

Hayes, Kathy

From: Lisa Cyrek <lisacyrek@gmail.com>
Sent: Monday, January 11, 2021 6:04 PM
To: COB
Subject: PLN 11752 CUP

To the Humboldt County Board of Supervisors,
In reference to

1. Public Hearings

Planning and Building Department

1. Mattole River Farms LLC appeal of the Planning Commissions Conditional Use Permit to allow 11,400 square feet of existing cannabis cultivation.

My husband and I bought undeveloped property in 2006, and it became our home in 2010. [569 Huckleberry Lane](#) was a large orchard of quince and dwarf apple trees bordering our East property line. In 2017 the orchard was demolished. The removal of the orchard and the subsequent expansion of the commercial cannabis operation have had an impact on our residence and neighborhood. I am writing in support of the county's recent decision on November 19th 2020 in regards to this permit.

In comparing the 5A County CAV 2017 used by the applicant in their One-Point-0 Proposal to the 5b County CAV 2019 as submitted by Steven Luther, the revised 5b County CAV 2019 is much more representative of the cannabis footprint prior to the removal of the orchard. I believe Stephen Luther to be an honest principled public servant who executed his duties faithfully and factually.

I have resided in Humboldt County my entire life and I am supportive of the growing cannabis industry evolving within our neighborhood and watershed in a sustainable and respectful way. I want to live the rest of my life on Huckleberry Lane with my husband, my dogs and my garden. I think the county's approval of the 11,400 square feet fits directly with the neighborhood and the Mitigated Negative Declaration. I love and appreciate my neighbors, our community, and beautiful valley I get to call home.

I am sending this to you all as I have taken the morning to attend the meeting but if the agenda goes into the afternoon, I will have to return to work. I am attaching a current photo from my residence.

Thank you all for your service,
Lisa Cyrek
[765 Huckleberry Lane](#)
[Whitethorn](#)



SUPPLEMENTAL INFORMATION #1

For Board of Supervisors Agenda of:
January 12, 2021

- | | | |
|-------------------------------------|------------------------|----------------|
| <input type="checkbox"/> | Consent Agenda Item | |
| <input type="checkbox"/> | Continued Hearing Item | |
| <input checked="" type="checkbox"/> | Public Hearing Item | No. I-1 |
| <input type="checkbox"/> | Department Report | |
| <input type="checkbox"/> | Old Business | |

Re: Appeal of Mattole River Farms Conditional Use Permit

Record Number: PLN-2020-16848
Assessor Parcel Number: 108-161-034
569 Huckleberry Hill Lane, Whitethorn

Attached for the Board of Supervisor's record and review is the following supplementary information items:

1. Additional comment letter from Heather Scharlak received January 9, 2021.

To Whom it May Concern: Stephan Luther

8/25/2020-edited 1/9/2021 in blue

I'd like to simply relate that if there was any cannabis cultivation at 478 Huckleberry Lane, APN 108-161-034 owned currently by Southern Exposure Farms, and owned previously by Karen Ruth and Michael Hoffman, it was not apparent. The predominant crops in the orchard visible to the road were various apple varieties, a section dedicated to quince, and in their final years there, a patch devoted to winter squash. My understanding is it was an organic fruit and vegetable orchard. Michael hired the local kids to thin the fruit throughout the orchard. **This was prior to legalization, and I don't think he would have exposed the kids to plants.**

Michael struggled with the orchard. He tried different things to maximize yield and eventually removed many of the trees, leaving bare soil. I never witnessed that cannabis was grown in the lower orchard visible to the road.

Thanks,
Heather Scharlack

Follow up letter: to Stephen Luther

1/9/2021

I recently heard a new justification regarding prior cannabis growth in the lower orchard at 478 Huckleberry Lane including that the lack of seeing cannabis among Karen and Michael's fruit trees is a testament to how well the plants were hidden, which is an attempt to establish that they were there.

I just want to state again for the record that cannabis is a dark green color, it's bushy, it has an odor...the orchard at 478 was struggling with disease and rot, there was good visibility through any canopy throughout the orchard, which had small, heavily pruned trees. I maintain that it was not full of cannabis. If cannabis was grown, it was up on top, out of sight from the road.

I have property on Huckleberry Lane, north of 478 and lived there from 1997-2014 full time, then went 2X monthly since moving to Arcata, 2014 to 2019. This entire time frame overlaps the time Karen and Michael owned the property, and my northward position required I drive by the orchard to reach my home.

Thank you,
Heather Scharlack

Sharp, Ryan

From: G. Pritchard-Peterson <garyngaylepp@gmail.com>
Sent: Monday, January 11, 2021 3:04 PM
To: COB
Subject: Comment to Board of Supervisors

This email provides public comment to the Board of Supervisors for the meeting on Tuesday, January 12, 2021 concerning agenda item **I. 1. Mattole River Farms LLC Appeal of the Planning Commission Approval of a Conditional Use Permit to Allow 11,400 Square Feet of Existing Cannabis Cultivation.**

We fully support the Board of Supervisors' approval of the Conditional Use Permit for 11,400 square feet of total cultivation as approved by the Planning Commission and recommended by the Planning and Building Department.

We have owned our property on Huckleberry Lane, about ¼ mile downstream from Parcel Number 108-161-034 since 1994, and have lived in the house we built there since late 1996. We have passed by the property in question on a daily basis during this entire time, oftentimes making 2, 3, and sometimes 4 round trips past the subject property (now Mattole River Farms LLC) each day. We have done so via automobile, bicycle, on horseback, and on foot. We watched the previous owner (or workers) plant the orchard of quince and dwarf apple trees, conduct the range of seasonal cultivation activities associated with maintaining an orchard, remove dying trees, replant new trees, prune the trees annually, plant asparagus in a corner, and remove a portion of the south west corner of the orchard in order to grow winter squash.

In December 2017 we witnessed a local back hoe operator remove several hundred fruit trees, leaving two very small remnants of the previous orchard in opposite corners. These remnants are comprised of quince in the north west and dwarf apple in the south east corner.

During all this time and on literally thousands of trips past this property we have never observed cannabis being grown under cover of the orchard, particularly in the numbers cited in the documents associated with this appeal, estimates which range variously from 200 to 600 plants with average canopies of 36 square feet. The rows of apple and quince trees were arranged perpendicular to Huckleberry Lane and anyone could see for a very long way up the slope on which the rows of trees were planted. The fencing during this time was also orchard fencing which is extremely easy to see through, as it presents no visual barrier. These were primarily dwarf apple trees in the majority of the orchard, which are small and were kept small with their regular annual pruning.

We did however observe a small patch of what looked like cannabis on the bench above the orchard and below the solar array for a few years of the previous owners' occupancy. Previously, it appeared that the owners had planted what looked like vegetables and maybe berries in that same location.

We feel strongly that the Conditional Use Permit PLN-11752-CUP more accurately reflects historical use of the property. The request to approve 17,000 square feet of outdoor and 4,800 square feet of mixed light does not reflect what we have observed over the past 26 years. Additionally, a permitted grow of this size would be out of character with this rural neighborhood and the other, already permitted cannabis farms.

This valley along the upper Mattole in which Parcel Number 108-161-034 sits is relatively small. It is a rural neighborhood, with many families who have lived here for many years. If this permit were to be increased to the size sought by this appeal, we feel it would significantly change the character of our neighborhood, bringing a more industrial feeling, losing the values that brought many of us here to buy property to begin with.

Respectfully,

Gary and Gayle Pritchard-Peterson

904 Huckleberry Lane

Whitethorn, CA 95589

Sharp, Ryan

From: Linda Crook <jlcrook6510@gmail.com>
Sent: Sunday, January 10, 2021 1:39 PM
To: COB
Subject: PLN-11752-CUP

Humboldt Co. Board of Supervisors,

We oppose the expansion of cannabis growing on AP 108-161-034. We live at 500 Huckleberry Ln., on a 4 acre parcel, fronting the Mattole River, and situated in a watershed below the applicant's property. We have enjoyed drinking water from our well since 1975, and when the previous owner of that property applied glyphosate to poison manzanita regrowth, our drinking water tested positive for traces of these chemicals.

When the apple orchard was removed from the property prior to its sale, the holes that were left in the field were represented as the remains of a cannabis grow. The cannabis grown since then have contributed to traces of nitrates in our water, unusual growths of grasses, and the development of algae in standing water. These are all signs of fertilizer infiltration.

We fear that an increase in crop size would have a negative effect on our riparian rights to quality drinking water. We fear that a grower under the umbrella of an LLC, armed with a battery of lawyers, would harm the nature of our residential, tight knit community, with regards for nothing but profits.

Sincerely,
John s. Crook, and Linda L. Crook

To Whom it May Concern: Stephan Luther

8/25/2020-edited 1/9/2021 in blue

I'd like to simply relate that if there was any cannabis cultivation at 478 Huckleberry Lane, APN 108-161-034 owned currently by Southern Exposure Farms, and owned previously by Karen Ruth and Michael Hoffman, it was not apparent. The predominant crops in the orchard visible to the road were various apple varieties, a section dedicated to quince, and in their final years there, a patch devoted to winter squash. My understanding is it was an organic fruit and vegetable orchard. Michael hired the local kids to thin the fruit throughout the orchard. This was prior to legalization, and I don't think he would have exposed the kids to plants.

Michael struggled with the orchard. He tried different things to maximize yield and eventually removed many of the trees, leaving bare soil. I never witnessed that cannabis was grown in the lower orchard visible to the road.

Thanks,
Heather Scharlack

Follow up letter: to Stephen Luther

1/9/2021

I recently heard a new justification regarding prior cannabis growth in the lower orchard at 478 Huckleberry Lane including that the lack of seeing cannabis among Karen and Michael's fruit trees is a testament to how well the plants were hidden, which is an attempt to establish that they were there.

I just want to state again for the record that cannabis is a dark green color, it's bushy, it has an odor...the orchard at 478 was struggling with disease and rot, there was good visibility through any canopy throughout the orchard, which had small, heavily pruned trees. I maintain that it was not full of cannabis. If cannabis was grown, it was up on top, out of sight from the road.

I have property on Huckleberry Lane, north of 478 and lived there from 1997-2014 full time, then went 2X monthly since moving to Arcata, 2014 to 2019. This entire time frame overlaps the time Karen and Michael owned the property, and my northward position required I drive by the orchard to reach my home.

Thank you,
Heather Scharlack

Sharp, Ryan

From: G. Pritchard-Peterson <garyngaylepp@gmail.com>
Sent: Tuesday, January 12, 2021 2:18 PM
To: COB
Subject: Re: Comment to Board of Supervisors

Please forward this follow-up email to the Board of Supervisors.

Dear Michelle, Virginia, Stephen, Mike, and Rex,

We want to express our gratitude for the thorough and thoughtful process you carefully went through to listen and read all the information that was presented to you in this appeal of a conditional use permit. It was a very complex situation with many many bits of information for and against the requested expansion of the permit.

We feel that the compromise you have reached is reasonable and acceptable, especially considering the sometimes conflicting and confusing comments, both verbal and written.

We appreciate your public service and thank you for taking on such a complex job,

Gary and Gayle Pritchard-Peterson

On Mon, Jan 11, 2021 at 3:03 PM G. Pritchard-Peterson <garyngaylepp@gmail.com> wrote:

This email provides public comment to the Board of Supervisors for the meeting on Tuesday, January 12, 2021 concerning agenda item **I. 1. Mattole River Farms LLC Appeal of the Planning Commission Approval of a Conditional Use Permit to Allow 11,400 Square Feet of Existing Cannabis Cultivation.**

We fully support the Board of Supervisors' approval of the Conditional Use Permit for 11,400 square feet of total cultivation as approved by the Planning Commission and recommended by the Planning and Building Department.

We have owned our property on Huckleberry Lane, about ¼ mile downstream from Parcel Number 108-161-034 since 1994, and have lived in the house we built there since late 1996. We have passed by the property in question on a daily basis during this entire time, oftentimes making 2, 3, and sometimes 4 round trips past the subject property (now Mattole River Farms LLC) each day. We have done so via automobile, bicycle, on horseback, and on foot. We watched the previous owner (or workers) plant the orchard of quince and dwarf apple trees, conduct the range of seasonal cultivation activities associated with maintaining an orchard, remove dying trees, replant new trees, prune the trees annually, plant asparagus in a corner, and remove a portion of the south west corner of the orchard in order to grow winter squash.

In December 2017 we witnessed a local back hoe operator remove several hundred fruit trees, leaving two very small remnants of the previous orchard in opposite corners. These remnants are comprised of quince in the north west and dwarf apple in the south east corner.

During all this time and on literally thousands of trips past this property we have never observed cannabis being grown under cover of the orchard, particularly in the numbers cited in the documents associated with this appeal, estimates which range variously from 200 to 600 plants with average canopies of 36 square feet. The rows of apple and quince trees were arranged perpendicular to Huckleberry Lane and anyone could see for a very long way up the slope on which the rows of trees were planted. The fencing during this time was also orchard fencing which is extremely easy to see through, as it presents no visual barrier. These were primarily dwarf apple trees in the majority of the orchard, which are small and were kept small with their regular annual pruning.

We did however observe a small patch of what looked like cannabis on the bench above the orchard and below the solar array for a few years of the previous owners' occupancy. Previously, it appeared that the owners had planted what looked like vegetables and maybe berries in that same location.

We feel strongly that the Conditional Use Permit PLN-11752-CUP more accurately reflects historical use of the property. The request to approve 17,000 square feet of outdoor and 4,800 square feet of mixed light does not reflect what we have observed over the past 26 years. Additionally, a permitted grow of this size would be out of character with this rural neighborhood and the other, already permitted cannabis farms.

This valley along the upper Mattole in which Parcel Number 108-161-034 sits is relatively small. It is a rural neighborhood, with many families who have lived here for many years. If this permit were to be increased to the size sought by this appeal, we feel it would significantly change the character of our neighborhood, bringing a more industrial feeling, losing the values that brought many of us here to buy property to begin with.

Respectfully,

Gary and Gayle Pritchard-Peterson

904 Huckleberry Lane

Whitethorn, CA 95589