year, and provide evidence to the Planning Division.</p> | 12/31/2022 |

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[Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011ZL&agencyCode=HUMBOLDT](https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011ZL&agencyCode=HUMBOLDT)



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PLANNING PROJECT

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PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|-------------------|--|-----------------|
| Potentially hazardous materials storage (e.g. fuel and fertilizers) | NON-COMPLIANT | <p>We observed gasoline/kerosene containers underneath the cabin without primary or secondary containment. Potentially hazardous materials need to be in primary containment (a structure) and placed in secondary containment (like plastic containers) to prevent wildlife access and spills.</p> <p>CORRECTIVE ACTION: Provide time-certain photographic evidence the gasoline has been placed in a structure, and also placed within secondary containment.</p> | 05/19/2022 |
| Soil management, compost, plant waste, refuse | NON-COMPLIANT | <p>1) We located improperly stored solid waste that showed evidence of animal activity. Solid waste should be kept in wildlife-proof containers, and taken offsite regularly.</p> <p>2) Cannabis waste was not properly disposed of onsite. We found multiple locations onsite with cannabis stalks disposed of on the ground, and not located in an approved compost or waste location. Permit states all waste is to be located within two shipping containers.</p> <p>3) We located monofilament netting used as trellis support disposed of on the ground, near areas used for cultivation. Monofilament netting, if used, needs to be in enclosed structures like greenhouse or hoop house, and then placed in bags for disposal. No wildlife should be able to access monofilament netting AT ANY TIME.</p> <p>CORRECTIVE ACTION: Provide time-certain photographic evidence the solid waste has been removed, including plant material from cannabis and monofilament netting, within 30 days.</p> | 05/19/2022 |
| State license(s) | NON-COMPLIANT | <p>State licenses CCL18-0003419 and CCL18-0003418 expired 09/21/2021. It appears cultivation was occurring in October 2021 without a state license.</p> <p>REMEDY: Do not cultivate without an active and valid state license to avoid action.</p> | |
| Water meter(s) installed and records available | NON-COMPLIANT | <p>Provide water use logs broken down by source and month for 2019, 2020, and 2021 within ten days.</p> | 05/19/2022 |

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PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|---------------|--|------------|
| Water source(s) and use | NON-COMPLIANT | Since nobody was onsite during the inspection, we have no indication of the source of irrigation water for commercial cannabis. REMEDY: Provide water use logs for 2019, 2020, and 2021 broken down by source and month within ten days. | 05/19/2022 |
| Cultivation amount | COMPLIANT | | |
| Cultivation type and schedule | COMPLIANT | | |
| Employees, housing, bathrooms, handwashing stations | COMPLIANT | | |
| Light pollution prevention | COMPLIANT | | |
| Processing in approved location(s) | COMPLIANT | | |
| Security plan implementation | COMPLIANT | | |
| Water storage | COMPLIANT | | |

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PLANNING PROJECT

ANNUAL COMPLIANCE INSPECTION REPORT

APPLICANT AND AGENT INFORMATION

Applicant:
Applicant Address: AMOS JOHN, PO BOX 202
RIO DELL, CA 95562
Agent: JANSSEN MALLOY, LLP
Agent Address: JEFFERY SLACK, ESQ., PO DRAWER
1288
EUREKA, CA 95502

PROJECT INFORMATION

Project Number: PLN-11697-CUP
Primary Parcel Number: 210-231-021-000
Inspection Date: 05/23/2023
Inspection Type: Annual Compliance Inspection
Inspector Name: Elliott Bowen
Inspector Email: ebowen@co.humboldt.ca.us
Cannabis: Y

PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|---------------|--|------------|
| Billing Fee Status | NON-COMPLIANT | ISSUE: the project has a current balance of \$3,362.65. REMEDY: Pay the full balance within 10-days. | 06/02/2023 |
| Completed necessary conditions prior to operating | NON-COMPLIANT | No executed Compliance Agreement was located in file, and was due within 60 days of approval. Project was approved 08/01/2019. All items listed on Compliance Agreement are to be demonstrated as complete within two years, that deadline has passed. This issue was marked non-compliant in the 2022 inspection report and remains unresolved. REMEDY: 1) Provide executed Compliance Agreement within 14 days (by June 7, 2023), AND 2) Complete all Compliance Agreement items by end of year and provide evidence of completion. | 06/07/2023 |
| Monofilament netting | NON-COMPLIANT | ISSUE: Condition of Approval #4 under Ongoing Conditions prohibits the use of synthetic netting. During the 2023 inspection, we found monofilament netting and other refuse littered throughout the project. REMEDY: Immediately cease use of monofilament netting and provide time-certain photo-evidence that all monofilament netting on site has been cleaned up and taken to a waste processing facility within 30-days. | 06/24/2023 |

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PLANNING PROJECT

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PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|---------------|---|------------|
| Operation is meeting ongoing conditions | NON-COMPLIANT | <p>ISSUE: Project was approved 08/01/2019, and is subject to a Compliance Agreement. Items listed on Compliance Agreement are to be demonstrated as complete within two years. That deadline has passed, and no evidence of completion has been submitted.</p> <p>REMEDY: Complete all Compliance Agreement items within 14 days, and provide evidence to the Planning Division.</p> | 06/07/2023 |
| Potentially hazardous materials storage (e.g. fuel and fertilizers) | NON-COMPLIANT | <p>ISSUE: Jugs of fertilizer, gasoline, and other potentially hazardous materials were seen littered throughout the property during both the 2022 and 2023 inspection.</p> <p>REMEDY: Adhere to Compliance Agreement #8, store all potentially hazardous materials including nutrients, fertilizers, gasoline in a fully-enclosed building within spill-proof containers. No jugs of liquids can be left outside.</p> | |
| Soil management, compost, plant waste, refuse | NON-COMPLIANT | <p>ISSUE: The permit states "all garbage and cannabis related waste is stored in two secure 8'X20 cannabis waste storage containers". However, substantial refuse and cannabis related waste was found littered throughout the project during both the 2022 and 2023 inspections.</p> <p>REMEDY: Properly store all refuse and cannabis related waste in containment inaccessible to wildlife between bi-weekly hauls to a waste processing facility (Recology Eel River) and send time-certain photo evidence that the refuse has been cleaned throughout the project PRIOR TO next cultivation. Refer to Condition of approval #5 under "ongoing conditions".</p> | |
| Water meter(s) installed and records available | NON-COMPLIANT | <p>ISSUE: No meter seen on site.</p> <p>REMEDY: Install a working meter on both water sources to keep track of water use, AND Provide water logs for 2019, 2020, 2021, and 2022 within 10-days.</p> | 06/02/2023 |

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PLANNING PROJECT

ANNUAL COMPLIANCE INSPECTION REPORT

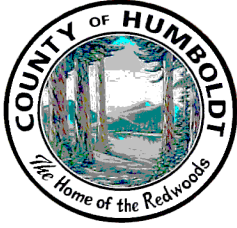
PERFORMANCE STANDARDS

| Performance Standard | Compliance | Notes | Deadline |
|---|---------------|--|------------|
| Water source(s) and use | NON-COMPLIANT | Since nobody was onsite during the inspection, we have no indication of the source of irrigation water for commercial cannabis. REMEDY: Provide water use logs for 2019, 2020, 2021, and 2022 broken down by source and month within ten days. | 06/02/2023 |
| DCC Grant Recipient | No | | |
| Work Evaluated | No | | |
| Cultivation amount | COMPLIANT | Cultivation had not begun at time of inspection 5.23.2023. | |
| Cultivation in approved location(s) | COMPLIANT | | |
| Cultivation type and schedule | COMPLIANT | | |
| Development/structures in approved locations | COMPLIANT | | |
| Drainage, runoff, and erosion control | COMPLIANT | | |
| Employees, housing, bathrooms, handwashing stations | COMPLIANT | | |
| Light pollution prevention | COMPLIANT | | |
| Noise (dB) | COMPLIANT | Permit indicates PG&E with no generator use. No generators were seen on site. | |
| Other issues | COMPLIANT | | |
| Power source(s) | COMPLIANT | | |
| Processing in approved location(s) | COMPLIANT | | |
| Road Maintenance Association (RMA) | COMPLIANT | | |
| Security plan implementation | COMPLIANT | | |
| State license(s) | COMPLIANT | DCC records indicate last state license expired in 2021. Do not begin cultivation until after a state license has been obtained. | |
| Uses consistent with site plan and operations plan | COMPLIANT | | |
| Water storage | COMPLIANT | All tanks were completely empty at time of inspection 5.23.2023. | |

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[Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011ZL&agencyCode=HUMBOLDT](https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011ZL&agencyCode=HUMBOLDT)



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI24-0148**

Invoice Date: **01/18/2024**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|------------------------------------|------------------------------|-------------------|
| CAN: Additional Project Staff Time | to 12/31/23. | \$261.00 |
| CAN: Mileage Costs | 5/23/23 mileage 31 @ 65 each | \$20.15 |
| | | <hr/> |
| | | \$281.15 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI23-0695**

Invoice Date: **02/22/2023**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|-----------------------------|-------------|----------------|
| CAN: Additional Staff Costs | to 1/25/23. | \$55.12 |
| | | <hr/> |
| | | \$55.12 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI23-2025**

Invoice Date: **06/22/2023**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|--|--------------------------|-------------------|
| CAN: Additional Project Staff Time | to 5/31/23. | \$781.00 |
| CAN: Condition and Mitigation Monitoring | 2023 Monitoring Deposit. | \$750.00 |
| | | <hr/> |
| | | \$1,531.00 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI21-2020**

Invoice Date: **06/23/2021**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

**Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562**

Record ID: PLN-11697-CUP

Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|------------------------------------|----------------------|-------------------|
| CAN: Additional Staff Costs | 11/13/18 to 1/24/20. | \$3,023.25 |
| CAN: OnTrack Balance | | \$(1,813.57) |
| CAN: Recorder's Fee | NOD. | \$50.00 |
| CAN: Permit by Contracted Services | Kimley. | \$3,900.00 |
| CAN: Public Noticing Costs | TS. | \$451.60 |
| CAN: Public Noticing Costs | PNMIT. | \$10.88 |
| | | <hr/> |
| | | \$5,622.16 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI22-2393**

Invoice Date: **07/07/2022**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

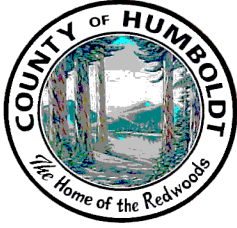
Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|-----------------------------|--------------------------------|-----------------|
| CAN: Miscellaneous Costs | 4/12/22 Mileage 42 at .585 eac | \$24.56 |
| CAN: Additional Staff Costs | to 5/9/22. | \$600.60 |
| | | <hr/> |
| | | \$625.16 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI22-2961**

Invoice Date: **08/10/2022**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|-----------------------------|------------|----------------|
| CAN: Additional Staff Costs | to 7/6/22. | \$27.50 |
| | | <hr/> |
| | | \$27.50 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI21-3519**

Invoice Date: **09/15/2021**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

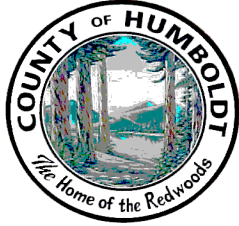
Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|--|--------------------------|-----------------|
| CAN: Condition and Mitigation Monitoring | 2021 Monitoring Deposit. | \$750.00 |
| | | <hr/> |
| | | \$750.00 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI22-3505**

Invoice Date: **10/04/2022**

**Payment is due in our office within
30 Days of Invoice Date. Please
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INVOICE

RECORD INFORMATION

Applicant:

Hwy 36 Farms, LLC
Amos John
PO Box 202
Rio Dell, CA 95562

Record ID: PLN-11697-CUP

Property Address:

Parcel Number: 210-231-021-000

Description of Work: Hwy 36 Farms, LLC - Existing 7600 ML, Existing 5000 OD

FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|-----------------------------|------------------|-------------------|
| CAN: Additional Staff Costs | to 8/15/22. | \$55.00 |
| | | <hr/> |
| | | \$55.00 |



COUNTY OF HUMBOLDT
Planning and Building Department
3015 H Street, Eureka, CA 95501
Phone (707)445-7541

Invoice No.: **PLI22-3711**

Invoice Date: **10/20/2022**

**Payment is due in our office within
30 Days of Invoice Date. Please
include Invoice No. on Check.**

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FEE DETAIL

| Fee Description | Fee Notes | Fee Amount |
|-----------------------------|------------|----------------|
| CAN: Additional Staff Costs | to 9/1/22. | \$36.30 |
| | | <hr/> |
| | | \$36.30 |