



To: Humboldt County
Planning & Building Dept
Current Planning Division
3015 H Street
Eureka, Ca
95501-4484

Dec 2, 2022

To Whom it May Concern,

Enclosed please find:

- 1.) Application for Appeal of
PLN-2021-17384, CUP for Sacres (+ 67,760
propagation space) of Commercial Cannabis
Propagation, Cultivation & Processing
in the Petrolia Area on Chambers Rd.
- 2.) Money Order(s) for appeal Fee
\$ 1732.00

Sincerely, Petrolia Residents
& Land Owners



APPLICATION FORM
Humboldt County Planning and Building Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4484
 Phone (707) 445-7541 Fax (707) 268-3792

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

SECTION I

APPLICANT (Project will be processed under Business name, if applicable)
 Business Name: Petrolia, Chambers Rd. Residents & Landowners
 Contact Person: DAN BERGER
 Mailing Address: PO BOX 176
 City, St, Zip: Petrolia CA 95558
 Telephone: 510.501.5853 Fax: _____
 Email: calcoastal2@gmail.com

AGENT (Communications from Department will be directed to agent)

Business Name: _____
 Contact Person: _____
 Mailing Address: _____
 City, St, Zip: _____
 Telephone: _____ Fax: _____
 Email: _____

OWNER(S) OF RECORD (If different from applicant)

Owner's Name: _____
 Mailing Address: _____
 City, St, Zip: _____
 Telephone: _____ Fax: _____

Owner's Name: _____
 Mailing Address: _____
 City, St, Zip: _____
 Telephone: _____ Fax: _____

LOCATION OF PROJECT

Site Address: Cisco Farm Inc
 Community Area: Petrolia, Chambers Rd

Assessor's Parcel No(s): 105-101-011
104-232-005
 Parcel Size (acres or sq. ft.): 104-191-001

Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? YES NO

SECTION II

PROJECT DESCRIPTION

Describe the proposed project (attach additional sheets as necessary):
PLN 2021-17384
CUP for 5 acres of Commercial Cannabis propagation, cultivation & processing AND 67,760 sqft of Nursery
This project was approved November 17, 2022 by the Humboldt County Planning Commission.

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed, and may result in denial or revocation of approvals.

 Applicant's Signature Date

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

 Owner of Record Signature Date

 Owner of Record Signature Date

From: [Johnson, Cliff](#)
To: [Holtermann, Michael](#)
Subject: FW: Appeal of Cisco Farms, Inc. Conditional Use Permit
Date: Tuesday, December 6, 2022 9:13:00 AM
Attachments: [image002.png](#)

Please make sure this gets into the file as well.

From: PlanningBuilding <planningbuilding@co.humboldt.ca.us>
Sent: Monday, December 5, 2022 5:04 PM
To: Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Subject: FW: Appeal of Cisco Farms, Inc. Conditional Use Permit

Second notice on this. We have application 17384 in the system for this appeal. Fees were paid today.

Thank you,



Delilah Moxon
Administrative Services Manager
[Planning and Building Department](#)
3015 H Street | Eureka, CA 95501
Phone: 707-445-7541 | Fax: 707-445-7446
Email: dmoxon@co.humboldt.ca.us

From: Dan B <calcoastal2@gmail.com>
Sent: Monday, December 5, 2022 4:11 PM
To: COB <COB@co.humboldt.ca.us>; PlanningBuilding <planningbuilding@co.humboldt.ca.us>
Subject: Appeal of Cisco Farms, Inc. Conditional Use Permit

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

December 2, 2022
Humboldt County Board of Supervisors
Attention: Clerk of the Board
825 Fifth Street Room 111
Eureka, CA 95501
RE: Cisco Farms, Inc. Conditional Use Permit for 5 acres of Commercial Cannabis Propagation, Cultivation and processing PLN- 2021-17384
Dear Supervisors:

This is an appeal of the 17 November 2022 approval by the Planning Commission of a conditional use permit for Cisco Farms, Inc. We are residents or landowners in the Mattole Valley area; most of us on Chambers Road, which terminates at the site of the proposed project.

The Planning Commission adopted an Initial Study and Mitigated Negative Declaration for the project despite substantial evidence presented in our letters (attached and incorporated here by reference) that the project will have significant environmental and social impacts on the Petrolia area generally, and especially on the Chambers Road neighborhood. We ask that you consider this evidence and exercise your discretion to (1) deny the project, (2) require an EIR, or (3) require that the project be substantially modified and downsized.

To summarize the main points of our objections:

Cumulative impacts:

The Planning Commission depended on a legally deficient analysis of cumulative impacts of the project. The Negative Declaration analyzed cumulative impacts only on the area within one mile of the proposed project. 1 For the rest of the area, it apparently depended on the cumulative impact analysis for your Resolution 18-43, which set a cap on the number of permits and acreage of cultivation in the Cape Mendocino Planning Watershed.

There is no question that the cannabis industry strongly affects the environment in and around Petrolia. The Negative Declaration notes that there are twelve active commercial cannabis operations and 27 off-site residences within one mile of the proposed project: Just beyond one mile there are other commercial cannabis operations, for example in parcels 105-081-011, 105-081-118, 105-081-016, and 105-051-009.

One mile is arbitrary, and in this situation is nonsensical. The proposed project is more than a mile up a dead-end road from “Greater Downtown” Petrolia, so that the impacts on most of the people and institutions in the area 1 Planning Commission’s resolution approving the permit application at 5 Finding Evidence h).

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were not considered. The attached letters attest to the impacts.

The lead agency has considerable discretion in determining the geographic scope of the cumulative impact assessment, but according to a recent decision, 2 “The geographic scope to be analyzed must be reasonably defined. It cannot be so narrowly defined that it necessarily eliminates a portion of the affected environmental setting. Nor may it be defined so broadly as to dilute the significance of a project’s cumulative impact.” The analysis in the Negative Declaration fails on both counts: one mile “necessarily eliminates a portion of the affected setting,” and the analysis in the EIR for Resolution 18:93 “dilute(s) the significance of the project’s cumulative impact” on the Petrolia area. 3

More generally, the Humboldt Cannabis Reform Initiative shows that many Humboldt County residents are fed up with the scale of the cannabis industry

allowed by Resolution 18:93. This raises serious questions regarding the adequacy of the Resolution 18:93 environmental assessment.

Traffic & Public Safety

Consultants for the applicant claim that Chambers Road is suitable for the traffic that the project would generate, and describe it as meeting Category 4 standards: “Two lane - narrow roadway, low to moderate speed - 25-40 mph.” Residents along Chambers Road beg to differ; any reasonable person driving on Chambers Road would find 25 mph too fast, especially because residents run, walk or bike on the road, including children on their way to and from the school at the west end of the road.

The Negative Declaration depends on a study that underestimates the traffic that the project will generate. For example, it assumes that workers will lead monastic lives, eating lunch on site instead of driving ~1.3 miles to get lunch at local food truck or the store and see people other than their co-workers, and staying home in the evening instead of going out to socialize.

Chambers Road cannot accommodate the increased traffic needed for a project this size. This project would increase traffic on a poorly maintained, County Road with a one lane temporary bridge. The Mattole Valley Community Center, the Elementary School and Triple Junction High School are at the beginning of this road.

For the residence of Chambers Road, the only emergency evacuation route is Chambers Road. There is only one road in and out. There is a large eucalyptus grove that must be passed, which poses a significant fire risk.

2 League to Save Lake Tahoe Mountain Area Foundation v. County of Placer 2022 Cal. App. LEXIS 112

3 Other recent court decisions point in the same direction: see Bakersfield Citizens for Local Control v.

City of Bakersfield (124 Cal. App. 4 th 1184), see Ebbets Pass Forest Watch v. Calif. Dept. Forestry & Fire Protection (2008, 43-Cal. 4 th 936).

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The Project’s roads do not satisfy the minimum standards of the County’s SRA Fire Safety Regulations. These regulations require that “road and street networks, whether public or private, shall provide for safe access for emergency wild land fire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulation during a wildfire emergency.” It is inappropriate and dangerous to site an operation of this size with up to 34 employees— in a remote wild land area.

Humboldt County’s Climate Action Plan points to transportation as a major source of greenhouse emissions. Permitting an industrial size operation in a remote area, requiring large numbers of employees to commute each day, is in direct contravention of this Plan.

Location and Impact to the Neighborhood

Scale and size of this project does not belong in the small village of Petrolia,

with potential to negatively impact the surrounding neighborhood. The Project is outside the Petrolia Fire District. However, if a fire were to start on this road it will be up to the tiny Petrolia Volunteer Fire Department to address the situation. There are limited resources for the volunteer agency as it stands. The Petrolia Volunteer Fire Department is already over extended. There is currently a housing shortage in Petrolia. Another major impact on the Petrolia area would come from seasonal workers. This is particularly a problem because of the scarcity of housing and public services in this remote area.

Enforcement of conditions

Though the law requires growers to cover their greenhouses, in practice this doesn't happen, enforcement is impossible in our rural and distant area, and there is no recourse for neighbors or wildlife that are impacted by this light pollution. The initial study assumes that permit conditions will be enforced, which is not our experience. The planning department acting as the lead agency, cannot simply assume that the impacts will be mitigated by conditions on permits.

Electrical Power/PG&E

This project is under 2.0 which requires exclusively renewable energy be used for all electrical needs. The current 200-amp drop on the property is on the opposite side of the property from the proposed project. . The proposed 3 acres of "outdoor" may still require more power than can currently be supplied by PG&E. All power for the project must be considered, including certain needs besides lights and fans for cultivation, such as drying; using dehumidifiers and electrical power for refrigeration for storage of crops.

Water

Consultants for the applicant, depended on by the Negative Declaration, overestimated the efficiency of the proposed rain catchment system, and underestimated evaporative losses. These errors are large enough to matter for the operation of the proposed project. Water use by resident workers is

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underestimated.

The IS/MND and conditions of approval call for an investigation of hydrologic connectivity if the applicant uses the well for cultivation (as a back up to rainwater catchment). This constitutes improper deferral of analysis. The well should be investigated for hydrologic connectivity in this IS/MND analysis. Doing so later does not provide decision makers (and the public) the information they need to make a responsible decision.

Public Process

The Commissioners did not appear to have had the chance to review the extensive public comments received on PLN 2021-17384 in August. During the Planning Commission meeting, November 17th, 2022 the Commissioners referred to the strong community support for the Project– which they said they received. Chair Levy said, "It clearly has a lot of support from the neighbors as reflected in the letters that we received". This statement infers he did not read

Attachment 6 with the letters from the 14 neighbors opposing the project. The Commissioners did not mention the letters opposed to the project as is. Our concern is that the commissioners did not see these letters.

Unfortunately the Public that wrote letters in August were not notified of the hearing before the PC on November 17th. The letters of concern went directly to Staff who read them. Staff did not mention these letters of opposition nor bring them to the Commissioners attention during the Planning Commission meeting when the Commissioners discussed having community support. During the hearing there was a serious technical problem that prevented the public who was attending remotely from participating because the Chair of Commission was not always audible.

This industrial size project is NEW cultivation and should not be allowed in a very remote rural location that is underserved by emergency personnel and public transportation. The asserted requirement for up to 34 employees, who will be traveling to the remote work site, is of an industrial scale, without adequate infrastructure for fire and medical safety.

Please support this Appeal. We are not opposed to the project altogether and approve of agricultural endeavors that can be supported by the property and the location, but the scope of this project is far too large for the location with limited water, limited access, and limited emergency services. We make the following suggestions for your consideration;

1. Reduce the size to 1 acre outdoor
2. Fix & maintain Chambers Road, (such as the one lane temporary bridge).
3. Fix the Chambers Road where the Mattole School interfaces with it to bring the road into compliance with California State School Safety Standards.
4. Expand the Petrolia Fire District to include the entirety of this parcel in the district.

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Please see: Attachment 6 in the Staff report for a more thorough discussion of the points summarized above.

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[M=F&ID=11449078&GUID=CA9202CE-6477-4033-A527-4ADB0B830D01](https://humboldt.legistar.com/View.ashx?M=F&ID=11449078&GUID=CA9202CE-6477-4033-A527-4ADB0B830D01)

Sincerely,

Daniel Berger, Petrolia, 510-501-5853

Sonny Anderson, Petrolia, 707-629-3358

Tony Anderson, Petrolia, 707-629-3298

Bob and Charity Beede, Honeydew, 707-599-5635

Ellin Beltz, Ferndale, 707-786-9720

Nina Blasenheim, Petrolia, 707-629-3442

Blase Bonpane, Petrolia, 707-629-3544

Jim Bowdoin, Honeydew, 707-629-3313

Jessica Brown, Petrolia, 707-629-3697

Robert Bush, Petrolia, 707-629-3440

Maureen Catalina, Honeydew and Petrolia, 707-499-4855
Craig Clark, Petrolia, 707-629-3537
Kevin Clem, Petrolia
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Sarah March, Petrolia, 707-834-5114
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Loren Miller, Petrolia, 805-750-8444
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