

From: [Honsal, William](#)
To: [Ryan, Meghan](#)
Cc: [Ford, John](#); [Russell, Robert](#)
Subject: Oppose permit for Honeydew Ranch LLC
Date: Thursday, July 18, 2019 4:10:06 PM

Good Afternoon Meghan,

It is come to my attention that Honeydew Ranch LLC is requesting a Conditional Use Permit for APN 107-272-005.

I oppose a licensed permit for this site due to serious public safety concerns for this organization. I believe it is in the best interest for the county to deny this permit.

William F. Honsal, Sheriff

County of Humboldt
826 4th Street
Eureka, CA 95501
Main: 707.445.7251
Office: 707.268.3618

From: [Roxy Kennedy](#)
To: [Ryan, Meghan](#)
Subject: Re: 665 Hindley Ranch Road RRR expansion Project
Date: Monday, September 30, 2019 7:29:33 PM

Thank you so much for being sure that we know of this hearing. We did get a notice also. We will try to be there, but I don't get off till 4:30. If I can that day, I will try to get out a few minutes earlier. I don't really want to stand up and speak in front of a bunch of people. But I would like to hear what is said and done. It is hard to really understand what these notices are telling us. It is almost a separate language that I don't have time or energy to learn. For example, what is a Mitigated Negative Declaration?

Recently there has been an increase of noise, sounds like constant leaf blower type noise. Perhaps generator and/or fan being used because of high humidity getting mold on the crops, I don't know. I asked and they did not bother to answer me. (texted).

I just wanted to know if it was temporary, or long term.

Recently there is road work. I wondered if they were just going to scrape the road, or if they would add rock. If no rock, we will be swimming in mud soon, and swimming in dust next summer.

We think these things are unfair.

Why can't the county give permits to smaller farmers, and spread the wealth. Why does it have to be these bigger groups that are trying to take over our whole neighborhood. Why do they have to be so big? We are willing to put up with some growth. We do not expect everything to always be forever the same.

But really, why isn't 8 mondo greenhouses enough? Why does it have to be 30. It's just crazy. It is destroying our rural community. One of our neighbors is so distraught she is selling and leaving. This makes me so sad. It seems so unnecessary.

Thank you very much for considering our view. It is greatly appreciated.

Roxy Kennedy
Jim Bowdoin

On Thu, Sep 26, 2019 at 9:33 AM Ryan, Meghan <mryan2@co.humboldt.ca.us> wrote:

Good morning, Roxy -

I hope you are doing well! I wanted to let you know that the Honeydew Ranch, LLC, project is noticed to be heard at the Planning Commission next Thursday, October 3, 2019. The hearing is in the Board of Supervisors Chambers starting at 6pm.

The staff report and CEQA document will be available online at the Humboldt County Planning Commission website by Monday next week. Click on the 'All Agenda and Minutes' link and view the agenda for October 3, 2019. Within the agenda, there is a link to the staff report and supporting documents.

Website: <https://humboldt.gov/194/Planning-Commission>

Please let me know if you have any questions or need any additional information.

Best,

Meghan

From: Ryan, Meghan
Sent: Friday, June 21, 2019 1:26 PM
To: Roxy Kennedy <hnydew@gmail.com>
Subject: RE: 665 Hindley Ranch Road RRR expansion Project

Hi Roxy – Thank you for your comments regarding the Honeydew Ranch, LLC project. I will add them to the file for the record and include them for the Planning Commission when the project moves forward. I will contact you once a hearing date is set.

Please let me know if you have any other questions or need any additional information. I appreciate your time and thank you again for your comments.

Best,
Meghan

From: Roxy Kennedy <hnydew@gmail.com>
Sent: Thursday, June 20, 2019 9:03 AM
To: Ryan, Meghan <mryan2@co.humboldt.ca.us>
Subject: RE: 665 Hindley Ranch Road RRR expansion Project

Re: Honeydew Ranch, LLC, Conditional Use Permit, Special Permit and Zoning Clearance Certificates: APN 107-272-005; Record Number” PLN-12256-CUP;Apps No. 12256

June 20, 2019

Dear Meghan Ryan, Humboldt Co. Planning & Bldg. Dept., And County Supervisors,

We received a Notice in regard to build up of Cannabis growing at 665 Old Hindley Ranch Rd, Honeydew, owned by Dany David, perhaps in partnership with folks up on Wilder Ridge.

The notice says he plans to build up from the "...the five existing and 31 proposed RRR greenhouses"..., totalling 5.79 acres. As well as various barns and outbuildings for processing, etc.

This is very disturbing to us as it will directly, drastically, and negatively effect our property, family, and neighborhood. We are just over the wire fence from the 8 (not 5) existing HUGE greenhouses now. We have not complained, and don't like to have to complain about our neighbors. **However this is a shocking increase.**

We feel our government is meant to protect us, our home, and our neighborhoods from this type of thing. Why else would we pay for a government?

We believe the amount already going on over there is negatively impacting our once quiet neighborhood in multiple ways. Mr. David told us when he had 5 greenhouses there would be one more, and a large pond. We did not complain then. But that is a lot different than 31 greenhouses. This increase would bring more degradation to the roads, increased noise level, traffic, trash, smell, and water use. Why does it have to be so big?!

ROAD The increased traffic for 8 greenhouses has the road worn way down and it's full of potholes and bad runoff in the winter. I cannot imagine why more would be allowed when they have not cared for the road damage they already cause? Isn't that supposed to be part of the deal these growers are responsible for? Yesterday someone smoothed out the road. *First* time we've seen any work on it. But no rock was added, and it will not last. It is a temporary cosmetic fix for an inspection we suppose.

NOISE The noise level is annoying now, where we once could listen to the sound of the river, we now hear the big fans. But with 31, we would not just be annoyed,

we'd be completely engulfed in the noise, unable to escape even in the house.

SMELL When we walk out the back door of our house in the summer, we are hit with the smell of pot. When I work outside on our property at that time of year, I feel sick to my stomach. This proposal would be 4 times worse.

WATER We do not believe the needed water would all come from rain catchment, they would need to draw on the river to feed that much square footage. Why would this be approved when other people in our community with 1-3 small greenhouses are having so much hassling about their small usage of water. It seems confusing and unfair. Will the government allow these big farms to suck the river dry, while hassling the heck out of small homesteaders about modest and sustainable water use?

WORKERS The last concern is about the workers to run this mega farm. The small group over there now seems unable to respect our private property, they have trespassed repeatedly coming over the fence, across our property, to our swimming hole, and littering. When asked if they were told not to, the reply was Yes, but it was too much hassle to walk up to our house to ask if they could swim on our property. When we suggested they have river frontage on the ranch property, the reply was that it was "not as nice". Mr. David has promised this would not happen again, but it has happened after a previous promise. A huge increase in workers would surely increase this problem.

The group being RRR'd have been reported to have shoot outs, crime, trash, and environmental abuses up on Wilder Ridge where they were shut down. Why would you approve them to come down to our neighborhood? Why should bad actors be allowed to move to another area and expand their mischief? Again, please, our government should be protecting us from these abuses of the law and safety.

Please don't think everyone is fine with this happening in our neighborhood. We work and cannot attend various meetings to object. I don't know of a single landowner here who approves of this level of increase. This road has small parcels of land compared to most in this valley. Mostly between 8 and 20 acres. We can tolerate 8 greenhouses next door. 31 would change our quiet rural neighborhood to a loud smelly major industrial zone. Please consider our needs and protect our home. Thank you for the opportunity to tell you our view. Thank you for your consideration. Please don't allow, or encourage, this build up. It is not fair to the rest of us who worked hard many years, raising our families here and expecting to

retire with some peace.

Sincerely in distress over this.

Roxy Kennedy & Jim Bowdoin

650/670 Old Hindley Ranch Road, P.O. Box 153, Honeydew, CA 95545 707-629-3313
home, 3634 work

From: [Ryan, Meghan](#)
To: ["Roxy Kennedy"](#)
Subject: RE: 665 Hindley Ranch Road RRR expansion Project
Date: Friday, June 21, 2019 1:26:05 PM

Hi Roxy – Thank you for your comments regarding the Honeydew Ranch, LLC project. I will add them to the file for the record and include them for the Planning Commission when the project moves forward. I will contact you once a hearing date is set.

Please let me know if you have any other questions or need any additional information. I appreciate your time and thank you again for your comments.

Best,
Meghan

From: Roxy Kennedy <hnydew@gmail.com>
Sent: Thursday, June 20, 2019 9:03 AM
To: Ryan, Meghan <mryan2@co.humboldt.ca.us>
Subject: RE: 665 Hindley Ranch Road RRR expansion Project

Re: Honeydew Ranch, LLC, Conditional Use Permit, Special Permit and Zoning Clearance Certificates: APN 107-272-005; Record Number” PLN-12256-CUP;Apps No. 12256

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The group being RRR'd have been reported to have shoot outs, crime, trash, and environmental abuses up on Wilder Ridge where they were shut down. Why would you approve them to come down to our neighborhood? Why should bad actors be allowed to move to another area and expand their mischief? Again, please, our government should be protecting us from these abuses of the law and safety.

Please don't think everyone is fine with this happening in our neighborhood. We work and cannot attend various meetings to object. I don't know of a single landowner here who approves of this level of increase. This road has small parcels of land compared to most in this valley. Mostly between 8 and 20 acres. We can tolerate 8 greenhouses next door. 31 would change our quiet rural neighborhood to a loud smelly major

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Sincerely in distress over this.

Roxy Kennedy & Jim Bowdoin

650/670 Old Hindley Ranch Road, P.O. Box 153, Honeydew, CA 95545 707-629-3313 home, 3634 work

From: [Roxy Kennedy](#)
To: [Ryan, Meghan](#)
Subject: RE: 665 Hindley Ranch Road RRR expansion Project
Date: Thursday, June 20, 2019 9:03:01 AM

Re: Honeydew Ranch, LLC, Conditional Use Permit, Special Permit and Zoning Clearance Certificates: APN 107-272-005; Record Number” PLN-12256-CUP; Apps No. 12256

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650/670 Old Hindley Ranch Road, P.O. Box 153, Honeydew, CA 95545 707-629-3313 home, 3634 work

From: [Ryan, Meghan](#)
To: [Erika Morlan](#)
Subject: RE: Cannabis development on Old Hindley Ranch Road
Date: Tuesday, June 18, 2019 11:57:00 AM
Attachments: [12256 Honeydew Ranch, LLC Notice of Intent to Adopt MND.pdf](#)

Hello Erika -

Thank you for contacting me regarding the Honeydew Ranch, LLC project (APPS #12256). The notice that was sent out is attached. The purpose of the notice is to notify property owners within 300 feet of the project location that the Planning Commission will hear the project and review the associated environmental document at a future public hearing. The Initial Study and Mitigated Negative Declaration is posted at the State Clearinghouse (SCH Number 2019069066) and any comments regarding the IS/MND can be directed to me.

To access the IS/MND, here is the link: <https://ceqanet.opr.ca.gov/2019069066/2>

A review of our records shows the attached notice was sent to:

Erika & Joshua I Morlan
PO Box 156
Honeydew, CA 95545

Another notice will be sent out when the project is scheduled to be heard in front of the Planning Commission. A hearing date has not been decided as of today.

Please contact me with any additional questions or concerns regarding this project.

Best,
Meghan

-----Original Message-----

From: Erika Morlan <squeaky.hvfc@yahoo.com>
Sent: Tuesday, June 18, 2019 9:40 AM
To: Ryan, Meghan <mryan2@co.humboldt.ca.us>
Subject: Cannabis development on Old Hindley Ranch Road

I would like to see a copy of the notice you sent to Roxy Kennedy and Jim Bowdoin regarding the development of the gigantic and hugely inappropriate cannabis farm on 664 Old Hindley Ranch Road in Honeydew. While I do not share a property line with the parcel in question, it is directly across the road from my parcel and a development this size will profoundly and negatively affect my quality of life. It is utterly irresponsible of the County of Humboldt to even consider projects of this magnitude without consulting with all of the neighbors who will be impacted.

The development of 665 Old Hindley Ranch Road has already begun, without approval from the Planning Department and it is already wreaking havoc on our small residential neighborhood. The parcel is associated with a large Bulgarian crime syndicate that has been involved in multiple law enforcement busts, a foiled kidnapping plot and a gunfight on Wilder Ridge Road. For the County to even consider granting these people a permit is a slap in the face to the folks that actually live here! You must, at the very least, notify all of the neighbors of this proposal.

I am hereby putting the County of Humboldt on notice that the Board of Supervisors and the Planning Department will be held liable if any harm comes to me, my family or my law-abiding neighbors as a result of the cannabis operation on 665 Old Hindley Ranch Road.

If I do not receive a notice from you regarding this proposed project, I will be speaking with my attorney and taking action against the County.

Erika Morlan
446 Old Hindley Ranch Road
Honeydew, CA 95545

From: [Erika Morlan](#)
To: [Ryan, Meghan](#)
Subject: Re: Cannabis development on Old Hindley Ranch Road
Date: Thursday, September 26, 2019 9:55:41 AM

Thank you for notifying me. And, no I am not well. I will not be protesting this project. The recent approval of the expansion of the industrial commercial cannabis factory right next door to me has convinced me that there is no place for me in this neighborhood anymore. I am putting my homestead on the market and leaving my home of 15 years. I can no longer live with the 24-hour/day noise pollution, the constant traffic, the bullying and ugliness that has taken over my once quiet and peaceful neighborhood.

My heart is broken.

Have a nice day.

Erika Morlan

> On Sep 26, 2019, at 9:05 AM, Ryan, Meghan <mryan2@co.humboldt.ca.us> wrote:

>

> Good morning, Erika -

> I hope you are doing well! I wanted to let you know that the Honeydew Ranch, LLC, project is noticed to be heard at the Planning Commission next Thursday, October 3, 2019. The hearing is in the Board of Supervisors Chambers starting at 6pm.

>

> The staff report and CEQA document will be available online at the Humboldt County Planning Commission website by Monday next week. Click on the 'All Agenda and Minutes' link and view the agenda for October 3, 2019. Within the agenda, there is a link to the staff report and supporting documents.

>

> Website: <https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fhumboldt.gov.org%2F194%2FPlanning-Commission&data=02%7C01%7Cmryan2%40co.humboldt.ca.us%7C7346ccf72d0d4924841b08d742a25b85%7C00ae2b64fe844f198637b1ad4b27cb%7C0%7C0%7C637051137408881764&data=JrPKzr%2BCwgl%2BLzGwNPBZa%2FveoikMKUoex00iinDS%2Fo%3D&reserved=0>

>

> Please let me know if you have any questions or need any additional information.

>

> Best,

> Meghan

>

> -----Original Message-----

> From: Erika Morlan <squeaky.lvfc@yahoo.com>

> Sent: Tuesday, June 18, 2019 9:40 AM

> To: Ryan, Meghan <mryan2@co.humboldt.ca.us>

> Subject: Cannabis development on Old Hindley Ranch Road

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> Erika Morlan

> 446 Old Hindley Ranch Road

> Honeydew, CA 95545

Re: Honeydew Ranch, LLC, Conditional Use Permit, Special Permit and Zoning Clearance Certificates: **APN 107-272-005**; Record Number" PLN-12256-CUP; Apps No. 12256



June 20, 2019

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650/670 Old Hindley Ranch Road, P.O. Box 153, Honeydew, CA 95545 707-629-3313 home, 3634 work

95501-441502



attn: John H. Ford
Planning + Policy Dept
Humboldt County
3015 H Street
Eureka, CA 95501

Kennedy Boulevard
Box 153
Humboldt, CA 95545

EUREKA
CA 955
21 JUN '19
PM 11



UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 95558

From: Ellen E Taylor <ellenetaylor@yahoo.com>

Sent: Tuesday, August 25, 2020 7:41 PM

To: COB <COB@co.humboldt.ca.us>

Subject: RE:Record Number PLN-15888, Appeal of Honeydew Ranch, Record Number PLN-12256-CUP. Assessor's Parcel Number 107-272-005

Please include the attached letter in the Board Packet for the next meeting. According to instructions on the website, email comments can be submitted before the Agenda is published. Seeing that no Agenda for September 1, 2020 has been published on the Board website, this letter should be inserted into the Board Packet.

Please confirm its inclusion.

Thank You,

Ellen E. Taylor
PO Box 60
Petrolia, CA 95558
707-629-3500

Hon. Estelle Fennel
Hon. Rex Bohn
Hon. Virginia Bass
Hon. Mike Wilson
Hon. Steve Madrone,
Humboldt County Board of Supervisors

August 24th 2020

Dear Estelle, Virginia, Rex, Mike and Steve,

I'm writing to you regarding the plight of my good friends Jim and Roxy Kennedy. I've known them for years. We are fellow Grange members and serve the Grange Pancake Breakfast once a month together. They are quiet, empathetic and funny. Roxy works for the Mattole Valley Charter School and they both make a lovely wine. They live by the river about 20 miles upstream from me.

They are pretty used to living in the middle of an expanding marijuana industry but now it has begun to destroy their right to the pursuit of happiness. A marijuana enterprise has landed next to them, which is industrial and on the verge of tripling in size. Even now it fills the ears with noise night and day, obliterates all natural smells native to warm riparian areas with a suffocating stench of marijuana, and covers their place with layers of dust due to the traffic it draws.

Jim and Roxy love their place and are more or less resigned to the currently existing unpleasantness. But they will most likely be driven out by an expansion.

This has happened to numerous small agricultural people such as Jim and Roxy, around the Mattole Valley. One moved down to Petrolia, my end of the valley. I am a Physician Assistant and, from my clinical experience, for country people to be thrust into that sort of noisy, stressful environment causes a reactive PTSD which is not necessarily temporary. The victims of these big, frequently remotely owned operations are intimidated by the power, money and well-demonstrated toughness. People are afraid of reprisals if they complain. They make maybe one stand and then fade, or resignedly attempt to adapt, like marbled murrelets in a garbage dump.

Roxy and Jim are the first people I know of who have stood up to them.

I have seen HRN's formal letter listing the illegalities related to this invasive enterprise. It sounds like the Honeydew Ranch Project has already been violating the grow rules on many counts. In this context what angers me particularly is the sightings of water trucks drawing water from the Mattole and then trucking it away to remoter sites which probably contract

with the Honeydew Ranch project. Even the legal take of this water is drastically affecting our fish and aquatic population survival. And in a drought year! The river has large quantities of algae in it, all the way to the mouth. This has never happened before in my experience.

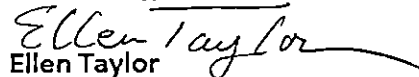
I cannot for the life of me understand why this formerly illegal project got relocated down into the populated riparian area. What did the regulators owe to these guys? If their cultivation was ecologically damaging, up in the mountains or wherever it was, it should simply have been snuffed! The county doesn't owe them compensation for the ecological damage they cause! It should be the reverse.

From Roxy's description, it sounds like the Honeydew Ranch is staffed by eastern Europeans. As such they are definitively exploiters, just like MAXXAM was a couple of decades ago, with another part of the Public Trust. Take the Money and Run.

You could almost say Roxy and Jim are part of this Public Trust. They are rooted and conscientious members of the community. I will not even begin to list people they have helped. They need to be protected and allowed to flourish.

Industrial zones were created for a purpose. They are located in areas where generally people don't live because of just such elements as are ruining Jim's and Roxy's life on the river. I know for a fact that our Supervisors love Humboldt and hold dear our very precious environment, rivers, soils, trees, wildlife. Please refer Honeydew Ranch to an industrial zone, or at least limit their destructive overreach into our Public Trust. It is contagious, and Jim's and Roxy's case is the place to stop it.

Yours Truly,


Ellen Taylor

From: Marcia <mne145@yahoo.com>
Sent: Sunday, August 23, 2020 11:35 PM
To: COB <COB@co.humboldt.ca.us>
Subject: Fw: An Appeal of the Planning Commission's Approval of Honeydew Ranch , LLC

From: Marcia <mne145@yahoo.com>

Cc: RBohn@co.humboldt.ca.us <rbohn@co.humboldt.ca.us>; efennell@co.humboldt.ca.us <efennell@co.humboldt.ca.us>; mike.wilson@co.humboldt.ca.us <mike.wilson@co.humboldt.ca.us>; vbass@co.humboldt.ca.us <vbass@co.humboldt.ca.us>; smadrone@co.humboldt.ca.us <smadrone@co.humboldt.ca.us>

Sent: Sunday, August 23, 2020, 11:27:49 PM PDT

Subject: An Appeal of the Planning Commission's Approval of Honeydew Ranch , LLC

the Conditional Use Permit and Special Use Permit Application No. 1256, Case No. CUP-18030 and Ap16-461bAPN 107-272-005. Address: 665 Old Hindley Road, Honeydew.

My name is Marcia Ehrlich and I am a resident in the Mattole Valley for 35 years on Chambers Road in Petrolia.

I am writing in support of an Appeal of the Planning Commission's Approval of the Honeydew Ranch LLC expansion from 9 greenhouses to three times this size.

This permitted Special Use of this land adjacent to the river is negatively affecting the quality of life in a neighborhood of long established families, with whom I have been acquainted for decades. Rural Mattole Valley was and should continue to be an idyllic pastoral environment for a human community that interfaces and lives compatibly with wildlife, birds and the natural world of forests, streams and fish. Turning this floodplain area of the Mattole Valley into an industrialized agricultural zone is a travesty. It degrades the lives of people living in this community - people who moved away from congested cities and wanted to live in harmony with nature's bounty.

Rural real estate is definitely imperiled by rezoning the floodplain into industrialized agriculture usage. I understand it is zoned for agricultural use but the Special Use permit goes beyond what was intended as Ag Use.

Nine greenhouses are currently located on this Ranch and this is the outer limit of what is compatible with quality of life for the surrounding community. It impacts the health of the humans and wildlife therein. It takes the entire area out of the realm of a residential rural community.

In addition massive agricultural projects as this proposed increase for Honeydew Ranch LLC negatively affects the water tables of the surrounding valley. The trees are turning red and dying in huge numbers. The ground

water which is a function of the basically thin soil layer atop the new mountains being pushed up under us, is being reduced due to Climate Change and changes to the agricultural use. I live down river from Honeydew and have watched over the past 20 years as the water table under my acres has degraded. I can attest that I used to have 15 feet of surface water above a layer of blue clay 5 feet thick. My fruit trees were sustained by winter rains flowing in the surface aquifers, flowing from the mountains to the East to the ocean to the West. This no longer happens beyond June. My fruit trees have miniature fruit as a result. The huge demands of agriculture in the Eastern portion of the Mattole Valley are soaking up way more than their fair share of the precious resource of water. Winter rains, now reduced due to Climate Change, combined with changing land usage has created a whole new dynamic underground. I think the Supervisors should take into account the major climatic changes going on and respond accordingly.

The Mattole Valley should be able to sustain the human communities that have resided here for generations. It is important for the Supervisors to take the needs of the human community into account when granting Permits and Special Use Permits for massive agricultural projects. Yes huge ponds are planned for 665 Old Hindley Ranch Road but monitoring the impact of water usage on the river flow and on the aquifers in the surrounding hills clothed in precious trees is of vital importance. Core testing now and in the future should be required for such large industrialized agriculture, so that data can confirm or deny whether the planned ponds installed truly maintain the water needs of this agricultural project. And *if the needs are not met*, permission must be withdrawn. This should be checked biannually. The mountains and trees need water just as much as the human community and the agricultural community. Fire season is a dangerous time every year and most especially in low rain years. Witness the burning in the counties only a couple hundred miles to the south of Humboldt County. High temperatures and dry landscapes continue to burn out of control imperiling a way of life Californians love. Please do not bring such circumstances to Humboldt County by assuming the rain will always be abundant. We all must conserve our usage of water and collection of rain water in winter. There should be balance for all the competing needs for rainwater.

In addition I am concerned that greenhouse agricultural practices do not plant crops in the ground, rotating the crops and nourishing the land. Instead soil is imported with great damage to the surrounding roads, put in place for the whole community in the constantly uplifting mountains. This imported soil is replaced annually and most of it is not taken out of the valley. It is heavily laden with pesticides and rodenticides and is off loaded onto neighbors who do not realize what is in the soil. This washes into Mattole Valley streams and sickens wildlife, fish and birds. What should be a pristine, idyllic valley is no longer such. Humboldt County is being degraded by this form of agriculture. Huge marijuana grows that are managed this way are impossible to monitor in a vast county. With the best intentions rules are put in place but without oversight, our county is becoming as polluted as parts of Europe and Asia. Until county agencies have the capacity to monitor effectively throughout the entire county, it is wrong to give approval to Special Uses beyond what can be supervised.

To sum up I sincerely feel approval of massive agricultural expansions imperils the Mattole Valley. The health of residents and the viability of this valley to sustain wildlife, fish and birds is at stake. We are squandering a very precious resource of rural Northern California when the flatlands of the river floodplain are approved for industrialized agriculture. Our soil is relatively thin due to recently uplifted mountains. 70% of winter rains wash out to the ocean, unable to sink into loam hundreds of feet deep like is present in ancient valleys. Too much of the resulting groundwater is being diverted to one industry and this is unsustainable. Please reverse the Planning Commission's decision to expand agricultural projects on this scale in The Mattole Valley.

Respectfully Submitted,
Marcia Ehrlich

From: Roxy Kennedy <hnydew@gmail.com>
Sent: Friday, August 21, 2020 7:41 PM
To: COB <COB@co.humboldt.ca.us>
Subject: Re: Honeydew Ranch LLC expansion

Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

ZOOM HEARING Sept. 1st, 9 a.m. Comments.

This is to say that we would like to speak at the Zoom Hearing on the agenda item stated above, on the date listed above.

We have also mailed papers to the county clerk for the board packets, emailed each supervisor and the planning dept. our comments. And we have had a lawyer write up legal statement of our neighbors group. I think we have done everything per your instructions best we can.

Thank you very much,
Roxy Kennedy, Jim Bowdoin, and the "Hindley Ranch Neighbors"

From: Roy Construction <royconstruction@protonmail.com>

Sent: Monday, August 24, 2020 4:45 PM

To: COB <COB@co.humboldt.ca.us>

Cc: Fennell, Estelle <EFennell@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bass, Virginia <VBass@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

Subject: Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005

Honeydew Ranch, LLC, Conditional Use Permit, Special Permit and Zoning Clearance Certificate APN 107-272-005: Record Number: PLN-12256-CUP.

The 9 RRRs will have a significant negative impact on the sensitive watersheds of the Mattole Community and River. By the relocation of remediated growsites from other areas of the County to an area of the Mattole that is already being heavily redeveloped with industrial agriculture.

Site descriptions and environmental conditions appear to be inaccurate. For one of many examples on page 4 of the

Initial Study and Draft Mitigated Negative Declaration The southern portion of the property is not near the North Fork of the Mattole(neither one). Not to pick out every detail, but to say that this project is not properly represented by the current documents.

Any large grow of this size is degrading to the environment and support the letter of appeal from others in the Old Hindley Ranch Road Association

Cedric Roy

Honeydew California

From: James Smith <jamesfranksmith@gmail.com>

Sent: Monday, August 24, 2020 4:25 PM

To: Bohn, Rex <RBohn@co.humboldt.ca.us>; COB <COB@co.humboldt.ca.us>; Fennell, Estelle <EFennell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bass, Virginia <VBass@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

Cc: Roxy Kennedy <hnydew@gmail.com>

Subject: Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

Dear Board of Humboldt County Supervisor.

Dear Humboldt County Supervisors:

My partners Julia Cline Newcomb and Roger K. Warren and I have been co-owners of some 61 acres of unimproved land on the Old Hindley Ranch since 1978. We have spent many delightful stays there. We have been shocked at the exceptional proliferation of marijuana green houses. Our neighbors who have opposed additional permits are solid caring citizens for the land rights of all. I am convinced they have carefully researched the issues especially the fire dangers. I urge you to consider pausing the seemingly endless proliferation of permits in our region of already over-utilized resources. It feels like we are squandering our time on earth to not take steps to protect it for future generations.

Thank you for your consideration, James Frank Smith

Parcel Numbers 107-054-023-000; 107-272-002-000

From: Dan B <calcoastal2@gmail.com>

Sent: Monday, August 24, 2020 3:49 PM

To: COB <COB@co.humboldt.ca.us>

Subject: Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

I would like to know which board members would vote to give their neighbor the right to install acres of industrial plastic greenhouses if they were adjoining that board member's home. This project is so out of character with the Mattole community that it should be denied without a second thought. People who bought homes in this area to live, work, and retire peacefully are outraged at the scale of what is being proposed and the impact it will have. No one should be forced to see, hear or smell industrial cannabis farms that show up right outside their homes after they have been living peacefully in an area for decades without them. Subjecting residents day in and day out to a grow of this size is unconscionable. Please vote NO. Thank You, Dan Berger 330 Chambers Rd. Petrolia, Ca

From: Abianne Prince <abiprince@gmail.com>

Sent: Monday, August 24, 2020 4:58 PM

To: COB <COB@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Fennell, Estelle <EFennell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bass, Virginia <VBass@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

Subject: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

Hello - My name is Abianne Prince Below is my comment for the Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

Dear Humboldt County Board of Supervisors :

I am writing in regard to the appeal from the planning Commission's approval of the Honeydew Ranch LLC, Conditional use Permit and Special Use Permit Application number 1256, Case number CUP-18030 and AP 16-461 APN number 107-272-005, 665 Old Hindley Ranch Road, Honeydew. If allowed to proceed, this expansion would negatively impact the Honeydew community, and pose a severe threat to the Mattole River and the salmon depending on clean water to survive. Last Fall I created this video that outlines my objections to the project, and I would like to share it with you. Please see this link:

<https://www.youtube.com/watch?v=MA10TY9YT3Q>

Or if you cannot open the link please google "youtube Stop the Honeydew Ranch expansion."

I have been a resident of Ettersburg for the past 10 years and have seen many changes in Southern Humboldt communities over that time. I applaud the Boards tireless efforts to keep the region's economy strong and allow for small farms to find a pathway to success during this difficult time. I understand that the Board has had to make many tough decisions over the past three years, however I urge you to not allow the reckless industrial expansion of an already questionable cannabis operation. The issues at stake are public safety, water quality, increased fire danger posed by industrialization, lack of appropriate county or state oversight over this sort of large operation, air quality for neighbors, light pollution, inadequate safe housing for workers and undue burden to community infrastructure related to roads and inadequate emergency resources.

The water source for this huge cannabis grow will negatively impact the Mattole Watershed. The residents of the Mattole Valley have fought for 40 years to rebuild salmon populations and have dedicated many state and local funds for this effort. The Honeydew Ranch LLC expansion would undue that success by creating an industrial pollution source on the main stem of the Mattole River. Wastewater runoff from this massive grow will inevitably leach into the Mattole River and negatively impact water quality. The water used to grow this extreme amount of product will be sourced from wells that are surly hydraulically connected to the Mattole River. This is said to be mitigated by the massive pond proposed in the project, but with climate change and drought affecting the regions rainfall, what will the owners do when their pond does not collect the water, they need to grow massive amounts of product? What will they do when the pond runs dry? If you think they will not just stick a pump in the river then you may be fooling yourself or at the very least unaware of the reality of what an operation of that size will do when money is on the line. The fine will just be the cost of doing business for them, at the expense of the Mattole Valley.

In addition, there will be an increased fire danger inherently tied to this large industrial site. Lights inside these massive unsecured greenhouses have thousands of watts of electricity pulsing through them, and the industrial needs of this site requires several huge propane tanks that are unsecured. This is a terrifying prospect for any Mattole resident already concerned about the increased threat of fire in the region. For adjacent neighbors, the unsightly development next-door only decreases property value and quality of life. Light pollution and noise pollution generated by the Honeydew Ranch LLC operation negatively impacts animal species and humans alike. The rural nature of the Honeydew community has already been altered, but to continue to go full speed ahead without consideration of the rural aesthetic and environmental values of the current neighborhood is negligent.

Beyond the concern for the industrialization of the community of Honeydew, this particular farm has other issues that go against the grain of what we want our community to become in the future. The Honeydew Ranch LLC is located on prime agricultural lands right next to the Mattole River, however the growing practices of this Honeydew Ranch LLC (which I have witnessed first-hand) could be done in a warehouse in New Jersey. They grow in pots, where the soil is discarded after use. As someone involved in the cannabis industry, I shudder at the thought of this. As a resident and farmer in the region I do not want this community to become known for large scale industrial grows. I want our future to be rooted in a small boutique sustainable tradition pioneered by this region. This is what makes our region so unique. When tourists come to Southern Humboldt, (which is the future of our economy) they do not want to see industrial greenhouses spread across acres. They do not want to see industrial facilities next to Schools. The Honeydew Ranch LLC is located directly across the Mattole River from The Honeydew School and is located along one of the most majestic roads in our region. What are we doing to our future if we cannot recognize how inappropriate this is for our community?

As an employee of a legal, compliant and permitted small farm, I have navigated the cannabis farm I work with through the legalization process and see hope in our region's future. However, I strongly feel the Boards consideration to expand the Honeydew Ranch LLC would be a huge mistake for the Honeydew community. It would be an environmental disaster for the Mattole River and be devastating for protected Salmon Species dependent on this river, and for the people who live on this land.

Thank You for your time and consideration.
Sincerely,

Abianne Prince
Resident of the Mattole Watershed

--
-Ad Astra Per Aspera

From: Ali Freedlund <ali.freedlund@gmail.com>

Sent: Sunday, August 23, 2020 8:34 PM

To: COB <COB@co.humboldt.ca.us>

Subject: Appeal to expansion of Honeydew Ranch, LLC comment letter

Hello Clerk of the Board of Supervisors, Please ensure the attached comment letter is included in the Supervisors board packet to review. Thank you, Ali Freedlund

August 21, 2020

To all the Supervisors for Humboldt County

Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

Dear Board of Supervisors,

I, Ali Freedlund, resident of Petrolia, CA, am writing to you all as an individual who has lived and worked in the Mattole watershed since 1987-not exactly an old-timer, but long enough to raise a family, who all still live here as adults with their own children. Since the legalization of cannabis, I have witnessed the decline in our valley (which includes Petrolia and Honeydew) of what has always been a tight community ethic (albeit with its differences, we always did support each other with regards to privacy and mutual respect for property and boundaries none-the-less) that provided beautiful, rugged country living at its best. Now, fences and greenhouses separate properties almost like sprawling gated, perimeterized boxes. Thus I write today to oppose the approval of an additional Conditional Use Cannabis Permit for MORE greenhouses/facilities for Honeydew Ranch, LLC than has already been constructed for several reasons outlined below.

Quality of Life: I support the Hindley Ranch Neighbors. I have known most of them for decades and they are good people who live lightly on the land. Honeydew Ranch, LLC is not living lightly on the land. What they have ALREADY is a physical affront to the neighbors, their quality of life, and the watershed. That said, it is there and the neighborhood has humbly accepted it to THIS POINT. They need not accept an increase in the footprint that already impacts their quality of life.

Watershed Health: What kinds of fertilizers, amendments and sprays are being used or will be used so close to the river to safeguard this monocrop? Even little bits of organic fertilizer near waterways has been shown to increase algae, moss and other oxygen robbing plants in the river to the detriment of salmon and other aquatic life. Has the Regional Water Quality Board been consulted? Has the Department of Fish and Wildlife been consulted? How will the increase in footprint ensure that the business has enough water storage? Please, what is already there is enough of an impact to a watershed suffering from over-sedimentation, high temperatures and lack of oxygen.

Your Responsibility: Have you all been out to see this contentious proposal? Please do not approve of this mega-farm until you have visited both the area and the neighborhood. I urge you to represent the interests of all of us, not just the ones that can boost the County's coffers. You should also visit during many parts of the day and night to hear the noise, smell the smells and see the impacts that this business had had on the community.

In closing I want to dial it back a bit and have you imagine if it were your property. How would you feel if the place you created with your heart and soul over decades had changed so rapidly and largely as to feel assaulted?

I have a friend that went through a similar experience in Honeydew. She ended up selling her land and moving to another place where she could be in a neighborhood where residents support each other, but that is not easy to do when you have literally built your own home, raised your family, and created a lifetime of memories.

The Hindley Ranch neighbors have tried again and again to appeal to the workers' of Honeydew Ranch regarding their situation. There has been little give in their direction. What kind of neighbors and constant visitors could you put up with? Please do the kind thing and do not approve any expansion of Honeydew Ranch LLC.

Thank you for your compassionate consideration,

A handwritten signature in cursive script, appearing to read "Ali Freedlund".

Ali Freedlund
PO Box 1
Petrolia, CA
95558

From: Claire Trower <honeydew@asis.com>

Sent: Monday, August 24, 2020 9:31 AM

To: COB <COB@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Fennell, Estelle <EFennell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bass, Virginia <VBass@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

Subject: 665 Old Hindley Ranch Road, Honeydew

Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

I've lived in the Mattole near Honeydew since 1978 full time. Some Wilder Ridge properties in those days were available for \$320 an acre. Most of the neighbors who first bought into the Landergen subdivision have either passed away or sold to growers, and relocated with a substantial bank account. The same has happened to the Lower Hindley. The remaining neighbors have been living there almost as long as I've been here. Some of my newer neighbors are respectful of the community, and I'm not affected by what they do, because the land limits where grows can be placed up here, and I hear only a hum from the closest scene's fans. This isn't the case for those neighbors of the property in question today, and I'm not saying that I'm used to the fans that I hear either.

This property has been granted permission to accept some relocated cannabis permits which were removed from abated properties in the hills that have gone through restoration of those parcels due to errors in judgement by those land owners. The RRR ordinance written to give those landowners another space to take their permits is a ***flawed document***. The first requirement of this ordinance should be: ***Do no harm to the quality of life of the surrounding neighborhood***. Why should the neighbors suffer from the requirements of an industrial grow site? Yes, the land is zoned agricultural land, though the proposed permits don't need the native soil there to grow anything. I won't go into all the planned developments - they're all listed in the permit, but just because the ordinance requires ag land doesn't mean that this community needs such a huge blow-up of the industrialized production of cannabis. The Planning Commission's decision disregarded the community's complaints when approached by those citizens.

The neighbors of this property were under the impression told to them by the owner that what is there now would remain that size, but at the time they were told this, the permit in question was already being developed - for the previous 3 years. I'm sure that whatever work was done to remediate the abated properties was wonderfully restored, but that doesn't mean that those separate permits should be concentrated onto the piece in question.

My next concern is the fire danger. Huge amounts of plastic on fire is an explosion that would overwhelm our small fire company, and with the State of California on fire today, with the possibility of lightning becoming a common occurrence and fire season lasting all year, Cal Fire only staffs our Mattole Station in the worst fire danger months. They're stretched quite thin right now, with strike teams having been sent to places on fire. Since the river prevents access to 3 sides of this parcel, with only one way in and out, the properties across the river are at risk as well as the other neighbors next door. The owners or their associates haven't proven to be knowledgeable about how and when to burn

on their other properties on Wilder Ridge, and have been visited by Cal Fire and local crews several times, to put out fires caused by either cigarettes or burning weed debris in the dry summer, often at night. There was also a horrible house fire due to a faulty hot water heater at one of the associated parcels, causing the death of the landowner there, and burning 2 other people - all of whom had to be transported by helicopter. It was the most difficult incident for our local fire people to witness and respond to help.

The Board of Supervisors has the responsibility of having our neighborhoods' backs...to make sure our quality of life isn't degraded, or our property values increased only for those who come to grow cannabis. Buying out the neighbors isn't the way to improve the quality of life for the rest of us.

Sincerely,

Claire Trower, community member

Sent: Monday, August 24, 2020 10:29 AM

To: COB <COB@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Fennell, Estelle <EFennell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bass, Virginia <VBass@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

Subject: Re: Appeal of Honeydew Ranch LLC Expansion

Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

Dear Clerk of the Board, and Board Members,

I feel we have been tolerant of the project next door. Bigger and then bigger again. Rarely have we been notified of any changes. Our promise of road repair has not arrived. Dust, Trash, smell, noise levels have not been addressed at current abhorrent levels. 8, 10, 12, 24 hours of industrial sounds for hundreds of days a year. No privacy fencing, no adequate fencing even to keep their dogs, and workers in their own property. Barking dogs, running on our property, chasing deer, and showing up at our back porch. This project has had a free run for years. But has not addressed the issues to make life tolerable to their neighbors. Less traffic, less noise, less lights and smell. Strange people driving around checking out people's homes, and trespassing. Security is an underdeveloped part of this project. A locked gate and horn honking constantly, is not enough, nor is it even effective. We have a lot of worry that we'll be caught up in a robbery. We also have a lot of worry we will be caught up in a fire. They had some hay fields harvested and left others unmowed, of 4'+ tall johnson grass around the barn and generator which runs constantly, and has smoke scorched stains up the side of the barn. In a previous year this was the very field that burned wildly into our property, saving our house only by CDF and the local volunteer companies' speedy efforts. Please say NO to this expansion. Please bring their current level of operations into compliance with health safety laws.

Jim Bowdoin

Hindley Ranch Road, Honeydew

From: Robert Van Horn <r.van_horn@icloud.com>

Sent: Monday, August 24, 2020 1:38 PM

To: COB <COB@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Fennell, Estelle <EFennell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bass, Virginia <VBass@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

Subject: Re: Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 APN 107-272-005 665 Old Hindley Ranch Road, Honeydew

We moved to Honeydew about 17 years ago because it was beautiful, quiet and remote. It was not convenient but we had neighbors who we knew we could count on. Those days are over thanks to policies that don't make a lot of sense to us. Now we listen to t-post pounders, backup beepers, and quads racing up and down the dirt roads that surround us. We used to sleep with our bedroom windows open or out on the porch in the summer. Now it's non-stop greenhouse fans, generators, and an unbearable odor of skunk. We currently sleep with our house closed up tight and run air filters all night during the grow season. My understanding is this addition to the ranch will be year round.

Increased fire danger:

We have already had one very close call with fire from the ranch property. The Cal Fire air crews saved us from a fire that burned across the ranch and was stopped just before it got to our property. At a time when fire is such an obvious threat adding so many people to our community is not going to help. The plan for the ranch is to light the greenhouses. This means generators will be running year round and we will listen to them and breath the fumes of both the generators and the cannabis and whatever chemicals they dump on their crops.

Here is an example of their generator hygiene:





RECEIVED

AUG 26 2020

BOARD OF SUPERVISORS



AUGUST 24, 2020
LOST COAST RANCH®
PO Box 157
Petrolia, CA 95558

APPROVE APPEAL – DENY CUP Record Number PLN-15888, Appeal of Honeydew Ranch, Record Number PLN-12256-CUP. Assessor's Parcel Number 107-272-005

Dear Supervisors,

I oppose the granting of a conditional use permit for a mega-grow in this neighborhood. When the present residents purchased their property and established a working vineyard and homestead, the county was fortunate in that their land use was perfectly compatible with the zoning. The county encouraged their specific uses and they were compliant with all regulations. This project is not compatible with the present character and legal use of the adjacent neighbor.

Then along comes the cannabis industry tsunami and the Board, seeking economic development, voted to zone nearly all rural land for industrial chemical manufacturing of cannabis. This appeal shows that it was not a good fit everywhere.

I have been to the site and am familiar with the situation. I personally know the annoyance of the noise, traffic, odors of a facility similar to what is planned here. It is not compatible with human habitations next door nor is it compatible with the rural nature of the area.

Many of us have dedicated 50 years of effort and expense in the recovery of ecological health of the Mattole watershed and its native salmon run. Industrial “farming” as proposed here will likely create long-term impacts that may take years to work their way through the soil into the nearby river. By then it will be too late. Industrial facilities like these need restrictions on the use of water soluble chemicals. They certainly do not belong adjacent to rivers or watercourses, or to human habitations where children and grand-children live and recreate.

Please deny this project.

Thank you for your consideration of great importance to the future of our valley.

I remain,

Sincerely Yours,

Michael Evenson

Michael Evenson

cc. BOS
Planning
COB

CANNABUSINESSLAW, INC.
A PROFESSIONAL LAW CORPORATION

RECEIVED

AUG 31 2020

BOARD OF SUPERVISORS

August 28, 2020

Humboldt County Board of Supervisors
Attn: Hon. Estelle Fennel, Chair
825 5th Street, Room 111
Eureka, CA 95501

Re: Appeal Hearing in re Planning Commission's Approval of Honeydew Ranch, LLC and Mossy Stone Creek Farms, LLC Permit Applications Nos. 11954, 11950, 12256 on APN 107-272-005

Dear Humboldt County Board of Supervisors and Madame Chair:

I am writing in support of the approved permit holders Honeydew Ranch, LLC and Mossy Stone Creek Farms, LLC (hereinafter collectively referred to as "Permit Holders"), in connection with the cannabis cultivation permits [Nos. 11954, 11950 and 12256 ("Permit" and/or "Permits")] approved on APN 107-272-005 ("Property"), which is approximately forty seven (47) acres in size. This letter is written in response to the letter sent to the Humboldt County Board of Supervisors ("Board") on April 16, 2020 from Hindley Ranch Neighbors ("HRN").

BACKGROUND:

On or around July/August of 2018, Director John Ford of the Humboldt County Planning Department ("Planning Department") granted the Permit Holder permission to construct greenhouses on the Property.

On October 3, 2019, the Planning Department approved a Conditional Use Permit ("CUP") and one Special Permit for an existing 16,175 sq. ft. mixed light commercial medical cannabis cultivation project and a proposed wholesale nursery, respectively, on the Property. The Permit Holders also proposed that the Property be a receiving site for nine retirement, remediation and relocation ("RRR") cannabis cultivation applications. According to the Final Staff Report generated by the Planning Department, "The existing cultivation, proposed wholesale nursery and RRR cultivation together comprise the project as reviewed pursuant to the California Environmental Quality Act (CEQA). Adoption of the Mitigated Negative Declaration prepared for this project will allow the RRR applications to be approved administratively as Zoning Clearance Certificates." (Final Staff Report, October 3, 2019, Executive Summary on Page 4).

On or about October 25, 2019, the Planning Department conducted an inspection of the Property for a post approval Permit inspection. On or about November 27, 2019, the Planning Department conducted another inspection of the Property based on a neighbor complaint. The first such "neighbor complaint" took place after HRN filed their appeal. No such complaints were made prior to the approval of the permit on the Property. On or about December 5, 2019, the California State Water Resources Control Board ("WRCB") also inspected the Property.

On or around December 3, 2019, the Permit Holders forwarded mitigation measures to the Planning Department. These measures included, without limitation, reducing the proposed 6 acres of mixed light cultivation to 3.41 acres of mixed light cultivation and 1 acre of Outdoor cultivation – for a combined

Honeydew Ranch, LLC
Response to Appeal of CUP and Special Permit
August 28, 2020

4225 Solano Ave., #576, Napa, CA 94558
PHONE/FAX 855-420-2774
WWW.CANNABUSINESSLAW.COM

total of 4.41 acres of commercial cultivation on the Property. In addition, the Permit Holders proposed reducing the 10,000 sq. ft. structure to 5,000 sq. ft.. They intended to use the structure for drying and curing commercial cannabis.

On December 6, 2019, Devin Sutfin, Planner at the Planning Department, forwarded an email to the Permit Holders regarding a neighbor complaint filed with the Planning Department on November 27, 2019. In the email, Mr. Sutfin informed the Permit Holders that the Planning Department would be conducting an inspection of the Property based on the neighbor complaint.

On December 6, 2019, a letter was generated from the Planning Department summarizing the conclusions of their inspection of the Property. The Permit Holders were required to take the following three actions: (1) Remove the generator from the Property, (2) Remove all of the “grow lights” from the 2800 sq. ft. building located on the Property, and (3) Verify that no cannabis was or would be imported for processing on the Property.

On December 10, 2019, Steve Doyle (a consultant for the Permit Holders), responded to Mr. Sutfin’s December 6, 2019 letter and addressed the three issues raised as follows: (1) due to the three (3) day power outage, the back-up generator was used for power and heat, (2) the lights in the 2,800 sq. ft. building on the Property would be removed as requested, and (3) verified that no cannabis had or would be imported for processing on the Property.

On January 3, 2020, Mr. Sutfin emailed Steve Doyle to inform him that he would be conducting a follow up inspection on January 5, 2020 to verify that the Permit Holders were operating in accordance with their approved cannabis Permits. On January 7, 2020, a formal letter was sent to Mr. Sutfin in response to his December 6, 2019 letter. In that formal letter, the Permit Holders addressed the three issues raised as follows: (1) The generator was used solely as a back-up power source during the three day power outage (and the generator was also listed in the CEQA study and had been on-site prior to 2016), (2) On or about July/August of 2018, Director John Ford authorized the Permit Holders to construct the greenhouses. However, the Permit Holders removed the lights as a showing of good faith, and (3) Cannabis had not – nor would ever be – imported for processing on the Property.

On January 10, 2020, the Permit Holders emailed pictures to the Planning Department showing proof of compliance with the removal of the lights and AC unit from the structure at issue. Mr. Sutfin responded to the email and expressly stated the following: “Consider this email confirmation the light and appliance issue outlined in the January 8, 2020 inspection letter has been completed.” (Email dated January 10, 2020, from Devin Sutfin to Lesley Doyle) (See attached Exhibit A). In addition, the Permit Holders emailed Mr. Sutfin pictures of the soil clean up. The pictures showed, including, without limitation, containment of the soil and perlite under a tarp, placement of straw wattles around the perimeter of the soil containment areas, and the application of straw in all of the dirt areas.

On January 10, 2020, Lesley Doyle, also a consultant for the Permit Holder, emailed Mr. Sutfin to provide clarification about the alleged 600 sq. ft. shed on the Property. She informed him that the structure was split into a tool shed and a “mom” room, which was used for propagation of nursery stock. (Email dated January 10, 2020, from Lesley Doyle to Devin Sutfin) (See attached Exhibit B). Mr. Sutfin responded that same day confirming receipt of the aforementioned photos which showed proof of removal of the lights from the structure and acknowledged the following: “I do agree that the 600 square foot shed had a wall separating the room used for mother plants from the tool storage area.” (Email dated January 10, 2020, from Devin Sutfin to Lesley Doyle) (See attached Exhibit B). In addition, Mr. Sutfin responded in a separate email to confirm that the soil issue outlined in the January 8, 2020 Inspection letter was completed.

On February 14, 2020, Augustus Grochau emailed Lesley Doyle to inform her that “Honeydew Ranch should be receiving their IP extension soon.” (Email dated February 14, 2020, from A. Grochau to Lesley Doyle) (See attached Exhibit C). In this context, “IP” means interim permit. Lesley Doyle responded and requested an email copy of the interim permit. She expressly stated in her email that the Planning Department’s failure to issue the interim permit in a timely manner was adversely affecting the Permit Holder’s ability to start working on that season’s genetics. In other words, the Permit Holders did not want to move forward with their commercial activities unless and until they had documentary proof of the issuance of the interim permit.

Augustus Grochau responded to Lesley Doyle’s email as follows: “The issue that I believe is possible would be human error resulting in an oversight. I will set up a reminder to request an email to you when the letter is drafted, but that will not occur today. Honeydew Ranch should be receiving their IP extension soon, I would expect it late next week, but I do not want to guarantee that.” (Email dated February 14, 2020, from A. Grochau to Lesley Doyle) (See attached Exhibit B).

In April 2020, the Permit Holders were informed by Cliff Johnson, Senior Planner at the Planning Department, that the “neighbors” were putting “substantial pressure” on the Planning Department to move forward with the appeal. Upon information and belief, the only neighbors filing complaints in connection with these Permits was - and is - Roxanne Kennedy and Jim Bowdin. Due to their complaints, the Permit Holders have been inspected by the Planning Department, WRCB, California Department of Food & Agriculture and the Humboldt County Agricultural inspector. One of these inspectors told the Permit Holders that one complaint was made because the complainant did not like the fact that trucks were delivering soil to the Property.

In each of the nearly ten instances between October 2019 to the present when the Property was inspected by a governmental agency, the Permit Holders willingly provided access to the Property, developed a good working relationship with each agency representative, and immediately addressed any and all their concerns, if any.

On or around April 2020, Cliff Johnson informed the Permit Holders that the Planning Department received another complaint alleging that the greenhouses on the property were a potential fire danger. To that end, another letter was issued by the Planning Department to inspect the Property on or around April 8, 2020.

On April 29, 2020, the Planning Department sent a letter to the Permit Holders summarizing the outcome of the most recent inspection. After that inspection, the Permit Holders were required to obtain building permits or clearances on the greenhouses that Director John Ford approved in 2018.

RULE:

Pursuant to Humboldt County Code, Section 312 – 313 Appeal Procedures, an appellant may appeal an action taken by a hearing officer on any completed application within ten (10) days of said action. The basis for the appeal shall state “specifically why the decision of the Hearing Officer is not in accord with the standards and regulations of the zoning ordinances, or why it is believed that there was an error or an abuse of discretion by the Hearing Officer. (Former Section CZ#A315-26(B)).” (Section 13.2).

HRN’s request for an appeal does not meet the standards outlined in Section 312 – 313 because it fails to address (1) why the Planning Department’s decision to approve the Permits are not in accord with the standards and regulations of the relevant zoning ordinance, (2) why HRN believes that an error was

made by the Planning Department, and/or (3) why HRN believes that there was an abuse of discretion by the Hearing Officer.

ARGUMENT:

1. The Planning Department's Decision to Approve the Permits is in Accord with the Standards and Regulations of the Commercial Cannabis Land Use Ordinance

On October 3, 2019, the Planning Department approved a CUP and Special Permit on the Property for six (6) acres of commercial cannabis cultivation activity. In the ninety-two page Final Staff Report, the Planning Department expressly outlined the legal basis for approval of the aforementioned permits. According to the Final Staff Report, "The existing cultivation, proposed wholesale nursery and RRR cultivation together comprise the project as reviewed pursuant to the California Environmental Quality Act (CEQA). Adoption of the Mitigated Negative Declaration prepared for this project will allow the RRR applications to be approved administratively as Zoning Clearance Certificates." (Final Staff Report, October 3, 2019, Executive Summary, Page 4).

On page four of the Final Staff Report, the Planning Department states the following: "The subject parcel includes 40.2 acres of Prime Agricultural soil and can facilitate up to 8 acres of Cultivation through the RRR program under the CMMLUO." (Final Staff Report, Executive Summary, Page 4, Second Paragraph). In addition, the report states that "The new RRR cultivation would occupy 20% of the prime agricultural soils." (Final Staff Report, Executive Summary, Page 4, Third Paragraph). "Both the eight existing and 31 proposed new greenhouses would total as much as 8 acres on the 47-acre parcel (18% total coverage with all proposed and existing greenhouse, buildings and pond)." (Final Staff Report, Executive Summary, Page 4, Fourth Paragraph).

In the initial appeal letter, dated October 9, 2019, HRN expressed concern that the Mitigated Negative Declaration inadequately analyzes noise, security, air quality and lacks a security plan to address public safety. This is untrue. On page 6 of the Final Staff Report, the Planning Department clearly outlined the scope of the environmental review procedures conducted in connection with this project.

"Environmental review for the proposed project included the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The IS/MND was circulated from June 17, 2019, to July 16, 2019, at the State Clearinghouse. Comments from the California Department of Food and Agriculture (CDFA) dated July 17, 2019, were received from circulation of the IS/MND and are included in Attachment 6 of this staff report. The IS/MND was revised to clarify the types of licenses the applicant is required to obtain from the CDFA, which include cultivation, processor and nursery licenses. These minor revisions do not affect the conclusions of the document and do not require recirculation pursuant to Section 15073.5 of the CEQA Guidelines." (Final Staff Report, Executive Summary, Page 6, Third Paragraph).

To that end, HRN makes a conclusory statement about the environmental review without providing any evidence from a qualified professional to support their contentions. Such conclusory statements without any proof from a qualified professional should not be used as a basis to reverse the decision of the Planning Department.

Nonetheless, the Permit Holders prepared detailed plans to address HRN's concerns. On or around December 3, 2019, the Permit Holders forwarded mitigation measures to the Planning Department. These measures included, without limitation, reducing the proposed 6 acres of mixed light cultivation to 3.17 acres of mixed light cultivation and 1.56 acre of outdoor cultivation – for a combined total of 4.73 acres

of commercial cultivation on the Property - despite the fact that the Planning Department stated that the Property was eligible for up to eight (8) acres of commercial cannabis cultivation, pursuant to the local ordinance.

The Permit Holders also submitted Fire Suppression, Light Management and Soil Management Plans to address HRN's concerns. The Permit Holders updated their mixed light plan and reduced the watts per square foot to .88 watts and made the decision to utilize 250-watt ceramic lights. Other additional measures implemented by the Permit Holders include, without limitation: 1) proposal of a native plant living fence (in contract with Native Ecosystems, Inc.) to address aesthetic, noise, dust and odor control concerns, 2) development of a non-profit organization for the Honeydew area in order to support local fire suppression, stream and salmon restoration, and youth development, and 3) donating five thousand dollars (\$5,000) to the Mattole Valley Community Resource Center and five thousand dollars (\$5,000) to the Honeydew Volunteer Fire Company. The Permit Holders also reached out the neighbors in their community to create an open dialogue about the project.

Oddly, HRN never complained about the other commercial cannabis projects in the Mattole Valley area – and none of those other commercial cannabis projects have supplied – or have been asked to supply - preventative measures and plans like the Permit Holders. And yet, HRN's only complaint is about this particular Property. Why?

One parcel directly adjacent to Roxanne Kennedy and Jim Bowdin's parcel is currently approved for 279,160 square feet of commercial cannabis cultivation, with further proposed cultivation, under the 2.0 Ordinance. And yet, there is no record of HRN appealing this cultivation operation or its intent to expand its operations. (See Honeydew Farms, LLC (Alex Moore) Conditional Use Permits Application Numbers 10259, 10261, 10262, 10263, 10373, 10374, 10375, Assessor's Parcel Numbers (APN) 107-311-001 and 107-311-002).

On or about April 16, 2020, HRN sent a follow up letter to the Board in connection with their appeal herein. In this follow up letter, HRN raises the following three concerns: 1) the project will impact HRN members "through excessive noise, odors, a massive increase in daily employee traffic, and the risk of catastrophic fire from thousands of grow lights utilizing hundreds of thousands of kilowatts per day" (HRN Appeal Letter, April 16, 2020, Page 1, Second Paragraph), 2) the project is grossly oversized for its "49 acre site. Other cannabis cultivation and processing operations of this size are required to be on properties that are hundreds of acres in size" ((HRN Appeal Letter, April 16, 2020, Page 1, Third Paragraph), and 3) HRN members and "other County residents, believe this Project is associated with individuals and entities that have repeatedly failed to adhere to County ordinances and State law and may even be associated with criminal enterprises." (HRN Appeal Letter, April 16, 2020, Page 1, Fourth Paragraph).

HRN contends that PG&E will not be able to supply the power necessary to support the cultivation activity on the Property. This argument is moot because the Permit Holders have proposed a solar plan which has been developed to power the infrastructure for the Property, including all of the RRR projects.

HRN also contends that the number of lights on site pose a "fire danger." This concern would also apply to the approximately eight licensed sites in the Mattole Valley area. Did HRN complain about these projects posing a fire danger? The simple answer is no. Fire suppression is a valid concern that every commercial cannabis permit holder should take seriously. For this reason, the Permit Holders drafted and submitted a Fire Suppression Plan to the Planning Department. The Fire Suppression Plan proposes to use a pond as a fire suppression resource, portable fire extinguishers, a dry chemical fire suppression system, and installation of fire hydrants and a sprinkler system (depending on the final recommendations from the Honeydew Valley Fire Department). In addition, the Permit Holders reached

out to the Honeydew Volunteer Fire Company to discuss HRN's concerns in order to implement prevention policies. To that end, HRN's contentions regarding "fire danger" have been addressed with the proper qualified professionals in the area.

HRN further argues that the Permit Holders agreement to reduce the 10k sq. ft processing facility to 5k sq. ft. will not be able to facilitate the proposed cultivation activity on the Property and will lead to an increase in traffic. Once again, HRN refuses to be reasonable and presents circular arguments as a basis to overturn the actions of the Planning Department. Local Off-site processing companies will be utilized as necessary, which will reduce the number of temporary employees commuting to the site. This will actually lead to a decrease in traffic in the Mattole Valley area. HRN presents no independent surveys and/or proof from a qualified professional to support this claim.

While HRN raises many allegations about the alleged environmental impact of this project, they do not provide an analysis from any qualified professionals to support their claims that the Negative Mitigation Declaration is insufficient and/or incorrect. None of the supplemental information provided by HRN includes signatures from individuals and/or entities that suggest that they hold the proper credentials to accurately make any determinations about the Negative Mitigation Declaration. HRN's main contention, as outlined in their April 16, 2020 letter, is that the proposed 3 million-gallon rainwater catchment pond will not be able to facilitate the cultivation. HRN asserts that the Permit Holders will still continue to source water from a groundwater well. The supplemental Water Management Plan developed by the Permit Holders provides a clear breakdown of projected water use based on previous years' water use, which are based on meter readings. Even at full build out, the projected water usage totals 1,986,135 gallons annually, well under the 3,000,000-gal allowance. The Permit Holders currently have approximately 63,000 gallons of hard water storage per entity - for a total of 191,330 gallons of water storage for all cultivation activity on the Property. Again, HRN is merely speculating about the environment impact of the project, rather than providing an analysis from a qualified professional. Three other projects in the area that currently utilize wells and a direct spring diversion with proposed rain catchment ponds were approved *after* the Permit Holders' permit was approved. But, this project was the only one that HRN appealed.

Another approved commercial cannabis operation, directly across the river from Roxanne Kennedy and Jim Bowdin's property utilizes four (4) groundwater wells, three (3) of which are located within 200 ft. of the Mattole River and/or Honeydew Creek. In addition, this operation constructed greenhouses *within streamside management areas*, yet there is no record of HRN appealing that project. Additionally, analysis of aerial imaging of Roxanne Kennedy and Jim Bowdin's parcel (APN No. 107-272-003), located within the impacted watershed, indicates that they are cultivating approximately one and a half acres of grapes. The water rights assigned to this parcel are outline in Domestic Registration - D032751, which encompasses three points of diversion from an unnamed spring which is a direct tributary of the Mattole River. This seems contradictory that Roxanne Kennedy and Jim Bowdin take issue with the Permit Holders using rainwater catchment as a water source for an agricultural crop, while they divert surface water to facilitate the growth of their grapes.

Overall, this project will have a net positive environmental effect by restoring the nine proposed sites located in environmentally sensitive areas and relocating them to prime agricultural land where cultivation will be facilitated by solar power and rainwater catchment. As documented in the drone footage provided to the Planning Department, you can see how impactful the RRR program can be on legacy cultivation sites. Multiple cultivation sites, roads systems and stream crossings will be removed, restoring water ways to their natural state. The RRR program, if implemented correctly, can be an effective method to incentivize the cleanup of these sites, while allowing entities that are in compliance to preserve their business and generate revenue that will be circulated back into the local economy.

This project will generate a sizeable Measure S Tax revenue for Humboldt County. As previously mentioned, at full build-out this receiving site could potentially facilitate up to nine relocation projects at 20,000 square feet of mixed light cultivation each, which totals approximately three hundred eighty-seven thousand dollars (\$387,000) in Measure S tax dollars annually to the County. As you are aware, this revenue is circulated back into the local community providing funding for much needed services, including without limitation, child abuse victims, mental health services, and maintaining rural ambulance and first responder services. In 2019, the Permit Holders spent close to two hundred eighty-eight thousand dollars (\$288,000) in engineering costs, compliance/licensing and consulting costs, lab testing, and property and cultivation taxes.

If HRN's new concern is that the greenhouses approved for mixed light cultivation in 2018 will surreptitiously be used for mixed light cultivation, then this is a general concern that could be directed towards any outdoor cannabis cultivation site that utilizes light deprivation techniques. The local Planning Department and California Department of Food & Agriculture have procedures in place to deal with licensees that violate the rules. Once again, this contention proves that HRN is grasping at straws to find new issues in order to create a tempest in a teapot.

HRN's second contention is that the project is "grossly oversized" for a "49 acre" lot. As stated earlier, the CMMLUO allows for up to eight acres of commercial cultivation activity on the Property. The Permit Holders have agreed to reduce the proposed six acres of mixed light cultivation down to 3.17 acres of mixed light and 1.56 acre of Outdoor cultivation – for a combined total of 4.73 acres of commercial cultivation activity on the Property. The Permit Holders agreed to this reduction as a direct result of HRN's continuous and unsubstantiated complaints the Property. This shows an additional good faith effort on the part of the Permit Holders to address the concerns of HRN. All of the permitted cultivation sites in and around the Mattole Valley area have the same amount or more square footage of cultivation activity on their properties. Why is HRN only complaining about the Permit Holders' Property?

HRN contends that the text of CMMLUO only allows for 22,000 square feet of preexisting cultivation on parcels zoned AE. However, the provisions relating to RRR sites expressly states that RRR sites can be accepted on parcels zoned AE over ten acres, so long as the RRR sites do not exceed twenty percent of the prime agricultural soil at the site. HRN claims that, "These seemingly inconsistent portions of the ordinance lead to unjust and unfair results, illustrated perfectly well in this situation." If HRN has an issue with the language in the local ordinance, then they should take the requisite steps to go through the legislative process to make such changes, rather than harass the Permit Holders.

This project implements the RRR program for its intended use to "Incentivize, promote, and encourage the retirement, remediation, and relocation of existing cannabis cultivation occurring in inappropriate or marginal environmentally sensitive sites to relocate to environmentally superior sites." (CMMLUO §55.4.14) "Operators of RRR Sites shall be eligible to receive a Zoning Clearance Certificate for commercial cannabis cultivation of medical marijuana on an eligible Relocation Site, for an area up to four times the area of the previously existing RRR Site, but in no event larger than 20,000 sq. ft., provided that they comply with all applicable performance standards and the RRR program requirements of Section 55.4.14.4. RRR Sites may be on leased premises for agricultural purposes allowable pursuant to the exclusion from Subdivision Map Act, Government Code section 66412(k). More than one RRR Site Zoning Clearance Certificate may be granted on Relocation Site parcels of ten (10) acres or larger provided that the cumulative total cultivation area for all commercial cannabis cultivation Zoning Clearance Certificates issued for that parcel does not exceed 20% of the area of prime agricultural soils on that parcel," (CMMLUO § 55.4.14.3).

The receiving site consists of 40.2 acres of prime agriculture soils and can facilitate up to 8.0 acres of commercial cannabis cultivation, which is 20% of the prime agricultural soils on the Property. As previously mentioned, the Permit Holders have reduced the total cultivation area to 4.41 acres of cultivation - which would only occupy approximately 11.8% of the total prime agricultural soil located on the Property. HRN refutes the findings of the County's GIS system based on "suspicion" that the project exceeds the allowable amount of space on prime agricultural soil, but with no real basis to validate their suspicions.

The project site history shows that the Property has been utilized as agricultural land since the 1870s. The first land patent on the Property was obtained by Elias Hunter, who purchased the northwest section of the Property in 1876. Hunter's son worked the land on his father's property as a dairy rancher. George Hindley managed the 2,350-acre ranch well into the 20th century. Additionally, an R-2 Engineering Geologic Soils Report was prepared for the Permit Holders by Joel Monschke, a qualified engineer/hydrologist, at Stillwater Sciences. Mr. Monschke's academic experience includes a B.S. from Stanford University in Engineering Geology and Hydrogeology, an M.S. from UC Berkeley in Geotechnological Engineering, and 15+ years of experience designing, implementing, and monitoring watershed restoration and infrastructure improvement projects in rural Northern California. The R-2 Engineering Geologic Soils Report prepared by Mr. Monschke analyzes soil conditions, slope stability features and conditions, existing fills, groundwater conditions, surface drainage hazards, flooding, and liquefaction hazards. The findings of the report suggest that the new pond construction and other grading will not contribute to - or be subject to - substantial geologic or soils engineering hazards. HRN fails to offer any evidence refuting Mr. Monschke's report.

HRN's third contention regarding the alleged criminal activity of the Permit Holders is baseless, totally false, defamatory and potentially actionable. HRN's allegations of criminal activity is inserted into their appeal to serve as a dog whistle to support their baseless claims. Why does HRN believe that the Permit Holders are "closely associated" with criminals and/or criminal enterprises? Is it because the Permit Holders are from Israel? Or, is it because some of the RRR sites of origin are owned by persons of Eastern European descent? This potentially racist argument does not deserve any consideration by this governing body.

At all relevant times, the Permit Holders have been in compliance with local and state laws governing commercial cannabis activity. In fact, the Planning Department issued the Permit Holders an interim permit in February 2020. The Planning Department is very thorough and would not have issued the interim permit if the Property was not in compliance with local law. To that end, I respectfully request that the Board not take into consideration any such racist and/or xenophobic statements in your review of this appeal.

2. The Planning Department Did Not Make an Error or Abuse Its Discretion in Approving the Permits

HRN fails to assert any claims that that the Planning Department made an error and/or abused their discretion in approving the local permits on the Property. The legal standard outlined in Section 312 – 313 requires that the appellant address (1) why the Planning Department's decision to approve the permits are not in accord with the standards and regulation of the relevant zoning ordinance, (2) why HRN believes that an error was made by the Planning Department, or (3) why HRN believes that there was an abuse of discretion by the Hearing Officer. To that end, the only basis for appeal is whether or not the Planning Department's decision to approve the permits are in accord with the standards and regulation of the relevant zoning ordinance. For the reasons stated herein, HRN's appeal fails to meet the requisite standard outlined in the local rule.

3. The Permit Holders Have Always Operated In Compliance with Local and State Laws Governing Commercial Cannabis Activity.

The Permit Holder has – at all relevant times – acted totaling in compliance with both local and state laws governing commercial cannabis activity. HRN has not provided any objective proof to the contrary – other than several defamatory, and potentially actionable, derogatory statements about the Permit Holders. The Permit Holders have submitted proof of support from residents of the Mattole Valley area as well as the community at large.

HRN claims that, “The project has operated unpermitted and unlicensed” because cannabis cultivation was taking place on the Property prior to the October 2019 Planning Commission Approval. The Permit Holders have been operating under an Interim Permit since December 2017. They were issued Temporary License from the state (TAL18-0013926) in November 2018, applied for a Provisional State License in December 2018 (LCA18-0003046), which was issued in December 2019. Due to California Department of Food & Agriculture’s slow processing time, the Permit Holders were able to cultivate under a valid interim permit so long as they had submitted an application to obtain a Provisional License. HRN is misinformed about how the regulatory process works, and blatantly spreading false information at the expense of the Permit Holders.

The Planning Department granted the Permit Holders permission to construct greenhouse structures for RRR applications 11950 (Mossy Stone Creek Farms LLC), and 11954 (Natural Ascent, LLC). However, no commercial cannabis cultivation took place in these greenhouses until April 2020 after the state licenses were approved by the California Department of Food & Agriculture. The Planning Department confirmed this during the inspections conducted on October 25, 2019, November 27, 2019, and April 8, 2020. Representatives from the North Coast Regional Water Quality Control Board attended a voluntary site visit on December 25, 2019 and an inspection was performed on behalf of Humboldt County Department of Agriculture and CalCannabis Environmental Compliance on January 21, 2020. Due to “neighbor complaints,” multiple agencies have confirmed on numerous occasions that no unpermitted cultivation was taking place on the Property. All nine greenhouses currently present on the Property hold both valid local and state licenses. HRN is blatantly lying in order to discredit the Permit Holders.

CONCLUSION:

The Permit Holders have gone above and beyond standard practice to implement preventative measures to address HRN’s various unsubstantiated concerns, including the proposal of a solar energy plan and rainwater catchment pond as the primary agricultural water source and fire suppression resource. No other cultivation projects in the area have supplied preventative measures and plans to the same extent as these Permit Holders.

For the reasons outlined herein, I respectfully request that you deny this appeal and allow the decision of the Planning Department to stand.

Sincerely,

/s/ Kyndra S. Miller
Kyndra S. Miller, Esq.

EXHIBIT A

From: **Sutfin, Devin** dsutfin1@co.humboldt.ca.us
Subject: RE: Honeydew Light Removal & AC unit
Date: January 10, 2020 at 11:24 AM
To: Steve Doyle doyle.srcc@gmail.com
Cc: lesley Doyle hsom16@hotmail.com, Kyndra@cannabusinesslaw.com



Hello Steve,

Confirming receipt of the email below depicting the light and A/C units removed from the storage shed. Hard copies are not necessary, I will add this correspondence to the project file. Consider this email confirmation the light and appliance issue outlined in the January 8, 2020 inspection letter has been completed.

Respectfully,



Devin Sutfin
Planner
Cannabis Services Division
Planning and Building Department
dsutfin1@co.humboldt.ca.us
707.268.3778

Redway Office Hours

Monday and Wednesday, 9:30 am to 3:30 pm
3156 Redwood Dr, Redway (707) 383-4100
Mondays – Building, Current Planning and Code Enforcement
Wednesdays – Building, Cannabis Planning and Long Range Planning

From: Steve Doyle <doyle.srcc@gmail.com>
Sent: Friday, January 10, 2020 10:27 AM
To: Sutfin, Devin <dsutfin1@co.humboldt.ca.us>
Cc: lesley Doyle <hsom16@hotmail.com>; Kyndra@cannabusinesslaw.com
Subject: Honeydew Light Removal & AC unit

Devin

Here are the pictures of the removal of the lights and the AC unit in the MOM room.

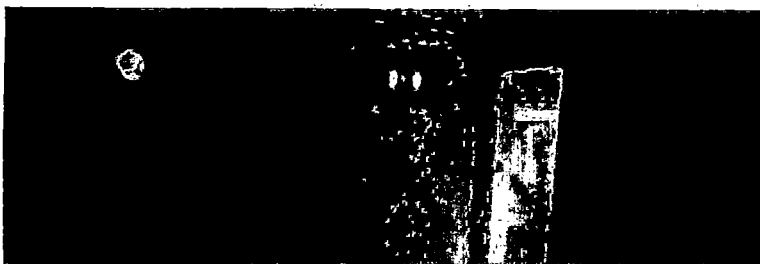


EXHIBIT B

From: Sutfin, Devin dsutfin1@co.humboldt.ca.us
Subject: RE: Honeydew MOM Room
Date: January 10, 2020 at 11:27 AM
To: Lesley Doyle lesleydoyle11@me.com
Cc: lesley Doyle hsom16@hotmail.com, kyndra@cannabusinesslaw.com



Hello Steve,

Confirming receipt of the email below. Thank you for providing some clarity and context to the size of the room. I do agree that the 600 square foot shed had a wall separating the room used for mother plants from the tool storage area. I will memorialize this correspondence in the project file.

Respectfully,



Devin Sutfin
Planner
Cannabis Services Division
Planning and Building Department
dsutfin1@co.humboldt.ca.us
707.268.3778

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Mondays – Building, Current Planning and Code Enforcement
Wednesdays – Building, Cannabis Planning and Long Range Planning

From: Lesley Doyle <lesleydoyle11@me.com>
Sent: Friday, January 10, 2020 10:38 AM
To: Sutfin, Devin <dsutfin1@co.humboldt.ca.us>
Cc: lesley Doyle <hsom16@hotmail.com>; kyndra@cannabusinesslaw.com
Subject: Honeydew MOM Room

Devin

The 600 Square Feet shed is split between a tool shed and a mom room used for propagation of nursery stock. Per the violation you have stated the room was 600 SF but in actuality the room is 11 feet x 14 feet for a total of 154 SF. Just wanted to bring this to your attention.

Thanks

Steve Doyle
Six Rivers Construction & Consulting
707-273-8996







EXHIBIT C

From: Grochau, Augustus agrochau@co.humboldt.ca.us
Subject: RE: Interim Permit Extentions
Date: February 14, 2020 at 10:59 AM
To: Lesley Doyle lesley@elevsolutions.com, Johnson, Cliff CJohnson@co.humboldt.ca.us, kyndra@cannabusinesslaw.com



The individual who mails out extension letters is out today, Monday is President's Day, and the post takes time. The issue that I believe is possible would be human error resulting in an oversight. I will set up a reminder to request an email to you when the letter is drafted, but that will not occur today. Honeydew Ranch should be receiving their IP extension soon, I would expect it late next week, but I do not want to guarantee that.

The tax information was emailed after office hours the day before a holiday, so it was received yesterday. I requested the IP extension from the next person in the chain yesterday as well. This request has existed on my radar for 1.5 working days. I understand this has been quite some time for you and Cliff, but for me, extensions do not occur in 1.5 days.

Please know that I am an advocate for every applicant's IP extension, I want to ensure that every project meeting the requirements gets extended.

Thank you,



AUGUSTUS GROCHAU

Planning Technician I
Planning and Building Department
County of Humboldt
Email: agrochau@co.humboldt.ca.us

From: Lesley Doyle <lesley@elevsolutions.com>
Sent: Friday, February 14, 2020 10:07 AM
To: Grochau, Augustus <agrochau@co.humboldt.ca.us>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; kyndra@cannabusinesslaw.com
Subject: Re: Interim Permit Extentions

Can you please email it to me as soon as its issued. I don't understand what the hold up is this project was approved by the planning commission. There should not be an issue issuing the IP during the appeal process. The applicant has met all the requirement needed. I spoke with Cliff regarding the IP on January 24, 2020. I emailed all the information requested from the county regarding the paid 2018 Cultivation Tax at that point and yet we're still getting the runaround. The applicant needs to start working on this seasons genetic and this is holding up his ability to do so.

Lesley Doyle
Elevated Solutions
3943 Walnut Dr STE E
Eureka, CA 95503
o: (707)798-6388 // c: (707)683-6686
elevsolutions.com

Honeydew Ranch should be receiving their IP extension soon. Please let me know if their letter is not received in the next two weeks, so I can look into where it got caught in the process.

Thank you,



AUGUSTUS GROCHAU

Planning Technician I
Planning and Building Department
County of Humboldt
Email: agrochau@co.humboldt.ca.us

From: Lesley Doyle <lesley@elevsolutions.com>
Sent: Friday, February 14, 2020 9:53 AM
To: Grochau, Augustus <agrochau@co.humboldt.ca.us>
Subject: Re: Interim Permit Extentions

Good Morning Augustus,
Just wanted to check in on the IP for Honeydew Ranch, LLC. Please let me know if there is any additional information you need from me.

Lesley Doyle

Elevated Solutions

To: Humboldt County Board of Supervisors
From: Bonnie Blackberry
Date: August 31, 2020
For: September 1, 2020 Board of Supervisors Meeting

RE: Appeal of Permit Application Number 1256 Case Number CUP-18030 and Ap16-461

Members, of the Board,

I support the community opposition to the Conditional Use Permit and Special Use Permit Application Number 1256 Case Number CUP-18030 and Ap16-461 /**/APN 107-272-005 665 Old Hindley Ranch Road, Honeydew.

The retirement and remediate are great. The relocation and expansion impacts have been greatly downplayed. Besides the environmental impacts, what about the neighbors and local community?

Humboldt County is our home. We live here. Is the money the county would receive in fees and taxes more important than protecting and preserving the values and rural lifestyle that Humboldt County claims to be?

The owner of this operation is listed as Atary Yoram from Pompano Beach Florida, and the applicant is an LLC located in San Francisco.

The county gives the approval, then it's left to the neighbors and community to deal with the many impacts accompanying a massive industrial grow with 12 to 23 employees, on roads and in an area not suited for such a large operation. An operation that the neighbors and local community that live here are against.

I support the neighbors and community's opposition to this application for a massive industrial grow scene, and hope you will vote in support of the appeal and against this permit application.

Respectfully,
Bonnie Blackberry