

From: Kamoroff_Corrina@Wildlife
To: Saucedo_Portia
Subject: RE: App: PLN-11694-CUP, APN: 218-021-003
Date: Thursday, November 21, 2024 12:35:46 PM
Attachments: [image002.png](#)
[image003.png](#)

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Hi Portia,

The pond is hydrologically connected to a stream channel through its spillway. However, since there is no stream channel flowing into the pond, it would not be considered an on-stream pond. Let me know if you have any additional questions.

Thank you,

From: Saucedo, Portia <psaucedo1@co.humboldt.ca.us>
Sent: Thursday, November 21, 2024 11:15 AM
To: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Subject: RE: App: PLN-11694-CUP, APN: 218-021-003

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Hi Corrina,

I see that in the LSAA there was a question as to whether or not the pond was "on-stream." Did you see evidence of that during the inspection? If it is on-stream, they need a water right.

On-stream Pond/ Crossing-3	40.0551, -123.5878	Water diversion from pond and replacement of an undersized 12" diameter culvert spillway with minimum 18" diameter culvert. Based on topographic contours; aerial imagery evidence of a near-full pond during the low flow season; and spillway connectivity to a stream; CDFW considers this to likely be an on-stream pond. No site inspection has occurred. Permittee shall not dredge pond or add bentonite clay.
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Kind regards,



Portia Saucedo
Associate Planner
Current Planning Division
[Planning and Building Department](#)
3015 H Street | Eureka, CA 95501
Phone: 707-268-3745
Email: psaucedo1@co.humboldt.ca.us

In July, the Humboldt County Planning and Building Department will reduce the in-person counter service hours. The new hours of operation will be from 8:30 a.m. to 2:00 p.m., Monday through Thursday, with the counter closed on Fridays.

From: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Sent: Tuesday, October 3, 2023 8:52 AM
To: Saucedo, Portia <psaucedo1@co.humboldt.ca.us>
Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>
Subject: App: PLN-11694-CUP, APN: 218-021-003

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Good Morning,

Please see the comments below regarding the above referenced project.

Project Number: PLN-11694-CUP

Project Name: Tierra Verde Holdings LLC

APN(s): 218-021-003

Project Description

The applicant is seeking a Conditional Use Permit for 16,650 square feet of outdoor commercial cannabis cultivation. The project is supported by a 1,500 square foot propagation greenhouse. Water for irrigation is sourced from a 525,000 gallon rainwater catchment pond. Projected annual water usage is 264,000 gallons (15.8 gal/SF) and there is a total of 89,450 gallons of water storage in hard tanks and two water bladders. Drying and curing will occur onsite in a 2,400 square foot structure, further processing will be conducted off site. Energy is sourced from generators, however, the applicant has proposed to obtain a 2500-watt solar array. A Special Permit is also required for a setback reduction to public lands.

CDFW COMMENTS:

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

On September 4, 2023, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 218-021-003. During the site visit staff walked the property to observe current and historic cultivation activities. The following comments are intended to assist the Lead Agency in making informed decisions in the planning process. The following comments shall supersede prior comments submitted by CDFW regarding PLN-11694-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- A final LSAA (1600-2019-0673-R1) was issued to the applicant to upgrade 5 stream crossings, a pond spillway, and for a Point of Diversion (POD) from a pond. A work completion date was set in the LSAA for October 15, 2021. As of September 4, 2023, no work has been completed, and as a result the applicant is out of compliance with the LSAA. Additionally, no monitoring reports have been submitted to CDFW as required, resulting in the applicant being out of compliance with additional measures of the LSAA. CDFW requests, as a condition of project approval, that the applicant achieves compliance with the LSAA.
- The proposed project is located adjacent to United States Forest Service (USFS) ownership and requires a setback reduction to public land. Due to the project's proximity to the USFS and habitat for sensitive wildlife species, the proposed project has the potential to significantly impact Special Status species including, but not limited to, the Northern Spotted Owl (*Strix occidentalis caurina*). CDFW requests, as a condition of project approval, that the permittee implements substantive containment of all generators on site to minimize noise disturbance when in use.
- On September 4, 2023, CDFW observed excavated fill and water storage tanks located in the Stream Management Area (SMA) of a Class III drainage. CDFW requests, as a condition of project approval, that all fill and infrastructure is removed from the SMA.
- On September 4, 2023, CDFW observed monofilament netting that was used during cannabis cultivation operations. To minimize the risk of wildlife entrapment, CDFW requests, as a condition of project approval, the

prohibition of synthetic netting (e.g., plastic or nylon) including photo or biodegradable plastic netting for the purpose of cultivation operations and/or erosion control.

Thank you for the opportunity to comment on this project.

Corrina Kamoroff

Environmental Scientist

Habitat Conservation and Planning

Humboldt/Del Norte LSA Program

California Department of Fish and Wildlife

619 Second Street

Eureka, CA 95501