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August 15, 2024

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

Re: APN 218-081-006  
PLN-13367-CUP

The Timberland Conversion Evaluation Report was prepared in response to Cal Fire's referral comment as follows:

	Date:	Name:	
Forester Comments:	1/12/21	Tim Meyers	

AP# 13367  
APN 218-081-006

**CALFIRE cannot support this project.**

It appears from the airphoto that trees were removed in 2013. A CALFIRE harvest document should have been obtained prior to removing the trees. More information is required for a proper evaluation. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE.

Timberland Resource Consultants (TRC) inspected and evaluated the subject property and associated cultivation site on July 31, 2024. Chris Carroll, RPF #2628 exercised due diligence in evaluating the site to fully assess timberland conversion and associated impacts. This report evaluates the rules and regulations contained in the Forest Practice Rules associated with 14CCR 1104.1 Conversion Exemptions.

Timber Operations conducted under 14CCR 1104.1 are exempt from a Conversion Permit and timber harvesting plan requirements but are required to comply with all other applicable provisions of the Z'berg-Nejedly Forest Practice Act, regulations of the Board, and currently effective provisions of county general plans.

The foregoing report analyses compliance with the Forest Practice Rules, particularly those associated with 14CCR 1104.1 Conversion Exemptions. The report highlights common limitations and restrictions associated with Conversion Exemptions; however, the RPF's field assessment includes evaluation of countless rules and regulations contained in the Forest Practice Act, which restrict and limit timber operations associated with timberland conversion.

## Project Location

APN: 218-081-006

Acreage: 48 acres

Legal Description: SE ¼ of SE ¼ of Section 10, T5S, R5E, Humboldt Base & Meridian

USGS 7.5' Quadrangle: Jewett Rock

County Zoning: Forest Recreation

Site Address: 2254 Hog Trap Road, New Harris

Landowner/Timber Owner: Mark Finley

## Parcel Description & Timber Harvest History

*Note: The property background has been summarized using personal accounts of the current landowner, digital orthographic quadrangle (DOQ) imagery, Humboldt County Web GIS, CAL FIRE Watershed Mapper v2, and Historic Aerials. To avoid speculation and maintain relevancy, the property background focuses mainly on the past 10-15 years.*

The property's forest stand type is dominated by Oregon white oak and grasslands with scattered Douglas-fir encroachment occurring downslope in the southern and southeastern portions of the property. Review of historic aerial imagery (<https://www.historicaerials.com>) from 1968 to present reveals that the vegetation type has not visibly changed for the last 56 years except for the amount of Douglas-fir encroachment occurring downslope. There are no commercial timber harvests (THP/NTMP) recorded by Cal Fire (Watershed Mapper v2 [http://egis.fire.ca.gov/watershed\\_mapper/](http://egis.fire.ca.gov/watershed_mapper/)).

## Timberland Conversion Assessment

It appears that one open-grown, multi-stemmed Oregon white oak tree was clearly harvested between 2012 and 2014 in association with the development of the cultivation site. In addition, there appears to have been one or two Oregon white oaks removed along the site's northwestern periphery. Per the Forest Practice Rules, Section 895.1, Oregon white oak is a Commercial Species for the Coast Forest District and therefore its removal could be considered timberland conversion.



2012 Google Earth

2014 Google Earth

## Limitations and Considerations for Timberland Conversion Activities

### 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 graded flat does not occur within a Watercourse per 14CCR 895.1 or its associated Watercourse and Lake Protection Zone (WLPZ). The closest watercourse observed is a Class III located approximately 85-90 feet west. The RPF's watercourse classification is consistent with mapping contained in Pacific Watershed Associate's WRPP and LSAA Notification, both of which are in Accela. The mapped swale feature is a concave depression with convergent slopes that are not connected to a watercourse.

### Slash, Woody Debris, and Refuse Treatment

14 CCR 914.5(b): *"Non-biodegradable refuse, litter, trash, and debris resulting from timber operations, and other activity in connection with the operations shall be disposed of concurrently with the conduct of timber operations."*

14CCR 1104.1(a)(2)(D) – *Treatment of Slash and Woody Debris*

- 1) *Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.*
- 2) *All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.*
- 3) *All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.*
- 4) *Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.*
- 5) *Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.*
- 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.*
- 7) *Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.*
- 8) *Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules.*

No slash, logs, and/or woody debris created by past development of the cultivation site was observed by the RPF.

## **Limitations and Considerations for Timberland Conversion Activities (Cont.)**

### **Biological Resources and Forest Stand Health**

*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 July 31, 2024 showed no observations of sensitive species (see attached CNDDDB Map) within the 1.3-mile biological assessment area surrounding the property.

The query of the CNDDDB NSO Database revealed one known Northern Spotted Owl (NSO) Activity Center within a 1.3-mile biological assessment area surrounding the property. NSO HUM 655 is located approximately 1.1 mile south of the subject property. The 100-acre Core Area and conventional ¼-mile disturbance buffer does not overlap the subject property. There is no NSO habitat within the vicinity of the cultivation site. Consequently, the removal of several trees, which are deemed conversion of timberland, did not result in a loss of NSO habitat to the extent that "take" could occur.

The conversion area did not include late successional stands, late seral stage forests, or old growth trees. The conversion area did not include any trees that existed before 1800 A.D and is greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods, and forty-eight (48) inches in diameter at stump height for all other tree species.

### **Sudden Oak Death**

No major forest health issues were observed during the field assessment. The property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD) but the RPF observed no symptoms, signs, and evidence of oak mortality within the subject property.

### **Cultural Resources**

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

No archeological sites were observed during the TRC field assessment. The RPF conducted pre-field research for the project's geographic location and closely surveyed the converted site and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Chris Carroll, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #575). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

### **14CCR 923.4 Construction and Reconstruction of Logging Roads and Landings**

While it is recognized that cannabis cultivation sites are not log landings; initial development and construction and subsequent maintenance of the graded flats should (at a minimum) meet or exceed similar requirements stated in the Forest Practice Rules for log landings. Compliance with State Water Resources Control Board Order WQ 2019-0001-DWQ, and other regulations will require even higher standards. Therefore, the RPF closely evaluated the cultivation site for such compliance and has concluded that the performance standards of 14CCR 923.4(a-s) have been met.

### **14CCR 923.5 Erosion Control for Logging Roads and Landings**

The roads on the property accessing the cultivation sites are permanent rocked roads with a high component of natural/native rock. Consequently, no erosion was observed on these rocky-surfaced roads based upon the RPF's assessment conducted on July 31, 2024. No Controllable Sediment Delivery Sites were observed on any of the roads leading to the cultivation site. The permanent road accessing the cannabis cultivation site is in compliance with the requirements of 14CCR 923.5 and Board of Forestry Technical Rule Addendum No. 5: Guidance on Hydrologic Disconnection, Road Drainage, Minimization of Diversion Potential, And High-Risk Crossings.

## Recommendations

The cannabis cultivation site, which formerly contained several Oregon white oak trees, is in compliance with the Forest Practice Rules. Please note that Cal Fire will not permit an "after the fact" timberland conversion with the submission of a Conversion Exemption. The RPF has no recommendations.

Sincerely,



Chris Carroll, RPF #2628  
Timberland Resource Consultants

## Photos










**Photo 1:** Cultivation site. Photo date 7-31-2024.

# MAPS



# APN 218-081-006

## Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site
-  Hog Trap Road / Permanent Rocked Road
-  Permanent Rocked Road
-  Class II Watercourse
-  Class III Watercourse
-  Swale Feature




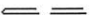



Map Scale 1" = 150'



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## Conversion Evaluation Map





-  Property Boundary
-  Cultivation Site
-  Hog Trap Road / Permanent Rocked Road
-  Permanent Rocked Road
-  Class II Watercourse
-  Class III Watercourse
-  Swale Feature

2022 NAIP DOQ  
Map Scale 1" = 150'



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## CNDDDB Map

-  Property Boundary
-  1.3 mile Biological Assessment Area
-  NSO Activity Center
-  CNDDDB Sensitive Species

Map Scale 1" = 2,000'

