

McClenagan, Laura

From: lee torrence <ltwish@hotmail.com>
Sent: Tuesday, March 23, 2021 11:17 PM
To: Planning Clerk
Subject: Arcata Land Company 12255-CUP 16-583

PROJECT TITLE: ARCATA LAND COMPANY, LLC COMMERCIAL CANNABIS OUTDOOR LIGHT-DEPRIVATION AND MIXED-LIGHT CULTIVATION PROJECT. APPLICATION NUMBER; 12255, CASE NUMBER; CUP 16-583

March 23, 2021

Dear Planning Commissioners,

I'm concerned about the noise that will be produced by the Sun Valley 22.9 acre cannabis grow. Their Operations and Planning Manual states there will be no use of generators. What is their plan during burn season and PG&E puts out a PSPS? With no electricity, would their valuable crop be at risk? Is their plan to open the hoop houses? We had 3 weeks of smoke last year. Will we have to live with 3 weeks of skunk odor in addition to the smoke because Sun Valley might lose their valuable cannabis crop? Please look into this.

There has been no mention of how many fans will be needed to grow cannabis in the 192 proposed hoop houses. I wrote Natalynne DeLapp about this and I summarized her response for sake of brevity.

"I checked on fans (just a bit). Normally, 1 fan is needed per 200 square feet. For a million sq. feet that could be up to 5000 fans. Different types of fans are used. Exhaust fans are what the filtration systems are hooked up to. They're heavy duty. Then there are usually simple oscillating fans that stimulate air movement. Fans are noisy. Even though the county's land-use ordinance tries to mitigate for decibel levels, the fan technology just isn't as "silent" as they need to be (yet)."

Some residents live just 900 feet from the proposed grow and the Westwood community only 1400 feet. Our neighborhood is a sanctuary. You have no idea how nice it is! We enjoy the sounds of birds, frogs, and the ocean. How will the sound of up to 5000 fans running day and night affect the quality of life and health of our people and the wildlife?

At the public hearing on March 18th, a PROPOSED CONDITION was added to Section 1: Prior to the issuance of building permits, the applicant/operator shall submit a noise study based on fan manufacturer specifications for the review of the Planning and Building Department demonstrating that cumulative sound levels from the fans within the hoop structures shall not exceed 60 CNL (Community Noise Equivalent Level) measured at the property lines.

At the end of the hearing, they show the results of a Sound Analysis done for Sun Valley Floral Farms. It was done in March after letters from the public voiced concerns about noise. I wonder about the legitimacy of this rushed study. They claim the fans meet all applicable standards. I think the city and county should ask for an independent sound study. This is just one more reason to have an Environmental Impact Report. Any project this size would require one.

Thank you for your time and your service.

Sincerely,
Lee Torrence
1827 27th Street
Arcata, CA. 95521

McClenagan, Laura

From: Terry & Penny <tpbeau@suddenlink.net>
Sent: Friday, March 19, 2021 4:12 PM
To: Planning Clerk
Subject: Arcata Land Company Cannabis Project Application #12255

Dear Planning Department,

As the owners of a home in the 1800's area on western Stromberg Avenue in Arcata, we are adamantly opposed to this huge commercial grow. This project appears to be a threat to the quality of the fresh air, water, peacefulness of this community (day and night) and as a result, livability and values of nearby properties (including ours!) We don't want the pollution (air, water, ground, noise and light.) Please reject this horrible proposal as soon as possible!

Sincerely,

Terry and Penny Beaudet

McClenagan, Laura

From: Asteria Pontoni <asteriapontoni@gmail.com>
Sent: Thursday, March 18, 2021 5:04 PM
To: Planning Clerk
Subject: Arcata Land Company, LLC, conditional use permit.

I am writing this email to tell you that I am extremely opposed to the idea of Sun Valley putting in a mega grow in the bottoms of Arcata. Grows this size hurt everything around us. They hurt the local economy, and they hurt the small farmers that legalization was supposed to protect. It also has a bad effect on the name of Humboldt County pertaining marijuana as a craft product. If we are trying to make this the Napa county for weed we should keep our farms small. Grows this size cannot produce quality weed. And last but not least it hurts the environment. They want to put this grow in in the coastal zone which is supposed to be protected. Grows this large should not exist here. Let them do it down in the central valley or in southern California.

Allowing this grow to go in shows a lack of morals and is not what is best for this rural county.

Thank you, Starry

McClenagan, Laura

From: Magret Draper <maggi00jd@gmail.com>
Sent: Thursday, March 18, 2021 6:06 PM
To: Planning Clerk
Subject: arcata land company proposal for 23 acre grow before planning commission 3/18/21

Dear County Planning Commission, and County Supervisors who will eventually hear the appeal of this proposal:

I missed the comment period for this, as I was so concerned about the McCann proposal that was 5 acres - too large! Now I am stunned to find out about a 23 acre grow in greenhouses next to sun valley farms. It sets an absurd precedent for ag in this area. Even industrial zoning should not be abused. This is simply too big. It has given rise to public controversy, as evidenced by the public comment already in the record, and cannot be authorized to proceed via Neg Dec for a Conditional Use Permit. The criteria must be carefully reviewed by county, as it any permit granted by the commission leaves the County subject to appeal and likely litigation.

While I missed the comment period, there is ample information in the public comment to serve as an adequate appeal record for serious opposition if this is not handled with sensitivity and a willingness to help stakeholders come to a consensus.

I urge the County to be sensitive to the needs of smaller local farmers who are subject to expensive licensure and review - larger grows should be given the same scrutiny, or the code should be adjusted as small farmers requested years ago. The chickens have come home to roost for an overly permissive structure, and it falls on the Planning Commission to use discretion commensurate with the values of the majority of Humboldt Residents and businesses.

Thanks for all you do,

Best,

Margaret Draper
Attorney at Law
POB 176
Bayside, CA 95524

From: [Yandell, Rodney](#)
To: [McClenagan, Laura](#)
Subject: FW: ?????
Date: Wednesday, March 24, 2021 9:23:53 AM

From: Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Sent: Monday, March 22, 2021 2:55 PM
To: Yandell, Rodney <RYandell@co.humboldt.ca.us>; McClenagan, Laura <lmcclenagan2@co.humboldt.ca.us>
Subject: Fwd: ?????

Please add to public comments on Arcata Land

From: Penny <jatobaariana@gmail.com>
Sent: Monday, March 22, 2021 1:02:53 PM
To: Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Cc: Johnston, Desmond <djohnston@co.humboldt.ca.us>
Subject: ?????

Could someone please explain to me why I have had to fight like hell for my measly 12,275 sq ft because it was based on "pre existing" cultivation and then a corporation, SunValley, with no previous cultivation, comes in and gets 22 acres and in the coastal zone. How does that work in any kind of fairness? Please respond. I am sure I am speaking for a lot of folks!

Penny Harris
permit #11696

From: [Yandell, Rodney](#)
To: [McClenagan, Laura](#)
Subject: FW: Anonymous comments re: Sun Valley Cannabis Grow
Date: Thursday, March 25, 2021 11:02:42 AM
Attachments: [image001.png](#)

From: Ford, John <JFord@co.humboldt.ca.us>
Sent: Thursday, March 25, 2021 10:10 AM
To: Yandell, Rodney <RYandell@co.humboldt.ca.us>
Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Subject: FW: Anonymous comments re: Sun Valley Cannabis Grow



John H. Ford
Director
[Planning and Building Department](#)
707.268.3738

From: Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>
Sent: Monday, March 8, 2021 3:54 PM
To: Ford, John <JFord@co.humboldt.ca.us>
Subject: Fwd: Anonymous comments re: Sun Valley Cannabis Grow

See below. Anonymous comments re: Sun Valley Cannabis Grow

Mike Wilson P.E.
Humboldt County Supervisor, District 3
707.476.2393

Sent from my iPad

Begin forwarded message:

1. **They mitigate greenhouse gas impacts by designing all-electric.** The MRU article lists an Air Quality permit for their planned gas boilers, and can use heat pump boilers (e.g. Aermec, AO Smith, Spacepak, Chilltrix, Arctic, etc.) rather than fossil fuel boilers. Companies with local experience with hydronic heat pump systems include Alchemy Construction and Scurfield Solar.

Additionally, **I suggest they mitigate greenhouse gas impacts by installing solar arrays on site and purchasing grid-based renewable offsets.** For instance, there is affordably priced roll-down PV over the roof of the quonset-hut aesthetic mill building. I understand that the cannabis grow on the old mill nearby on the 255 at the slough has committed to 100% solar offset through onsite and purchased grid-based renewable offsets.

2. **I suggest they commit the land to a permanent Organic farming easement.** Lane DeVries has already agreed to one on our farmland at our suggestion, and by the motion of Susan Ornelas, to match the one we negotiated with Cypress Grove/EMMI when they were expanding their factory on farm land. They have been using now-banned, carcinogenic glyphosphate (brand-name Round-Up) for years over the widespread Arcata, Willow Creek and Crescent City community complaints and Siskiyou Land Conservancy water testing advocacy. This is potential approval is a place extract a public safety commitment to farm Organically.

3. **I suggest they commit to a Night Skies certified lighting new construction,** and encouraged to perform Night Skies lighting retrofits going forward as part of their GHG plan. Sun Valley is a public nuisance of glowing grow lights at night currently, and I hope the County uses this discretionary permit as an opportunity to shift Sun Valley to Best Practices in Night Sky Lighting.

4. **I suggest they phase their installation in 3 acre pieces every 3 months,** with discretionary approval of each pre-approved phase in the hands of Public Health of Humboldt County, who can assess asthmogens and community odor complaints.

Thanks for working to make agriculture work in Humboldt County and in the context of current State law.

McClenagan, Laura

From: KM Burke <kmchburke@gmail.com>
Sent: Tuesday, March 23, 2021 5:38 PM
To: Planning Clerk
Subject: opposed to Arcata Bottoms gigantic marijuana grow site proposal

Dear Commissioners,

As a resident of Arcata I want to express strong opposition to the massive marijuana grow site being considered for approval by the Planning Commission. Please do not grant a license to the Sun Valley project that is said to be 23 or 38 acres when the largest cannabis farm in Humboldt is less than 8 acres. This would set an alarming precedent and encourage other large corporate projects that historically drive out small, local businesses. Also, the water use and pesticide and fertilizer use are unsustainable and harmful to the environment, people, plants, animals and the air we breathe. It's worrisome that such a project has reached the stage it has in our community.

I heartily agree with Joan Edwards in her letter to the editor in the March 21 edition of the Times Standard when she says, " This project would change the green belt of Arcata FOREVER. And the City Council was not even consulted, and the vast majority of the neighbors were not even notified.

Shame."

Sincerely,

Katherine M Burke

McClenagan, Laura

From: Monica Coyne <monicoyne@gmail.com>
Sent: Friday, March 26, 2021 7:01 AM
To: Planning Clerk
Cc: Bohn, Rex; Bushnell, Michelle; Wilson, Mike; Bass, Virginia; Madrone, Steve
Subject: Please submit this comment to the Humboldt County Planning Commission regarding ARCATA LAND CO APPLICATION # 12255"

Dear Humboldt County Planning Commissioners and Supervisors,

My husband and I own a farm and well in the Arcata Bottom.

I have two questions for the Planning Commission and the Board of Supervisors regarding the Sun Valley Cannabis expansion.

Question number one: Can we trust the Arcata Land CO/Sun Valley/ Headwaters Cannabis?

Sun Valley states that this project is needed because of Covid. Yet they started the process in 2016. I am sure that they also received considerable financial relief from emergency Covid government subsidies.

Tim Crockenberg, the head agronomist for Sun Valley says that they have drastically reduced the use of toxic chemicals. They say that they have listened to the neighbors and care for them. Yet they sprayed Chlorothalonil on a large field on Seidel Road in the Arcata Bottom in November. The state and federal governments list chlorothalonil as a probable human carcinogen and reproductive toxin. Chlorothalonil can contaminate the air traveling beyond the field and has been found in residential neighborhoods in many areas where it is applied. It is a potential groundwater contaminant, is persistent in soils, and is acutely toxic to fish, crabs and frogs. Sun Valley just sprayed Glyphosate in February. Both of these chemicals have been shown to cause cancer in humans. They sprayed the field knowing the green grass would turn orange and that every person in Arcata who walked or rode by there would see that they used the poisons. They sprayed knowing it was going to rain and that the poison would run off the field and into our water table. They sprayed weeks before they were set to have a large hearing before the community. They obviously believe that they can tell us what we want to hear and then do whatever they want. This thinking is dangerous for the community.

Headwaters claim that they are for the "conscious consumer". That their product is sustainably grown. It is not sustainable to grow a million sq ft of cannabis in the least hospitable pot growing microclimate in the county, forcing them to burn fossil fuels and run lights to mimic an environment that exists naturally just a few miles away. This is the definition of unsustainable. Again, tell us what we want to hear and then do what you want.

Question Number 2: Do the Planning Commissioners and Humboldt County Supervisors believe that we need to get serious about Climate Change?

The plan is to grow a huge amount of cannabis indoors, using a huge amount of fossil fuel. Much of the land in Humboldt receives full hot sun in the summer. In most places here you can grow great weed without lights or heaters. The Planning Commission is tasked with planning for the sustainable future of Humboldt County. Where is the logic in a one million square foot cannabis farm in the Arcata Bottom? When I go to the planning department with plans for a house, I am required to present energy calculations to determine the building's energy efficiency. Where are the energy calcs for this project? They are going to be using gas heaters to heat the great outdoors. That is insane.

Sun Valley/ Arcata Land Co/ Headwaters Cannabis are proposing to expand their operations to include this huge cannabis grow. They are not proposing to replace their heavily sprayed flower farm with organic cannabis. This will only increase their negative impact on the humans and wildlife that live in Humboldt County.

Thank you for your time,
Monica Coyne
(707) 499-4172

McClenagan, Laura

From: Rebecca Crow <watergirl64@gmail.com>
Sent: Thursday, March 18, 2021 5:43 PM
To: Yandell, Rodney; Planning Clerk; Wilson, Mike; Ford, John
Subject: Public Comments: Conditional Use Permit Record No.: PLN-12255-CUP
Attachments: PLN-12255-CUP_Comments_Rcrow20210318.pdf

Mr. Yandell,

Attached are additional comments in response to the Staff report and draft Resolution.

Rebecca Crow, PE C69664

McClenagan, Laura

From: Wilfred Franklin <WFranklin@tsvg.com>
Sent: Saturday, March 20, 2021 10:56 AM
To: Planning Clerk
Subject: Public Comments for PLN-12255-CUP
Attachments: PlanningCommission.draft.letter.docx

Regarding: 21-340: 1, 2. Arcata Land Company, LLC, Conditional Use Permit Record Number: PLN-12255-CUP
From: Wil Franklin

Dear Humboldt County Planning Commission,

I would like to thank the Commission for taking more time to hear all the comments by interested parties and having the patience to extend the hearing so all voices will be heard. This is a complex proposal that requires balancing the desires of many stakeholders as well as serious environmental issues. I would like to ask the community and commissioners to carefully consider three aspects of this proposal.

1. First, the character and good standing of the applicant.
2. Second, the environmental impact of the proposed use.
3. Third, the economic impact to the county.

Before I address these aspects in more detail, let me first plead to all stakeholders to look for solutions first. There is some resistance to this proposal, but there is a lot of up-side to consider. This does not have to be an “either or” dichotomy. Reasonable, reflective citizens can and should deliberate to find a win-win solution. We **can** protect the long-term health of the environment while **at the same time** we use it for agriculture. We **can** protect small family farmers **at the same time** we allow conscientious larger companies to do business. It may be difficult, but there are too many upsides to this proposal to flat out dismiss it on face value or emotional responses to misinformation.

First, Arcata Land Company is not Lane DeVries or the Sun Valley Floral farm. There is some ownership overlap, but let's be clear this is not about one person or one company. Furthermore, to the extent that Lane DeVries is a stakeholder, I hope the planning commission and community has noted that not one disparaging remark has come from anyone that knows Lane DeVries. To the contrary, anyone that knows Lane DeVries has spoken to his integrity, honesty, humility, and loyalty. As I have known Lane for close to ten years, I would further point out his tremendous generosity. So many people give him respect because you are only as good as you give. And Lane DeVries gives a lot. He gives time to Rotary clubs, lobbies for California Growers in Washington DC, he gives to his spiritual community, he gives his employees respect and dignity. He also gives personally and through his companies a significant amount in donations to Humboldt County Non-profits and charities. To the extent that character has anything to do with this proposal, everyone should listen to those that actually know Lane.

But that is not actually relevant to the merits of this proposal. What really needs to be considered carefully are the environmental and economic consequences.

The environmental impact is a serious issue that I do not feel has been fully resolved. I would like the commission to more carefully look at possible environmental consequences. However, none of the issue raised to date merit denial of this proposal. At most, certain modification and assurances need to be added to insure proper monitoring and enforcement. Again, the potential upside to this project requires that we all do our best to find a solution that **both** protects the environment **and allows** this project to proceed. Finding a solution is the work of conscientious citizens and the planning commission.

Finally, the economic impact must be rooted in facts not emotion. Many small producers are worried about the effects this large grow will have on their own economic wellbeing -much like the small beer, wine and spirit produces of the Prohibition age. They all thought the removal of prohibition would be their downfall. But since Prohibition was lifted, the alcohol industry has only grown. And recently, small craft producers in every sector has mushroomed. But we need not go back that far. It was only a few years ago the black-market cannabis industry thought legalization was going to be the economic downfall of Humboldt County. Some shifts have occurred, but the overall economic output has only grown in Humboldt and if we **do not** start instituting prohibitive business restriction, then it will only continue to grow in Humboldt. This project will **not** put any small growers or producers out of business. Nor will it lower prices. The fact is **demand** far out strips supply and will like do so for the foreseeable future. This powerful demand will ultimately drive mega grows somewhere to fill the void. Why not here in Humboldt with conscientious locals that care about our environment and our Brand.

To that end, this proposed land use will **not** water down the “**BRAND**” that is Humboldt, especially if the small growers really dedicate themselves to true sun-grown regenerative farming practices in the more suitable inland zones of Humboldt. As pointed out by several respectable professionals, the environmental/climatical conditions of the locations of this project will not result in high-quality flowers that can compete with small craft products. If anything, this should be a wake-up call to band together and lobby for appellation-style label requirements for cannabis like is done in the wine industry. Trade groups come up with the rules and they can be designed so lesser quality products will never dilute the Brand that is Humboldt.

Please do not deny this proposal. There are far too many benefits for all stockholders.

Wil Franklin

McClenagan, Laura

From: Suzanne Hurley <kindred12u@hotmail.com>
Sent: Thursday, March 18, 2021 4:40 PM
To: Planning Clerk
Subject: Re: Public comment submission for Arcata Land Company, LLC Cannabis cultivation project on Foster in Arcata, CA

This email is in reference to:

Arcata Land Company, LLC, Conditional Use Permit Record Number: PLN-12255-CUP Assessor Parcel Numbers (APNs) 506-231-021 and 505-151-011

From: Suzanne Hurley
Sent: Thursday, March 18, 2021 7:18 PM
To: Planningclerk@co.humboldt.ca.us <Planningclerk@co.humboldt.ca.us>
Subject: Public comment submission for Cannabis cultivation project on Foster in Arcata, CA

Dear Planning Commissioner,

I am a resident who lives less than a mile away from this proposed project and am very concerned about the lack of transparency and insufficient information regarding the harms this project will cause if allowed to go forward.

I am concerned in particular about the odors, pollution and noise this project will generate for me and in the nearby Arcata downtown areas, the negative impact on property values likely to result from these impacts. There is not enough information provided in the MNR to understand the magnitude of these possible impacts. This neighborhood is frequently impacted by foggy weather and studies have shown pollutants like pesticides and fumes are carried in fog to a much greater extent. As a senior citizen and retiree, I moved here from Shasta county specifically to avoid the fires and the smell of cannabis being cultivated nearby my home. I am concerned that this project will have the same impact on me since I live downwind from this site.

I am requesting a full environmental impact report to address these concerns.

Thank you,
Suzanne Hurley
707-241-5862

McClenagan, Laura

From: Luanne Darr <luanne970@yahoo.com>
Sent: Friday, March 19, 2021 9:41 AM
To: Planning Clerk
Subject: Sun Valley/Arcata Land Company proposed Cannabis Grow Application # 12255

So, having been on the call last night I got to thinking:

We are at a super important time for our county. The plans we set into motion NOW can carve out an even more unique place for ourselves on a global stage with WAY more economic opportunities opening up in the long run.

Humboldt county has already made a name for itself in the Cannabis industry, long before legalization. We are the trend setters for what will surely be a country legalizing marijuana this century. I think like WE set the bar for the US

I think of the potential for that and how this particular operation could kill a really good opportunity to grow us into something phenomenal, should be weighed in an urgent and serious manner.

Instead of putting a 'Walmart' sized cannabis operation in our unique area (which will surely harm these local farmers, in the exact same way Walmart does to 'mom and Pop' stores in smaller towns in which they land)

don't you think our county would be better served with a vision of creating something magical - like Napa?

We could rethink the old lumber tracks and made a 'Cannabis train', like Napa's Wine Train? We could set the world's stage for an artisan area where people can come and have tastings, bistros, Michelin rated restaurants, etc. All the big boosters of the Napa Valley economy could be ours in the long run, but NOT if we come out of the 'legal' gate with a huge, WalMart sized operation.

I would MUCH rather contemplate a small, family cannabis farm (even open air farm) over this behemoth.