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**Subject:** PLN-12490-SP, APNs: 220-191-027  
**Date:** Friday, May 2, 2025 3:42:20 PM  
**Attachments:** [1600-2018-0648-R1 HUM MJ Whitmire Stream Crossings LSAAFinal.pdf](#)

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Good afternoon,

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

**Project Number:** PLN-12490-SP

**Project Name:** Eagles Nest Farm LLC

**APN(s):** 220-191-027

**CEQA No:** CEQA-2021-0273-0000-R1

**Project Description:**

Eagles Nest Farm LLC - CUP for 13,350 SF- Existing 8830 SF Outdoor and 4540 SF of Existing Mixed Light

The applicant is seeking a Conditional Use Permit for 13,350 square feet of existing commercial cannabis cultivation of which 8,830 square feet is outdoor cultivation and 4,520 square feet is mixed light cultivation. The project is supported by 1,340 square feet of propagation space. Water for irrigation is sourced from an existing permitted groundwater well and a 400,000-gallon rainwater catchment pond. The projected annual water usage totals 140,000 gallons and hard tank water storage totals 58,000 gallons. Processing occurs onsite and the applicant may utilize a licensed third party processing facility. The project is owner operated therefore no employees are required. Energy for the project is sourced from a generator although the applicant is actively pursuing solar power. Once installed, solar will be the primary energy source.

**CDFW COMMENTS:**

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

On May 1, 2025, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Numbers (APNs) 220-191-029 and 220-191-027. 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-12490-SP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

1. On August 13, 2019, a final Lake and Streambed Alteration Agreement (LSAA, 1600-2018-0648-R1; see attached) was issued to Chad Whitmire to upgrade two stream crossings and a pond spillway on APNs 220-191-029 and 220-191-027. While the upgrades to the two stream crossings, and the pond spillway have been completed, an LSAA is still required for the removal of road fill from a stream channel and culvert inlet, and water diversion of a hydrologically connected pond that provides habitat for the Western Pond Turtle (*Actinemys marmorata*). The LSAA expired on August 13, 2024, and as a result, the applicant does not currently have a valid LSAA to divert water from the pond or to complete the required projects on site. CDFW requests, as a condition of approval, the applicant obtains a final LSAA prior to the initiation of cannabis cultivation. CDFW further requests, as a condition of approval, that the applicant notify for an LSAA from CDFW no later than June 30, 2025, or within two weeks of project approval.
2. The proposed project may have a potentially significant adverse effect on biological resources, specifically the Northern Spotted Owl (*Strix occidentalis caurina*; NSO). At least two known NSO Activity Centers occur within 1.3 miles of the cultivation (CDFW 2025). CDFW requests that the applicant assume presence of NSO and avoid impacts as determined by a qualified biologist, in consultation with CDFW. Additionally, CDFW requests the succeeding measures, as conditions of approval.
  - a. All ground-disturbing activities should be limited to occur outside of the breeding season for the NSO (February 1 through July 9).
  - b. The construction of noise containment/dampening structures for all operation related generators, water pumps and fans. Additionally, CDFW requests that the use of generators is phased out after 2024 and only used as a backup energy source.
  - c. That artificial light used for cannabis cultivation operations (i.e., ancillary nurseries) be fully contained within structures such that no light escapes (e.g., through automated blackout curtains) between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular and nocturnal wildlife. CDFW further requests, that security lighting be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed. CDFW further requests a light attenuation monitoring and management plan for this

activity within thirty days, following execution of the final permit.

3. To minimize the risk of wildlife entrapment, CDFW requests, as a condition of approval, either the prohibition of synthetic netting (e.g., plastic or nylon), including photo or biodegradable plastic netting, for use in cultivation operations and/or erosion control, or, if the applicant uses synthetic netting, that the applicant is required to follow Best Management Practices (BMPs) that provides requirements on responsible storage, disposal, and use.

Thank you for the opportunity to comment on this project.

**Corrina Kamoroff**

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