

| Date | Action |
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| May 12, 2021 | ██████████ permits application PLN-16127-SP Bootleg Farms- Michelle Bushnell's personal commercial cannabis project |
| December 27, 2021 Attachment 1 | <ul style="list-style-type: none"> • ██████████ Planner, seeks clarification regarding the proposed grading plan submitted for a rainwater catchment pond for PLN-16127-SP (building permit no. 55206) • The proposed pond location would require the removal of 8 trees. • The Special Permit written by ██████████ states on page 9 section (e) "The project site is a partially forested site zoned Agricultural Exclusive and Timberland Production (TPZ). All cultivation activities will occur on the half of the parcel zoned AE and will not result in the net conversion of timberland." |
| December 27, 2021 Attachment 2 | <p>██████████ agent for PLN-16127-SP, at 2:24pm.</p> <p>"A revised site plan showing a proposed location for the pond, which does not require tree removal, is required for the planning department to authorize the building department to issue the permits."</p> |
| December 29, 2021 11am – 11:30am | <p>Meeting with Thomas Harwood (applicant), Jasmin Holmgren (agent), Michelle Bushnell (County Supervisor), John Ford (Planning Director), and Cliff Johnson (Supervising Planner), regarding commercial cannabis application PLN-11247-CUP Lost Coast Elixirs.</p> <p>It is worth noting that Michelle Bushnell "loses it" when ██████████ approaches the topic of approximately 1 acre of tree removal, which occurred without permits.</p> |
| December 29, 2021 1:37pm | <p>██████████ that she has left the office:</p> <p>"Taking the rest of the day to blow off steam after having my character and work as a planner berated by Michelle Bushnell."</p> |
| December 29, 2021 5:17pm Attachment 3 | <p>██████████ emails summary of meeting resolution to John Ford, Michelle Bushnell, Thomas Harwood, and Jasmin Holmgren.</p> |
| December 30, 2021 8:00am | <p>██████████</p> <p>"I'm still feeling distressed by the way I was treated and attacked by Michelle Bushnell yesterday. I've hardly slept and am not in an emotional state to complete my job duties.</p> <p>I will be in tomorrow."</p> |
| January 3, 2022 10:46 am | <p>██████████ Planner, leaves note in building permit file:</p> <p>"Not approved at this time. Proposed pond location appears to be within a seasonal drainage ditch and would require removal of a tree. Pond location should be proposed in an environmentally superior location."</p> |
| January 3, 2022 11:07 am | <p>██████████ Building Permit Specialist, leaves note in permit file stating she forwarded planning comments for (building permit no. 55206) made by ██████████ to applicant.</p> |

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| <p>January 3, 2022 Around noon</p> | <p>Michelle Bushnell calls [REDACTED] Planner, at his desk to discuss the departments response to her building permit for proposed rainwater catchment pond.</p> <p>Following meeting, [REDACTED] that Michelle Bushnell had called his desk and spoke to him in a demanding and condescending manner.</p> |
| <p>January 3, 2022 2:18pm</p> | <p>[REDACTED] Building Permit Specialist, leaves note in building permit file stating "paperwork to JFord for review"</p> |
| <p>January 3, 2022 2:52pm</p> | <p>[REDACTED] Planner, leaves note in building permit file:</p> <p>"The proposed irrigation pond location appears to require timber conversion and plans state that oaks will be removed. The approved Special Permit (PLN-2019-16127) does not include tree removal for the project. This pond location may not be permissible pursuant to HCC 314-55.4.6.4.2 and BR-P9 from the General Plan.</p> <p>In addition, appropriate surveys are required prior to ground disturbance per Conditions of Approval B3 and B5:</p> <p>B3. As recommended in the Biological Assessment the applicant shall conduct den surveys for the American badger each winter, prior to ground disturbance, to ensure that no badgers have entered the area. Once ground disturbance begins, surveys may cease. Survey results shall be submitted annually to the Planning and Building Department prior to the initiation of cultivation.</p> <p>B5. As recommended in the Biological Assessment, a Wetland Delineation shall be conducted prior to the construction of a rainwater catchment pond if the pond is to be constructed south of the road surface."</p> |
| <p>January 3, 2022 4:30-5pm</p> | <p>[REDACTED] meets with Director Ford to discuss what happened at the meeting on December 29th at 11am.</p> <p>[REDACTED] inquires as to why John Ford did not stop the meeting when Michelle Bushnell began crying and slamming doors. John Ford states that Michelle is his boss and "one of the reasons he is working any given Tuesday"</p> <p>[REDACTED] notifies John Ford of her concern regarding Michelle Bushnell's intervention in the discretionary permitting process and the manner in which she acted as an advocate for the applicant, Thomas Harwood.</p> <p>John states that he doesn't see the situation in the same light as [REDACTED]</p> <p>[REDACTED] notifies John that Michelle has also been extremely condescending toward [REDACTED]</p> |

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| | <p>██████████ and John continue to talk about the lessons that could be learned from the meeting, and John asks ██████████ to consider remaining the assigned planner for the project.</p> |
| <p>January 4, 2021 Morning</p> | <p>██████████ is called into a meeting with ██████████ Supervising Planner, and John Ford.</p> <p>John Ford asks ██████████ to recount his interaction with Michelle Bushnell. ██████████ recounts his interaction with Michelle Bushnell.</p> |
| <p>January 4, 2021 3pm</p> | <p>██████████ meets with John Ford to discuss a different project. The meeting is interrupted by ██████████ Permit Specialist, she is seeking Michelle Bushnell's building permit application (55206). She states Michelle is coming into the office in 15 minutes to talk about the permit. John Ford states that he would like to be there when she arrives.</p> |
| <p>January 4, 2021 3:15</p> | <p>██████████ is speaking at the counter with a team member. Upon seeing Michelle Bushnell entering the building she leaves the front counter area to avoid interaction with Michelle.</p> |
| <p>January 4, 2021 3:20</p> | <p>██████████ is called to the front counter, while ██████████ is in his office, to discuss his comment on building permit application (55206).</p> |
| <p>January 4, 2021 3:45-4pm</p> | <p>██████████ meets with John Ford and Michelle Bushnell at the front counter.</p> <p>██████████ returns to his desk and states that John Ford is approving the location of the proposed pond and states John Ford said that this action was a "special circumstance."</p> <p>There is a Timber Harvest and Oak Restoration Plan on the parcel. Which John Ford believes warrants the removal of the trees and placement of the pond in that area.</p> |

Other concerning comments:

1. ██████████ Post- Approval Inspections Team, is removed from conducting inspections in Michelle Bushnell's district for apparently terrorizing the applicants in her district. ██████████ and ██████████ trade inspection assignments with ██████████ This occurred in late 2021.
2. Another commercial cannabis application, H2 Equity (PLN-11248-CUP) is being heard at the Planning Commission Hearing on January 20, 2022. Thomas Harwood is the previous property owner, and according to the neighbors, is still active in the operation. The applicant has made it clear that they will appeal the project to the Board. I am concerned that Michelle Bushnell may have a conflict of interest in this case.

- c) Humboldt County Code section 314-55.4.6-6.5 allows cultivation of up to 43,560 sq. ft. of Cultivation Area with a Special Permit on a parcel over 10 acres. As set forth in the following subsections, New Cultivation Sites that meet all other Eligibility and Siting Criteria and Performance Standards, may be permitted within AE, AG, FR, and U zoning districts, where accompanied by a Resource Production General Plan land use designation or Residential land use designation requiring parcel sizes on more than 5 acres. The application is for 43,560 square feet of outdoor commercial cannabis cultivation on a 355-acre parcel.
- d) The project meets the required property line setbacks for the AE zone, and meets the required 30-foot SRA setback on all sides.

5. FINDING

The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

EVIDENCE

- a) The applicant's primary energy source is solar, a renewable energy source as required within the CCLUO.
- b) The subject parcel has been determined to be one legal parcel as described in the Notice of Lot Line Adjustment recorded as 1991-61793.
- c) The project will obtain irrigation water from an existing permitted groundwater well and rainwater catchment pond, if permissible.
- d) Access to the site is via Church street, approximately 1.6 miles north of the intersection of Church Street and Alderpoint Road. An unnamed private drive that leads to the project is approximately 0.75 miles in length. Road Evaluation Reports for the access roads were submitted by the applicant for Church Street, Church Road, and the private drive. Church Street and Church road were documented as meeting the Category 4 Road Standard. A *Road Assessment* was prepared by Timberland Resource Consultants, dated June 23, 2020. The report detailed improvements required to bring the access road into compliance with the *Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds*, these improvements has been included as conditions of approval for the project.
- e) The project site is a partially forested site zoned Agricultural Exclusive and Timberland Production (TPZ). All cultivation activities will occur on the half of the parcel zoned AE and will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, 270 feet from any adjacent undeveloped separately owned parcel, more than 600 feet from any school, church, public park or Tribal Cultural Resource, and 1,000 feet from all Tribal Ceremonial Sites.
- h) As stated in the *Cultivation and Operations Plan*, the slope of the proposed cultivation areas will be less than fifteen percent.
- i) The applicant submitted a *Noise Assessment* documenting ambient noise levels of approximately 45dB. Cultivation related noise will not result in an increase of more than three decibels of continuous noise above recorded ambient noise levels.

Bootleg Building Permit for Grading (BLD-2021-55206)

Attachment
2

[Redacted]

Mon 12/27/2021 2:24 PM

To: Diana Totten <clearwateragservices@gmail.com>

Cc: [Redacted]

3 attachments (945 KB)

Revised Site Plan 12.10.21.pdf; 16127 Site Plan 10.26.20.pdf; Aerial Imagery .pdf;

Hi Diana,

A revised site plan was submitted to the building department for the proposed rainwater catchment pond for Bootleg Farms. It appears that the proposed location of the pond would require tree removal. I have attached a document labeled "aerial imagery" which shows the proposed location of the pond as a red square.

A revised site plan showing a proposed location for the pond, which does not require tree removal, is required for the planning department to authorize the building department to issue the permits.

Thanks,

[Redacted Signature]



From: [REDACTED]
To: [Jasmin Holmgren](mailto:Jasmin.Holmgren); tommyharwood@yahoo.com
Cc: [Bushnell, Michelle](#); [Ford, John](#)
Subject: Application 11247-CUP
Date: Wednesday, December 29, 2021 5:17:00 PM

Attachment
#3

Hello Jasmin and Tommy,

I am confirming by email the items and resolution that we discussed this morning on this project. Most importantly, this is confirmation that we **will be extending the Interim Permit to June 1, 2022** with the commitments and agreements below.

1. **String lights:** You will provide pictures demonstrating that these lights have been removed and we will consider the issue resolved.
2. **Timber conversion:** You will be providing the County with a Timber Conversion Evaluation prepared by a registered forester that analyzes any conversion for consistency with the Forest Practices Act and that documents any areas of tree removal that may not be considered a conversion under the Forest Rules.
3. **Immature plant area:** We discussed the fact that since you are in an impacted watershed no new cultivation or expansion of cultivation, including for propagation, is permitted. As the documented pre-existing cultivation area is in excess of what you are currently cultivating, immature plant area can be provided so long as it is less than ten percent of the cultivation area on-site and the overall footprint of all cultivation and propagation is within the 28,065 square feet of total cultivation area that was found to be pre-existing.
4. **Interim Permit and Mixed-Light amount:** The Interim Permit is currently for 22,514 square feet of outdoor and 5,551 square feet of mixed-light cultivation. As identified in the December 28th letter you have been cultivating approximately 7,710 square feet of mixed-light and approximately 16,000 to 18,000 square feet of outdoor cultivation each of the last three years. While the mixed-light amount is 2,159 square feet more than authorized, the approximately 16,000 to 18,000 square feet of outdoor is less than authorized. This is less overall cultivation that authorized in the Interim Permit and then what you have been being assessed for taxes. As the financial penalty for any unauthorized cultivation is tied directly to your overall tax liability, there is no justification in this instance to impose the penalty identified in the December 28th letter. Additionally, this amount will be reflected in the Interim Permit moving forward for 2022. We discussed this change as having less impacts to resources, and we will need to work with you to provide the information to support that finding to the Planning Commission. In particular, water and energy calculations for the outdoor and the mixed-light will be critical for demonstrating this for potential approval of the final permit.

Please let me know if you have any questions or need anything further at this time. I look forward to working with you to complete this permit application.