ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Ag Commissioner		No Response	
Building Inspection Division	✓	Comment	On file
District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	**Attached**
Sheriff		No Response	
Public Works, Land Use Division	✓	Conditional Approval	**Attached**
School District		No Response	
CA Division of Water Rights		No Response	
CA Department of Fish & Wildlife	✓	Comment	**Attached**
CalFire	✓	Comment	On file
North Coast Regional Water Quality Control Board		No Response	
Bear River Band of Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Intertribal Sinkyone Wilderness Council		No Response	
Northwest Information Center	✓	Further Study	On file and confidential

HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

DEH received
9-8-17

PROJECT REFERRAL TO: **Health and Human Services Environmental Health Division**

17/18-0626

Project Referred To The Following Agencies:
Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Intertribal Sinkyone Wilderness Council, Humboldt County Sheriff, Southern Humboldt Joint Unified School District

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Applicant Name Humboldt Sanctuary Farm, LLC **Key Parcel Number** 221-071-020-000

Application (APPS#) 12990 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-949

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than
Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following:

Conditional Approval

Comments:
DEH recommends approval with the following conditions:

1. **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system (OWTS) adequate to support proposed staffing.
2. The approval of an unpermitted OWTS described in the provided Attachment for Commercial Medical Marijuana Clearances/Permits document is **dependent upon demonstration of site suitability** from a Qualified Professional.
3. **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

*Please provide a copy of the written Approved Compliance Agreement to DEH per HCC §313-55.4.11

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

2746

Response Date: 4/27/2018 **Recommendation By:** Joey Whittlesey

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596
AVIATION 839-5401

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 03-05-2018

RE:

Applicant Name	COOPDEVILLA HOLDINGS
APN	221-071-020
APPS#	12990 CUP16-949

The Department has reviewed the above project and has the following comments:

☑ The Department's recommended conditions of approval are attached as **Exhibit "A"**.

☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**

☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**

☑ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 12990

☐ **COUNTY ROADS- FENCES & ENCROACHMENTS:**
All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☐ **COUNTY ROADS- DRIVEWAY (PART 1):**
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

☐ **COUNTY ROADS- DRIVEWAY (PART 2):**
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

- **If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.**
- **If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.**
- **If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.**

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☐ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION:**
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- **If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.**
- **If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.**

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☐ **COUNTY ROADS- ROAD EVALUATION REPORT(S):**
All recommendations in the *Road Evaluation Report(s)* for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //

Exhibit "D"

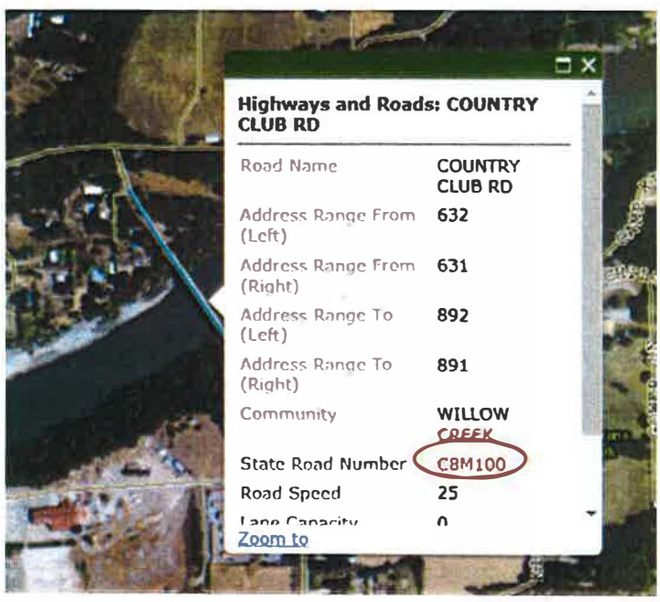
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** **Planning and Building Department staff shall request that the applicant provide *Road Evaluation Reports* for the project.** The particular roads that require a *Road Evaluation Report* is to be determined by following the guidance shown below.

   The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

   When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

   The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in RED.

A County maintained road will have a 5 or 6 character identifier. The general format is **ABCDDD** where:

- **A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- **B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- **C** is a grid identifier letter for the Y-axis for the grid.
- **DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD	
A3M020	Murray Road
F6B165	Alderpoint Road
6C040	Thomas Road

Exhibit "D"

Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the green heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the red heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

"APPROVED LIST" List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	**Road Number**	**Range meeting (or equivalent to) Road Category 4 standard**
Alderpoint Road	F6B165	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Rod to P.M. 067
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Chemise Mountain Road	C4A030	Shelter Cove Road to P.M. 3.0
Eel Rock Road	7D010	All
Eighth Avenue	4N080	All
Ettersburg Honeydew Road	F5A010	All
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [Gate]
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

Exhibit "D"

Road Evaluation Reports

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	**Road Number**	**Range not meeting (or not equivalent to) Road Category 4 standard**
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end of County maintained
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Butte Creek Road	6H020	All
Chemise Mountain Road	C4A030	P.M. 3.0 to P.M. 4.09 [Mendocino County Line]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
Kings Peak Road	C4A020	P.M. 1.0 to P.M 12.20
McCann Road	6D090	P.M.1.0 to P.M.2.6 [End of County maintained]
Mill Street	3G305	Country Club Estates to P.M. 0.49[End]
Old Eel Rock Road	7D025	All
River Bar Road	4G010	Hwy 36 to P.M. 1.76 [End of County maintained]
Salmon Creek Road	6C030	P.M. 5.39 to P.M. 5.88[End of County maintained]
Sprowel Creek Road	6B095	P.M 4.00 to PM 7.22 [End of County maintained]
Stapp Road	7H010	P.M 0.00 to 3.25[End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Williams Creek Road	2G045	All

// END //

Santos, Steven A

From: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Sent: Wednesday, March 20, 2024 3:44 PM
To: Santos, Steven A
Cc: Johnson, Cliff; Manthorne, David@Wildlife
Subject: PLN-12990-CUP, APN: 221-071-020

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Good Afternoon,

Please see the comments below regarding the above-referenced project.

Project Number: PLN-12990-CUP
Project Name: Humboldt Sanctuary Farm, LLC-CUP 28,500 SF Ex OD
APN(s): 221-071-020
CEQA: CEQA-2017-0730-0000-R1

Project Description
Humboldt Sanctuary Farm, LLC - CUP 28,500 SF Ex OD
A Conditional Use Permit for 28,500 square feet of existing outdoor commercial cannabis cultivation supported by an ancillary nursery of UNKNOWN size. Estimated annual water usage is 331,200 gallons and is sourced from rainwater catchment. Water storage consists of an 800,000-gallon pond and 9,900 gallons in tanks. Onsite processing is proposed, and electricity is provided by solar and generators. The project includes onsite relocation and restoration.

CDFW COMMENTS:

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

On March 18, 2024, CDFW staff conducted a site inspection at the subject property on Assessor Parcel Number (APN) 221-071-020. During the site visit, staff walked the property to observe current, historic, and proposed 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-12990-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- On August 26, 2022, CDFW issued the applicant a final Lake and Streambed Alteration Agreement (LSAA, EPIMS-HUM-06891-R1C) for water diversion from an unnamed Tributary to Salmon Creek for micro-hydro power generation, to rock armor an outlet from an off-stream reservoir, and to upgrade three failing and undersized stream crossings.

- The permittee has not submitted or implemented an Invasive Species Management Plan (ISMP) as required in the LSAA and as a result is out of compliance with the LSAA. Additionally, while onsite, CDFW determined that additional Avoidance and Minimization measures are required to minimize adverse impacts to public trust resources. CDFW requests as a condition of approval that the applicant/permittee completes the following items listed below by May 30, 2024, or within two weeks of project approval, and achieves and maintains compliance with the LSAA.
    - Submit a minor amendment to the LSAA to add a project POD for the pond diversion, which will include water reporting requirements establishing and implementing seasonal maximum drawdown criteria to minimize adverse impacts to native pond breeding amphibians from the pond.
    - Submit and implement an Invasive Species Management Plan (ISMP) prepared by a qualified biologist.

- While onsite, CDFW observed that Cultivation Area #2 is potentially partially located within the Streamside Management Area (SMA) of a Class II (perennial) drainage. CDFW requests, as a condition of approval, that all cultivation and related infrastructure is removed from the SMA of the Class II drainage, or that a substantial vegetative buffer be protected between the cultivation site and the stream to mitigate potential impacts from erosion and discharge.

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