



Providing Professional Forestry Services

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November 8, 2018

County of Humboldt  
Planning and Building Department  
3015 H Street  
Eureka, CA 95501



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 210-012-019. 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 be "Thomas Blair", written over a horizontal line.

Enclosed: Conversion Evaluation Report, General Location Map, Timberland Conversion Evaluation Map, CNDDDB Map, Photos

# Timberland Conversion Evaluation Report

November 8, 2018

As mandated by:

Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j)

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## Contact Information

1. Timberland Owners(s): **Bridgeville Organic Pharms, LLC**  
Phone: **(650) 315-9971**
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

Address: **N/A – Approximately 1.8 miles north of HWY 36 between Bridgeville and Dinsmore, CA 95526**

Legal Description: **Section 35; T2N; R4E; HB&M; Humboldt County**

Assessor's Parcel Number (APN): **210-012-019**

Parcel Sizes: **Approximately 70 acres**

Acres Converted: **Approximately 2.26 acres**

## Project Description

### Property and Timberland Conversion History

Note: Property boundaries are based on the Humboldt County Assessor's APN parcel maps 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 on Google Earth, Humboldt County Web GIS, and CAL FIRE Watershed Mapper v2.

This conversion evaluation report will focus on unauthorized conversion activities from the last 13 years (since 2005).

There is no publicly accessible Timber Harvest Plan on record from Cal Fire for the subject APN or any of the Timberland Conversion Sites discussed in this report. Currently there are 2 distinct conversion sites, A larger Conversion Site (#1) upslope and southernmost and a smaller site downslope to the north (Conversion Site #2). Timberland conversion activities appear to have started sometime prior to May 24, 2009 and involved multiple unconnected clearing sites totaling approximately 0.91 acres (creating the initial footprint for both Conversion Sites #1 and #2). These sites were slightly expanded on in 2010 to approximately one acre total. Between the years of 2014 and 2016, approximately 0.37 additional acres were converted to cultivation space creating some connectivity between previous sites. Sometime prior to May 2018, an additional 0.89 acres was converted connecting multiple previously cleared areas and creating the 2 (two) current conversion footprint areas totaling approximately 2.26 acres.

The current landowners - Bridgeville Organic Pharms, LLC, purchased the property in 2008. Most timberland conversion activity can therefore be attributed to the current landowners. See Table 1 below for a summation of conversion history on this parcel and the focus of this Timberland Conversion Evaluation.

**Table 1.**

Conversion Activities	Acreage(s)	Date(s) of Completion	Notes
#1	0.91	Prior to May 2009	Multiple non-connected and connected openings.
#2	0.1	Prior to 2016	Slight clearing around edges and clean-up.
#3	0.37	Between 2014 and May 2016	Created more inter-connectedness between initial clearings in Conversion Site #1.
#4	0.89	Between May 2016 and May 2018	Created more inter-connectedness between initial clearings in Conversion Site #1.
<b>TOTAL CONVERSION AREA</b>	<b>2.26 acres</b>		

### Timber Stand Description

The property near the conversion areas is dominated by 40 to 60-year-old Douglas-fir with understory comprised of younger Douglas-fir, tanoak, live oak and madrone. The general region consists of a mosaic of forest and open meadow which was historically maintained by punctuated fire regimes. In more recent decades, fire suppression has resulted in conifer encroachment into areas that were historically meadow habitat or oak woodland. 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.

### **Project Description**

As part of the commercial cannabis cultivation permitting process with the Humboldt County Planning Department and State agencies, the current landowners seek a Registered Professional Forester's (RPF's) recommendations as to remedial actions necessary to bring the conversion areas into compliance with provisions of the Forest Practices Act, specifically 14 CCR 1104.1.

This Timberland Conversion Evaluation focused primarily on unauthorized timberland conversion activities associated with cannabis cultivation sites and inconsistencies with the requirements of the California Forest Practice Rules (CFPRs). Timberland conversion sites are generally associated with a northern facing slope. The combined acreage of the two (2) Conversion Sites inspected during this evaluation is approximately 2.26 acres which is less than the 3-acre maximum allowed under 14 CCR 1104.1. Trees cut were a mix of Douglas-fir and white and black oaks.

Humboldt County has zoned this parcel **Agriculture Exclusive (AE)**. AE applies to bottomland farms and lands that can be irrigated; also used in upland areas to retain agricultural character. Typical uses include dairy, row crops, orchards, specialty agriculture and horticulture.

A field inspection of the property and conversion area was conducted on October 10, 2018 by representatives of Blair Forestry Consulting LLC. All relevant sites concerning the past conversion areas were examined. Findings from this evaluation are summarized below.

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

### **Conversion Site, Timber Harvesting and Operations Descriptions**

*14 CCR 914.1 Felling Practices*  
*14 CCR 914.2 Tractor Operations*  
*14 CCR 914.7 Timber Operations, Winter Period*

Although no records of timber harvesting are available for conversion activities on this property, operations presumably involved hand felling with chainsaws and tractor skidding or piling. There are no records of a winter operation plans for the Conversion Areas. The current property owner claims all conversion activities involving timber harvesting and operations occurred during the dry times of the year when the ground was not saturated. There was no obvious indication that conversion activities at any site were in violation of 14 CCR 914.7.

**Conversion Site #1** is approximately 2.26 acres in size and is located mid-slope and north facing at approximately 1,720' – 1,840' in elevation near the southeastern portion of the property. Trees felled included Douglas-fir, tanoak, white and black-oak and madrone. Operations appeared to be consistent with the CFPRs concerning 14CCR 914.1, 914.2 and 914.7.

**Conversion Site #2** is approximately 0.1 acres in size and is located mid-slope and north facing at approximately 1,740' in elevation just northeast and downslope from Conversion Site #2. Trees felled included Douglas-fir, tanoak, white and black-oak and madrone. Operations appeared to be consistent with the CFPRs concerning 14CCR 914.1, 914.2 and 914.7.

## **Roads, Soil Stabilization and Erosion Control**

*14 CCR Article 12 Logging Roads, Landings, and Logging Road Watercourse Crossings  
14 CCR 914.6 Waterbreaks*

Historic logging operations are responsible for most of the current road system within the subject parcel and roads associated with access to the timberland Conversion Sites. Roads that access timberland Conversion Sites were walked during the site visit and assessed for consistency with 14 CCR 923.5 regarding erosion control for logging roads. The property owner, with Pacific Watershed Associates (PWA), is in the process of drafting a Water Resource Protection Plan (WRPP, pers. comm. with property owner and PWA) to address roads and erosion control. The ECP should adhere minimally to all erosion control requirements in 14 CCR Article 12 (923.5 specifically) and requirements 14 CCR 914.6 in the case of road use deactivation/discontinuation.

There is less than 0.5 miles of seasonal road accessing Conversion Sites on the parcel which were in working condition and did not exhibit excessive scouring on site visit. The WRPP being developed by PWA will address installation of rolling dips where appropriate. The RPF agrees with the proposed placement of rolling dips on roads accessing Conversion Sites (Pers. Comm. PWA) with the added recommendation that the outlets be armored where scouring and downcutting into road fill is present or probable.

Grading has occurred on Timberland Conversion Sites for cultivation flats and currently represents approximately 0.8 acres. Graded cultivation flats on timberland Conversion Sites were inspected for consistency with CFPRs 14 CCR 923.5 regarding erosion control for landings. Erosion associated with cleared and terraced areas was not observed and was consistent with 14 CCR Article 12, 923.5.

There are no watercourse crossings associated with roads accessing the Conversion Sites. The conversion areas appear to comply with 14 CCR Article 12 concerning Logging Roads, Landings and Logging Road Watercourse Crossings; 14 CCR 914.6 concerning Waterbreaks. No recommendation is suggested regarding Roads, 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)."*

The property contains Class I, Class II and Class III watercourses. The parcel drains to Van Duzen River, a Class I watercourse on the north side of the property approximately 750 feet downslope from Conversion Site #1.

At Conversion Site #1, trees were cut, and grading occurred within the watercourse and lake protection zone (WLPZ) of a Class III watercourse (Observation Point 1(a)). This area was flagged in the field on site visit. The RPF recommends that:

- The small area where grading occurred within the outer WLPZ of the Class III watercourse be pulled back and returned to natural gradient during the dry time of the year. Utilize straw wattles at edge of clearing where it interfaces with existing intact riparian vegetation.
- Restore the area that trees were cut within the outer 50' of the Class III watercourse WLPZ to "timberland" as defined by PRC 4526. Immediately mulch and/or seed area to prevent erosion if present. Replant area with seedlings to comply with minimum stocking standards of 14CCR 912.7. (300 trees per acre or 1 tree every 145 square feet or minimum tree spacing of 12 feet).

## 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 the surrounding timber stand were walked and assessed for debris resulting from timberland conversion activities. There were several sites associated with Conversion Site #1 where debris, presumably resulting from nearby conversion activities, was stacked or accumulated. Generally, timber logs and slash debris resulting from conversion activities were stacked and piled somewhere along the edge of the associated conversion areas indicating that no timber was hauled off of the property. The remaining timber stand and surroundings was otherwise clean and free of excessive debris.

At "Hazard Reduction" locations, the RPF recommends that sawlogs be cut to a minimum of 2 feet in length as per 14 CCR 1104.1(a)(2)(D)(1) and that the landowner obtain proper county burn permits and burn remaining 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"*

A query of the California Natural Diversity Database (CNDDDB) on October 8, 2018 showed no observations of sensitive, rare, threatened, or endangered species or species of special concern within or adjacent to the Conversion Sites. None of these species were observed during the field assessment of the property. A northern spotted owl (NSO) activity center (AC HUM0947) is located just outside 0.25 miles southeast of Conversion Site #1. Due to the distance from the known NSO AC and available suitable habitat surrounding the site within its range, it is reasonable to conclude that no significant negative impacts occurred from the small relative size of conversion activities on this property. However, the RPF recommends that a Biological Resource Assessment be drafted by a qualified professional biologist that analyzes potential impacts and proposes mitigation strategies moving forward for activities associated with cultivation.

Conducting timber operations within the WLPZ of watercourses, such as occurred at Observation Point 1(a), can alter habitat for endangered salmonids downstream by increasing sediment delivery. Given the mitigation measures proposed by the RPF for Observation Point 1(a), it is unlikely that there will be significantly negative effects to water resources. Other conversion activities did not appear to have significantly altered habitat for other non-listed species of wildlife (i.e. no evidence of felled snags). Additionally, there is abundant wildlife habitat elsewhere on the property in the form of tree cavities, nesting and foraging sites. A copy of the CNDDDB map generated by this query is included in this report.

Although unauthorized timberland conversion activities did not take into consideration compliance with 14 CCR 1104.1 (2)(H), after mitigation recommendations described in this report are applied, it is unlikely that rare, threatened or endangered biological resources were or will be significantly negatively impacted.

## Cultural Resources

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

No archeological sites were observed during the conversion evaluation. All relative Native American entities have been notified of the operation activities.

The conversion area appears to comply with 14 CCR 1104.1 (2)(1). No recommendation is suggested regarding cultural resources.

## Summary of Recommendations

Overall, it is the opinion of the RPF that the past unauthorized conversion activities did not entirely meet the standards set forth in the CFPRs and requires the following mitigation recommendations:

### 1. Watercourse and Water Resources

- Observation Point 1(a): Pull back and return natural gradient to the small area where grading occurred within the outer WLPZ of the Class III watercourse be during the dry time of the year. Utilize straw wattles at edge of clearing where it interfaces with existing intact riparian vegetation.
- Observation Point 1(a): Restore the area that trees were cut within the outer 50' of the Class III watercourse WLPZ to "timberland" as defined by PRC 4526. Immediately mulch and/or seed area to prevent erosion if present. Replant area with seedlings to comply with minimum stocking standards of 14CCR 912.7.

### 2. Hazard Reduction

- Address "Hazard Reduction" areas discussed above and shown on the Conversion Evaluation Map at the end of this report. Cut sawlogs to a minimum of 2 feet in length as per 14 CCR 1104.1(a)(2)(D)(1). Obtain proper county burn permits and burn remaining slash during rainy period.

## Site Maps

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

Timberland Conversion Evaluation Map: Location of timber conversion operations, Boundary of the conversion areas, location and classification of watercourses, Observation Sites and roads.

California Natural Diversity Database (CNDDDB) Project Location Map: Location of timber conversion in relation to biological resources.

## Resources

California Forest Practice Rules 2017. Sacramento: CAL FIRE, 2017. Print.

California Natural Diversity Database. California Department of Fish and Wildlife. Web. <https://www.wildlife.ca.gov/Data/CNDDDB>. Version 5.56.24. Accessed October 8, 2018.

California Native Plant Society, Rare Plant Program. 2018. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 09 October 2018].

Forest Practice Watershed Mapper v2. CAL FIRE. Web. [http://egis.fire.ca.gov/watershed\\_mapper/](http://egis.fire.ca.gov/watershed_mapper/). Accessed October 3, 2018.

Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>. Accessed October 3, 2018.

Google Earth Pro



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Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>. Accessed October 3, 2018.

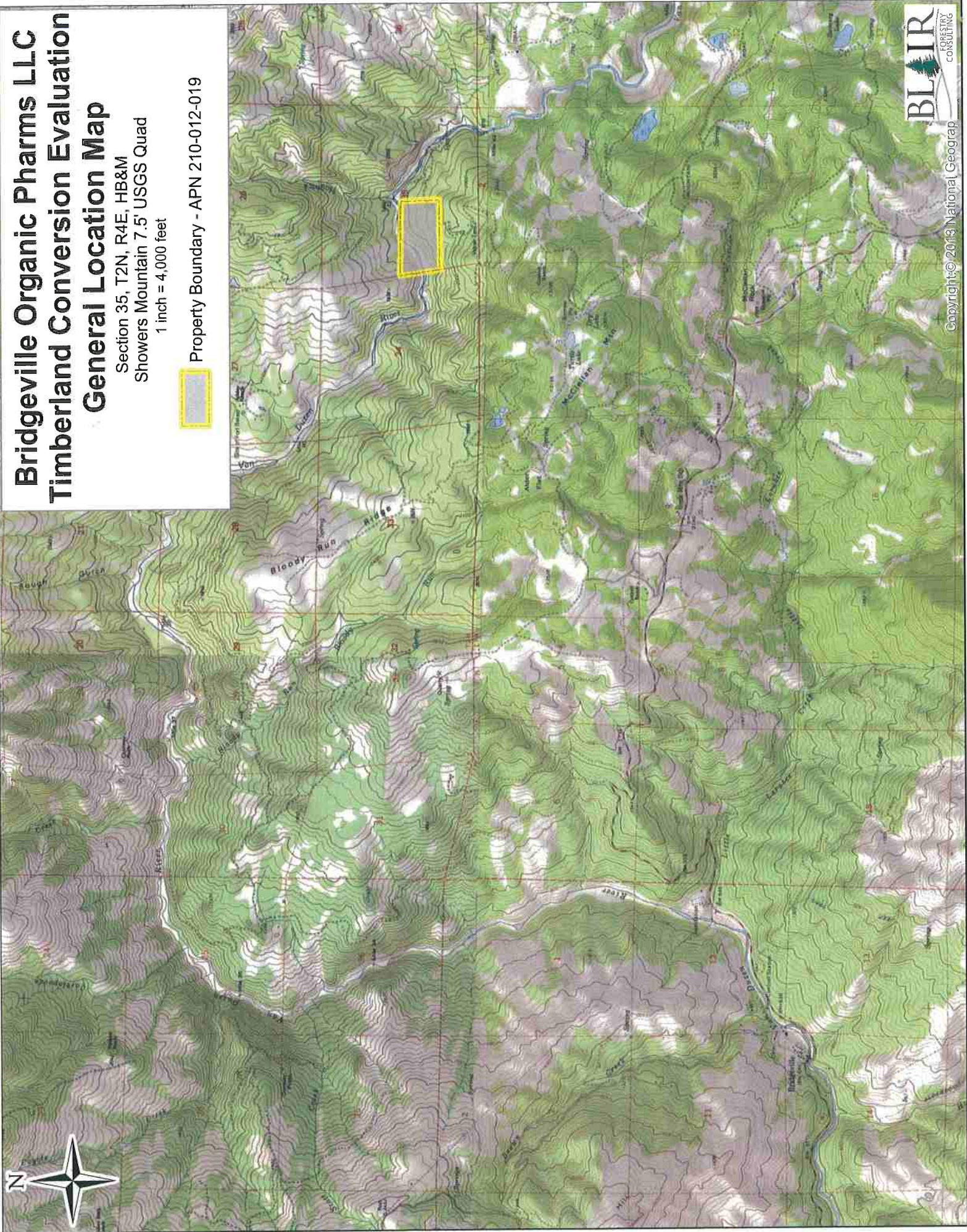
Google Earth Pro

# Bridgeville Organic Pharms LLC Timberland Conversion Evaluation General Location Map

Section 35, T2N, R4E, HB&M  
Showers Mountain 7.5' USGS Quad  
1 inch = 4,000 feet



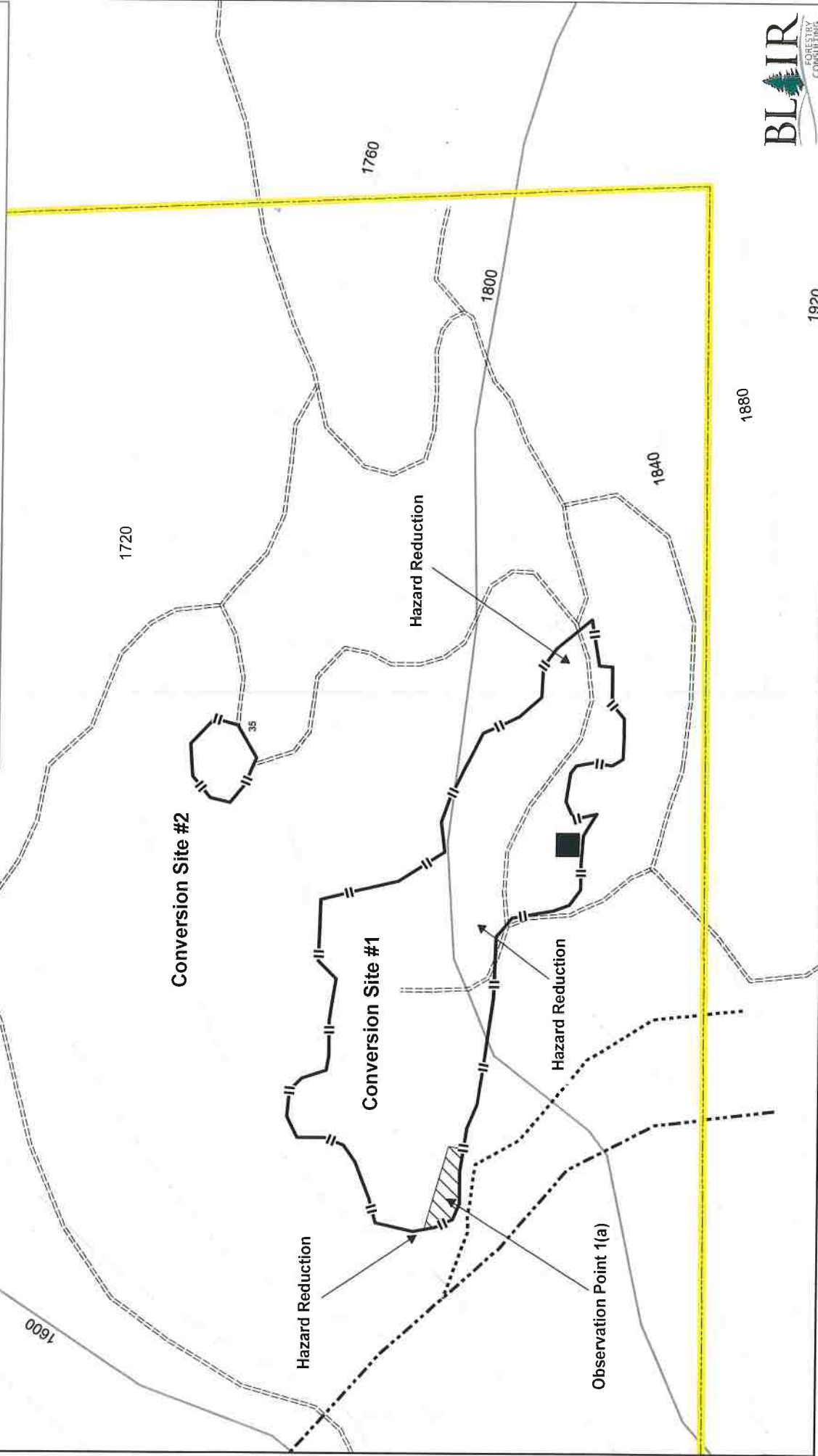
Property Boundary - APN 210-012-019



# Bridgeville Organic Pharms LLC Timberland Conversion Evaluation Map

Section 35, T2N, R4E, HB&M  
Showers Mountain 7.5' USGS Quad  
1 inch = 150 feet

-  Property Boundary - APN 210-012-019
-  Conversion Areas
-  Seasonal Road
-  Class II Watercourse
-  Class III Watercourse
-  Structure
-  Restocking Area - Observation Point 1(a)



# Approximate Property Boundary



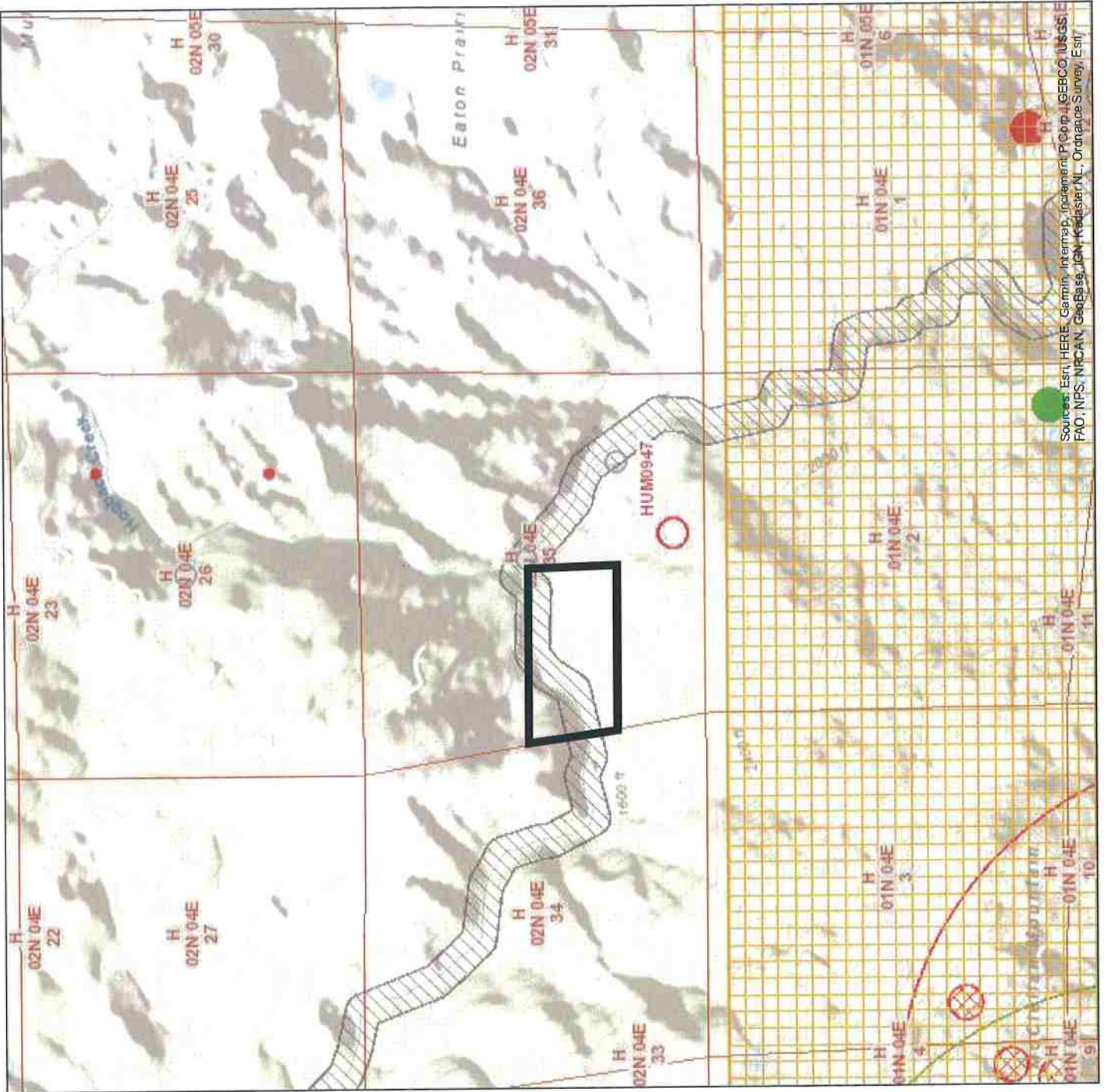
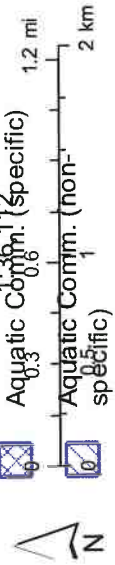
# Bridgeville Organic Pharms, LLC CNDDDB Map

## Spotted Owl Observations [ds704]

- Positive Observation
- Negative Observation
- Activity Center
- Not Valid Activity Center
- ◇ Abandoned

## California Natural Diversity Database (CNDDDB) Commercial [ds85]

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (80m)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Aquatic Comm. (80m)
- Aquatic Comm. (specific)
- Aquatic Comm. (non-specific)
- Aquatic Comm. (circular)
- Multiple (80m)



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

**PHOTOS**



Photo 1. Looking west from the east side of Conversion Site #1.



Photo 2. Slash pile resulting from conversion activities at eastern side of Conversion Site #1.

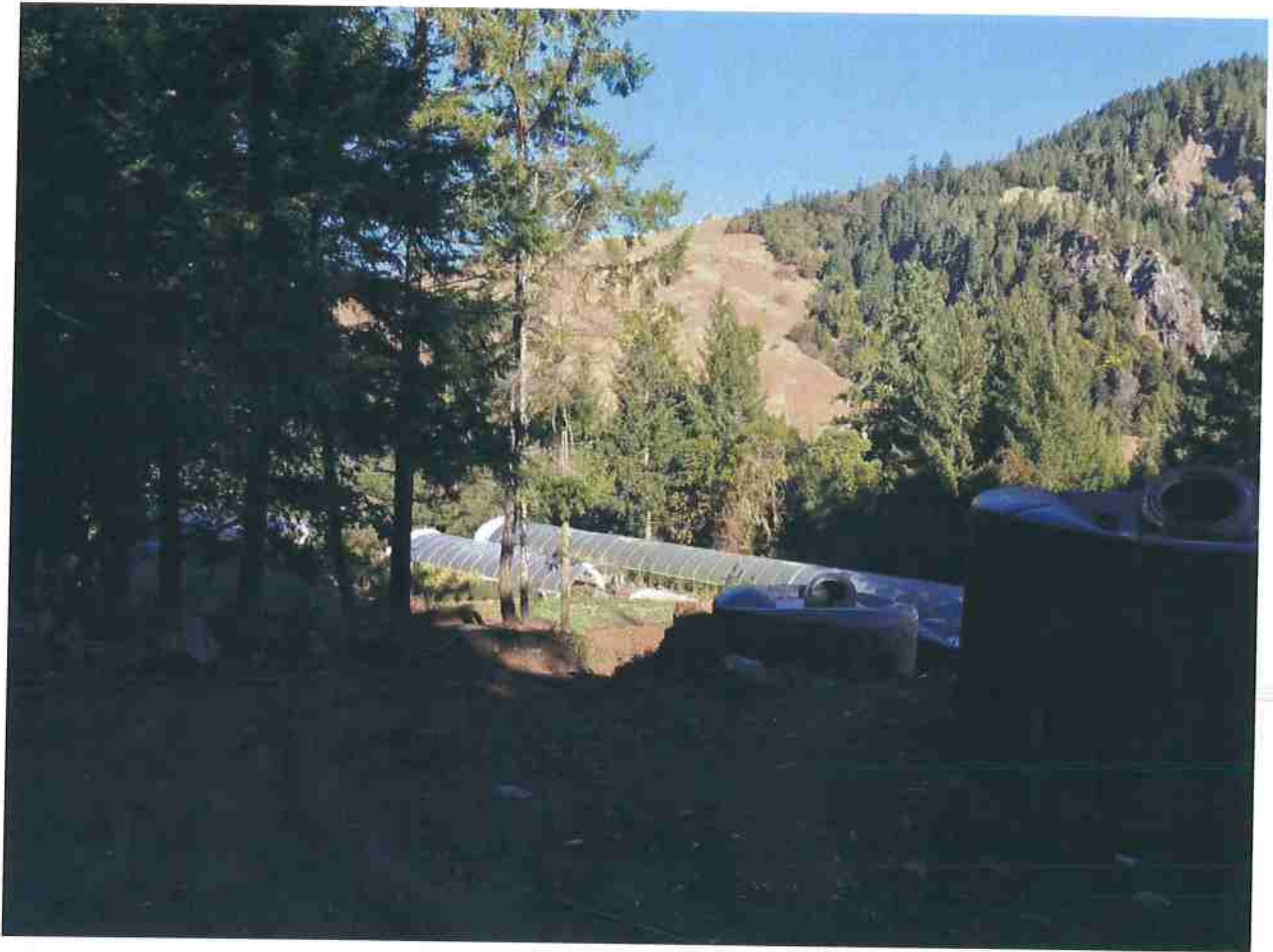


Photo 3. View looking northwest from area of structure.

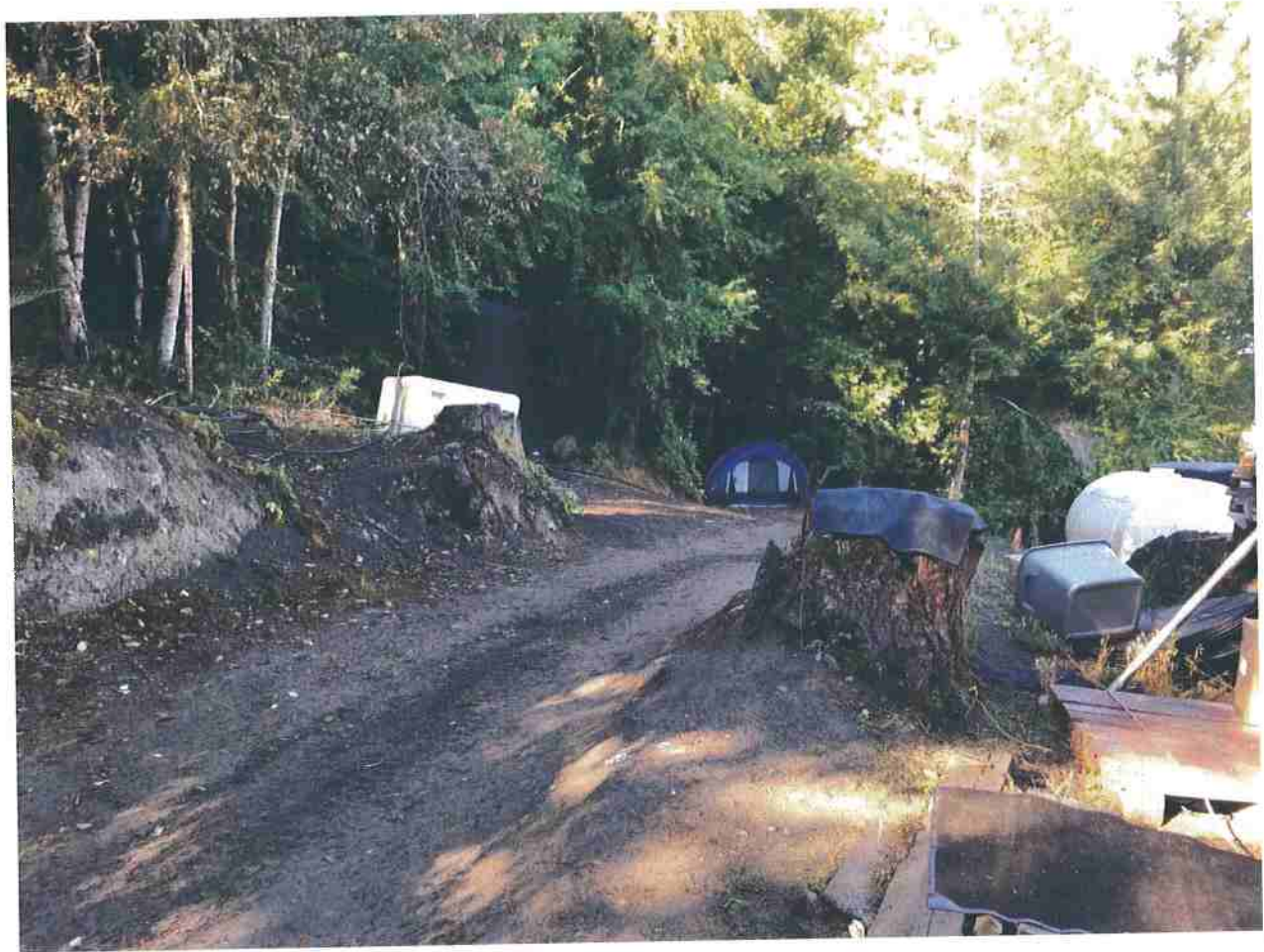


Photo 4. Stumps from conversion activities at Conversion Site #1 in rear of structure.



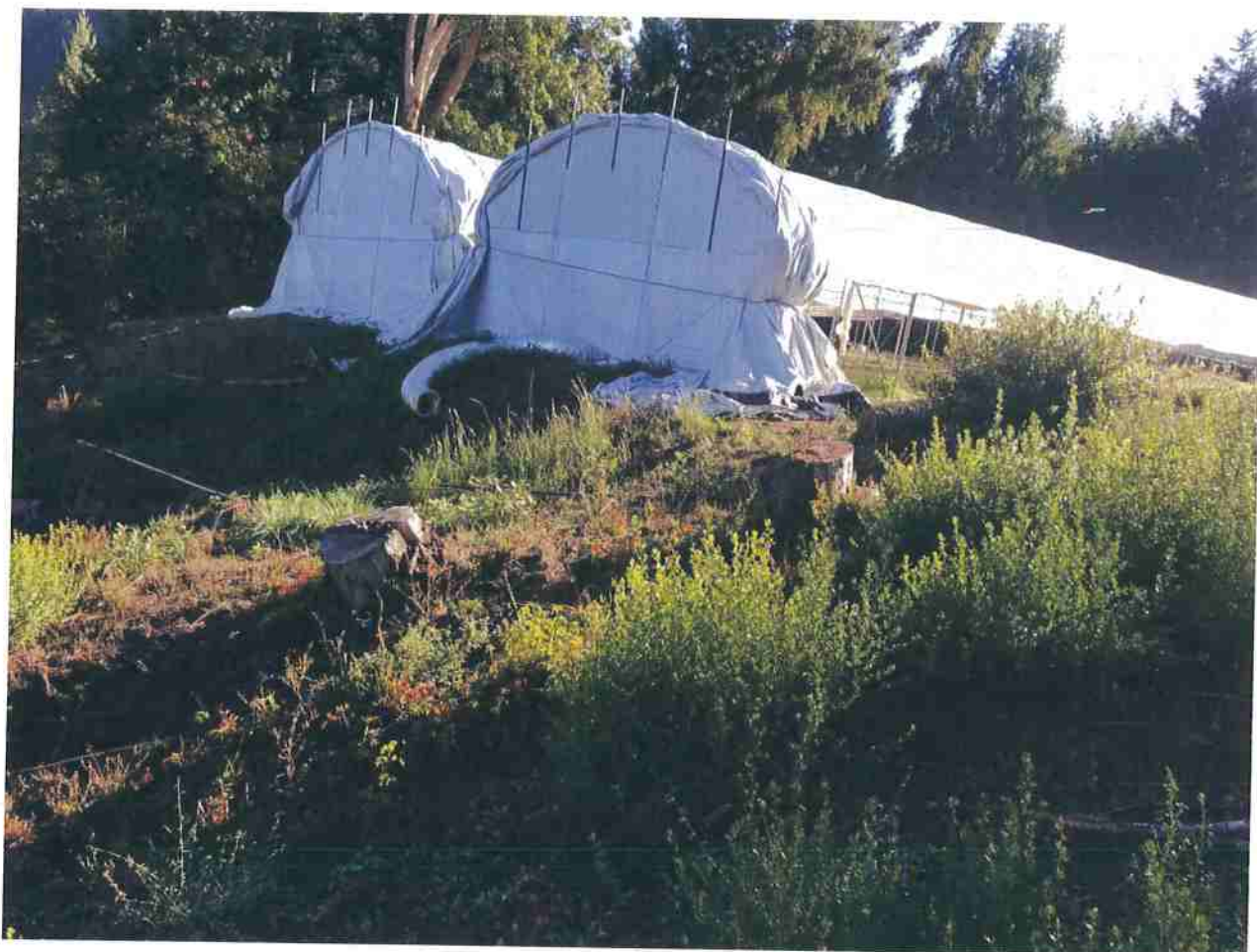


Photo 5. Stumps from conversion activities at Conversion Site #1.

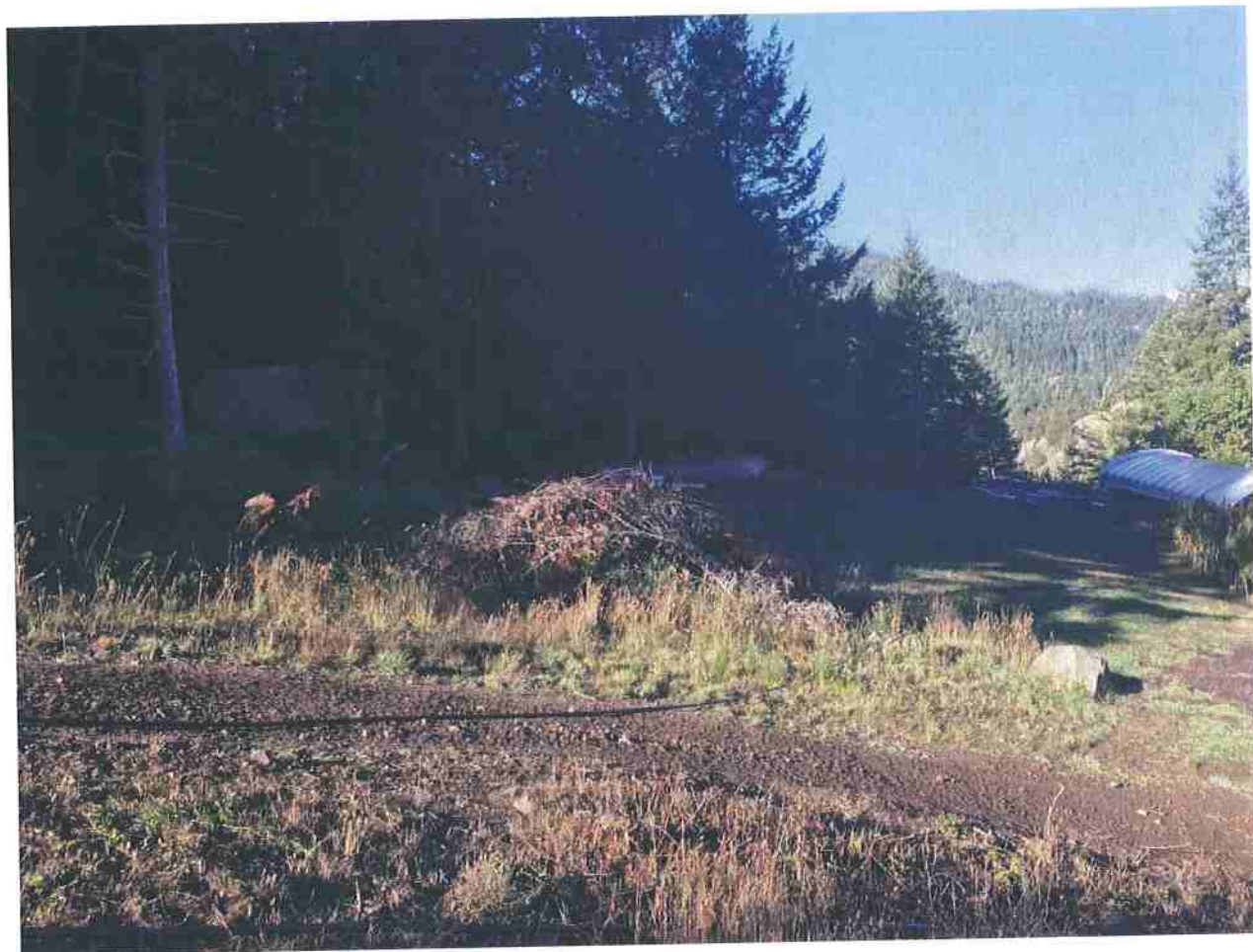


Photo 6. Hazard reduction pile near center of Conversion Site #1.

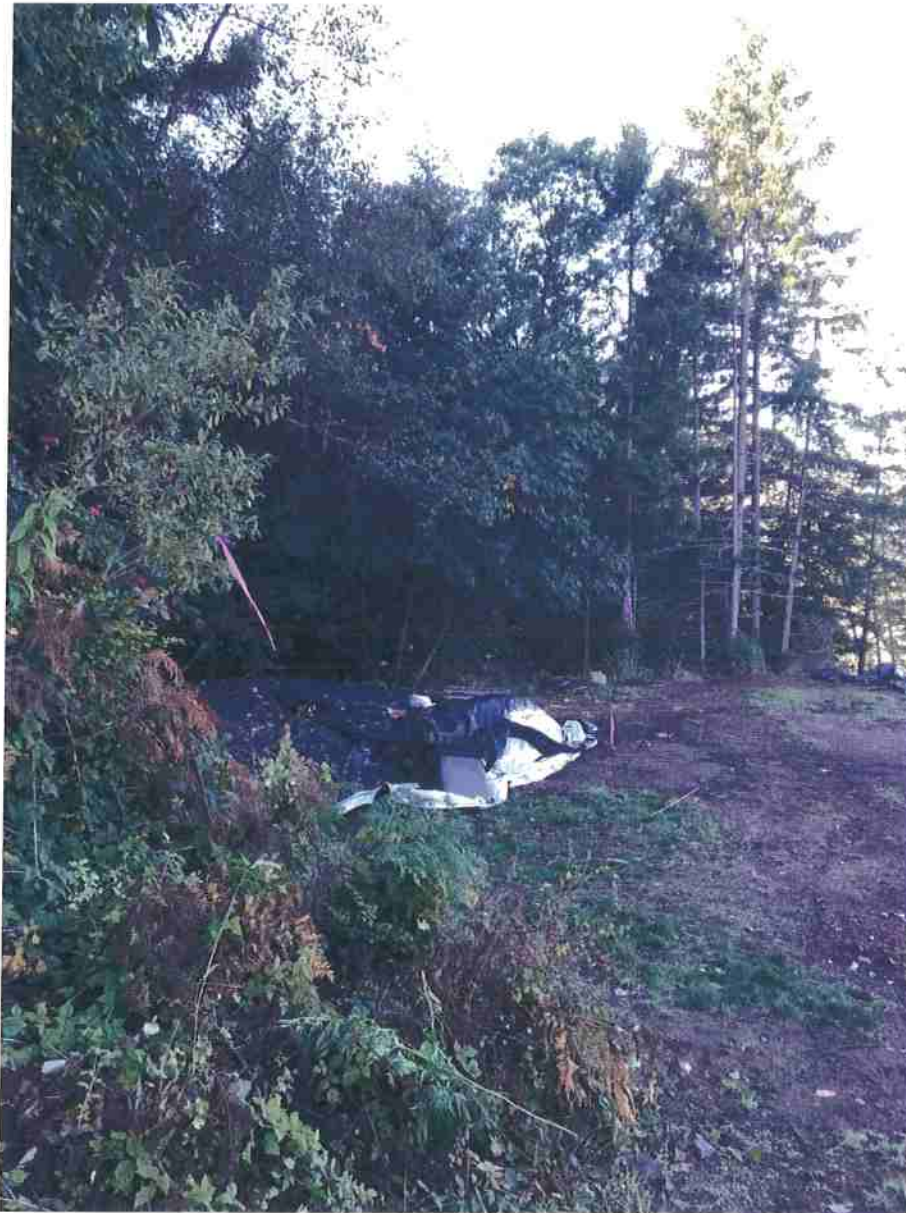


Photo 7. Observation Point 1(a) where operations occurred within the WLPZ of a Class III watercourse.