



HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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BOARD OF DIRECTORS

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GENERAL MANAGER

JOHN FRIEDENBACH

November 12, 2020

Humboldt County Board of Supervisors

815 5th Street

Eureka, CA 95501

RE: Parcel Number 315-011-009

Applicant: Maple Creek Investments, LLC

Record Number: PLN-2018-15197

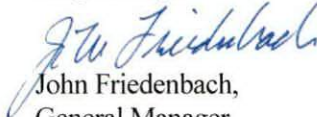
Appeal Record Number: PLN-2020-16608

Dear Supervisors,

Humboldt Bay Municipal Water District (District) submits this letter as a follow up to Special Permit Application PLN 2018-15197 and Appeal PLN-2020-16608 by Maple Creek Investments, LLC (Applicant). After consideration at our Board meeting today (November 12, 2020), our Board withdraws our previous opposition to this project based on the applicant's projected water usage at the site.

Our Board continues to have general concerns regarding the cumulative effects of development within the Mad River watershed and looks forward to discussions regarding our October 3, 2019 request to designate the Mad River as a Critical Watershed under the Humboldt County General Plan.

Respectfully,


John Friedenbach,
General Manager

Cc: Gordon Leppig, CDFW

Hayes, Kathy

From: Wilson, Mike
Sent: Monday, November 9, 2020 12:10 PM
To: Hayes, Kathy
Subject: Re: Maple creek Investments project

Thank you for this perspective.

With respect,

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

Sent from my iPad

> On Oct 19, 2020, at 7:39 AM, Hayes, Kathy <KHayes@co.humboldt.ca.us> wrote:

>

> FYI

>

> Kathy Hayes, Clerk of the Board

> County of Humboldt

> (707) 476-2396

> khayes@co.humboldt.ca.us

>

>

>

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

> From: rama zarcufsky <shockti@hotmail.com>

> Sent: Sunday, October 18, 2020 8:02 PM

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

> Subject: Maple creek Investments project

>

>

> I am the neighbor of the Dunaway family in Maple Creek and wanted to express my support for them and their Maple Creek Investments project. They sold me my place and have been nothing but kind and supportive of me and my family over the years. I have every reason to believe they will run their project with the utmost integrity and respect for their neighbors and the environment.

>

> I support them and urge you to approve their permit.

>

> Sincerely,

> Rama Zarcufsky

>

> Sent from my iPhone

Foersterling, Elizabeth and Thomas
8748 Butler valley Road
Korbel, Ca 95550
7070 668 4369
liz.forsterling@gmail.com

Humboldt County Board of Supervisors
Kathy Hayes, Clerk of the Board
Room 111 of the County Courthouse
825 Fifth Street, Eureka 95501
7070 476 2384
cob@co.humboldt.ca.us

RE: Record Number PLN-2020-16608, Appeal by Maple Creek Investments, LLC of Planning Commission's August 12, 2020 written decision of Denial.

Dear Kathy,

Please put us, Thomas and Elizabeth Foersterling, on the Agenda for Public Comment for the upcoming Hearing. We submit for the Record the following Addendum and attachments, and all our previously submitted Documents of Opposition to Commercial Cannabis Cultivation, received and stamped by the Clerk of the Board on October 7th 2020.

If you have any questions regarding our request, please feel free to call.

Thank you,
Sincerely,

Liz and Thomas

ADDENDUM to Opposition to Commercial Cannabis Cultivation (submitted to the Clerk of the Board, stamped and Received October 7, 2020).

To: Humboldt County Board Of Supervisors
RE: Record Number PLN-2020-16608
Hearing Date (Continuance): November 17, 2020

From every angle the proposed project fails. Opposition is overwhelming.¹ An exposed, high-impact roadside grow, an eyesore and nuisance, seen and smelled from both Butler Valley Road and Maple Creek Road, so close to Maple Creek Elementary School, reducing residential density in our neighborhood, negligently changing the character of the scenic region, and negatively impacting the environment of residents, visitors, and wildlife for decades to come, is not allowed by any stretch of the means. The General Plan protects the safety and welfare of the people and environment, and prevents wrongful development materially injurious to the greater community. No roadside grows.

There is not enough water for the project. Trucked-in water is not allowed, “rain catchment” in wetland and forested nature preserves is “water surface diversion” and is a violation. The idea of a huge amount (7,000 sq. ft.) of artificial surfaces placed in a natural environment to “catch” rain for Cannabis cultivation, prohibiting that very same essential water from reaching its necessary destination, must be rejected. Hereto, run-off of pesticides, fertilizers, and plant residue towards the river and adjacent water wells is dangerous to our health and well being, and must also be rejected.

We have a right to breathe fresh air, and drink clean water. The noxious smell of the previously unpermitted grow was so bad it was sickening, a relentless odor right at our doorstep. So many people complained back then, to even consider Applicant’s proposal is an assault to the heart of the neighborhood. As was pointed out by Francis and Carole Carrington,² to implement the destructive plans set forth in the proposal would bring down the value of our homes, and would reduce the monetary quality of the entire region. Property Taxes for FR Zoning are higher than any other. We pay thousands of dollars a year for FR Zoning. If our County approves this atrocity, the dollars assessed against our properties would no longer hold.

As marketed, Humboldt County is a vacation destination, Maple Creek is one of its

¹ See signed Petition No. 15.

² See attached letter.

gems. To destroy the ambience of the entire region with one totally misplaced grow, and trash the beauty of our scenic road with unsightly water tanks and ugly attempts at hiding a smelly marijuana grow, would be a direct hit to our economy. To think the proposed non-residential commercial Cannabis project will boost our economy is a farce. To approve such an invasive idea would be egregious, and set a terrible precedent for allowing future roadside grows, ruining the very thing which makes the beauty of our region marketable.

We, who live here, know that the proposed project will deteriorate the entire region, and bring with it crime and violence. No amount of chain link fence and high security surveillance can prevent the type of robberies which Humboldt is now becoming known for, and plagued with. Law enforcement does not have the funding, or manpower, to constantly monitor and patrol such an exposed non-residential commercial operation. Ordinances are put into place to help law enforcement, not to hinder them, to prevent litigation, not to provoke. To lay open our neighborhood community to high risk theft, transient behavior, and negligent land ownership would be contrary to the duty of our elected officials.

Furthermore, Applicant's unsubstantiated slanderous allegations towards us cannot stand. Plain and simple, we are the victim of Applicant's continuous defamation, bullying, threats, negligence, and provocations. Enough is enough. The site plan map itself is an affront to our 32 years of living on our land, making all our own structural and land improvements; not to be trespassed upon or to have our land stolen. It is time to be discerning, and not ignore the residents of Butler Valley Maple Creek, nor the environment we live in. Please deny the project in its entirety, and exercise your judicial power to right the wrongs done to us by Applicant.

With grave concern,

Thomas and Elizabeth Foersterling

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Anne Loring Date 11/01/20
Address 3102 18th St Eureka Signature Anne Loring

Print Name Ted Loring Date 1 Nov. 2020
Address 3102 18th St Eureka Signature

Print Name Rosemary Vance Date 11/1/20
Address 4321 Percheion Arcata Signature Rosemary Vance

Print Name Vicky Crawford Date 11/1/2020
Address 11385 E Rd Potter Valley Signature Vicky Crawford

Print Name Bill Crawford Date 11/1/2020
Address 11385 East Rd Potter Valley Signature

Print Name Amy G. Hill Date 10/31/20
Address 580 Van Arman Signature

Print Name Megan Kennedy Date 11/1/20
Address 3671 Jacoby Creek Rd Signature Megan Kennedy

Print Name Dal Miller Date 11-1-20
Address 3671 Jacoby Creek Rd Signature Dal

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Judy L Rice Date 10-30-2020

Address PO Box 429 EUREKA CA Signature Judy L Rice
(16500 MAPLE CREEK RD - KORBEL 95502)

Print Name Roxie Christiansen Date 10-30-2020

Address 3846 Viale Ave, Eureka 95503 Signature Roxie Christiansen

Print Name Zach Christiansen Date 10-30-2020

Address 3866 Viale Ave Eureka Ca 95503 Signature Zach Christiansen

Print Name BRENT POWELL Date 10-30-2020

Address 3308 MITCHELL RD Signature Brent Powell

Print Name Reena Powell Date 10-30-20

Address 3308 Mitchell Rd. Signature Reena Powell

Print Name Sue Bosch Date 11-2-20

Address 3945 Tess Ct Eureka Signature Sue & Brent

Print Name Karin Bosch Date 11-2-2020

Address 216 Brightstone Cir, Folsom Signature Karin Bosch


Print Name Robert Bosch Date 11-2-2020

Address 3945 TESS Ct, Eureka Signature Robert Bosch

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name DANIEL D. TUBBS, JR. Date 10-31-2020

Address P.O. Box 475, FERNDALE, CA 95536 Signature 

Print Name Martha J. Deal Date 10-31-2020

Address P.O. Box 475 FERNDALE CA Signature Martha J Deal


Print Name Leroy Maire Date 10-31-20

Address 840 Euclid St Blue Side Camp Signature Leroy Maire

Print Name Doris Maire Date 10-31-2020

Address 2825 Hubbard Lane Eureka, ca Signature Doris Maire

Print Name TARA ROTHER Date 10-31-2020

brazil_coe@yahoo.com Address 16845 maplecreek Rd Korbelt CA 95550 Signature 


Print Name DONTÉ McEAL Date 10-31-2020

MAPLE CREEK RD Address 16845 KORBEL. CA Signature DONTÉ McEAL

Print Name Charles Pitts Date 10-30-20

Address Maple Creek Road Signature Charles Pitts

Print Name BRANDON REGENWITTER Date 11/3/20

KNEELAND CA Address 4903 KNEELAND RD 95549 Signature 

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Hubert KLINE Date 10-30-20
Address 2515 PINE ST Eureka Signature Hubert Kline

Print Name Sue Rice Date 10-31-20
Address 3333 old Arcata rd. Bayview Signature Sue

Print Name Debbie Santos Date 11-1-2020
Address 1338 Longspur ct McKiwayville Signature [Signature]

Print Name LYNDA POWELL Date 11/1/20
Address 5056 MEYERS AV EKA Signature Lynnda Powell

Print Name Susan Minton Date 11-1-20
Address 2931 albee st EKA Signature Susan a. minton

Print Name Oscar martinez Date 11/1/20
Address 1651 B st. APT B Eureka Signature [Signature]

Print Name Robert L Gogh Date 11-1-20
Address 803 K St Eureka Signature Robert L Gogh

Print Name Nancy F. Coack Date 11-1-2020
Address 803 K St. Eureka Signature Nancy F. Coack

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Carol De Ridder Date 10/30/2020

Address 4886 Walnut Dr, Eureka Signature [Signature]
CA 95503

Print Name Melissa Adams Date 10/30/2020

Address 1521 S Street Signature [Signature]
EUREKA CA 95501

Print Name Andrea Kusmith Date 10/30/2020

Address 2437 Russ St. Eureka Signature [Signature]
CA 95501

Print Name Holly Theuerkauf Date 10/30/2020

Address 3305 Albee St Signature [Signature]
Eureka CA 95503

Print Name Jocelyn Taylor Date 10/30/2020

Address 92 Painter Street Signature [Signature]
Rio Dell, CA 95562

Print Name Sam Minton Date 10-30-20

Address PO Box 21227 Signature 10-30-20 [Signature]
mckinleyville CA 95579

Print Name Felicity Barstow Date 10-30-20

Address 3225 Lowell St Eureka CA Signature [Signature]

Print Name Debbie Kable Date 10-30-20

Address 115 G St, Sp. 6, Arcata CA Signature [Signature]

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Elaine Shelley Date 10-30-20
Address P.O Box 264 Eureka Signature Elaine Shelley

Print Name Melinda Molfitt Date 10-30-20
Address 1034 Sixth St Eureka CA Signature Melinda Molfitt
95501

Print Name DAVE L. McALISTER Date 10-31-2020
Address 146 Monarch Dr. Fortuna Signature Dave McAlister

Print Name DIANA McALISTER Date 10-31-2020
Address 146 Monarch Dr. Fortuna Signature Diana McAlister

Print Name Cristag Lewis Date 10-31-2020
Address 441 16th St Fortuna Signature Cristag Lewis

Print Name Jon D. Lewis Date 10-31-2020
Address 441 16th St Fortuna Signature Jon D. Lewis

Print Name Robert L Morris Date 10/31/20
Address 2424 JERSEY AVE EUREKA Signature R L Morris

Print Name Karen Baddley Date 10-31-2020
Address 2211 Myrtle Ave Eureka Signature Karen Baddley

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name TRUE MARTIN Date 11.2.2020
Address 1225 ELEVENTH ST, EUREKA CA 95501 Signature [Signature]

Print Name Tracy Rice Date 11/2/20
Address 2726 Myrtle Ave Eureka 95501 Signature [Signature]

Print Name Tim Rice Date 11/2/20
Address 2706 Myrtle Ave Eureka 95501 Signature [Signature]

Print Name Tom C Rice Date 11-2-20
Address 839 Tim Mullen Dr Kneeland Signature [Signature]

Print Name Todd A Rice Date 11/2/20
Address 1325 Ridgecroft Dr Eureka Signature [Signature]

Print Name ELAINE STRINGHAM Date NOV 2 20
Address 3955 TESS Ct. Eureka Signature [Signature]

Print Name Richard Stringham Date 2 November 2020
Address 3955 Tess Ct Eureka Signature [Signature]

Print Name Ted Schutte Mikesin Date Nov 5-20
Address 571 Glenwood LN Signature [Signature]

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name John Baddeley Date 10/31/2020

Address 2211 Myrtle Ave Eureka Signature John Baddeley

Print Name Lucinda Lovett Date 11/3/2020

Address 2313 Home Dr Eureka Signature Lucinda Lovett

Print Name Daniel Lovett Date 11-3-2020

Address 2313 Home Dr Eureka Ca Signature Don Lovett

Print Name Kimberly Tays Date 11-3-2020

Address 3515 Hadley Pl Arcata, CA Signature Kimberly Tays

Print Name BETTE CAWTHON Date 11-3-20

Address P.O. Box 9006 EUREKA, CA 95502 Signature Bette Cawthon

Print Name Jeanne Keith Date 11-3-20

Address 400 Pleasant Ave Eureka 95503 Signature Jeanne Ann Keith

Print Name machelle Coldington Date 11/3/2020

Address 1457 Underwood Ct McKinleyville CA 95519 Signature Machelle Coldington

Print Name JACKIE L SANDORI Date 11-3-20

Address 2303 FRANK ST Eureka Signature Jackie L Sandori

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Elizabeth Foersterling Date 10.29.20

Address 8748 Butler Valley Rd. Korbels CA 95550 Signature Elizabeth Foersterling

Print Name Kim Coughlin-Lamphear Date 10/29/2020

Address 660 Villa Way, Arcata CA 95521 Signature Kim Coughlin-Lamphear

Print Name Rosa Cast Date 10/29/20

Address Done ct Signature

Print Name Victoria Foersterling Date 10/29/2020

Address 2120 campton rd. suite c. Signature

Print Name Alec Ziegler Date 10/29/20

Address 1430 Schorn ST, Eureka 95501 Signature

Print Name THOMAS FOERSTERLING Date 10-30-2020

Address 8748 BUTLER VALLEY RD. KORBEL CA. 95550 Signature Thomas Foersterling

Print Name MARILYN HUTTON Date 10-30-20

Address Maple Creek RD Signature Marilyn Hutton

Print Name Scott Ragan Date 11/4/20

Address 23333 Maple Creek Rd Signature

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Lacey Tindle Date 11/4/20

Address 7781 Butler Valley Rd. #4 Signature Lacey Tindle
Korbet, CA 95550

Print Name RICHARD DOETCH Date 11/4/2020

Address 7781 BUTLER VALLEY RD. #1 Signature [Signature]

Print Name Katelyn Anderson Date 11/4/2020

Address 7781 Butler Valley Rd #1 Signature [Signature]

Print Name Carol J. Hammers Date 11/05/2020

Address 7781 Butler Valley Rd #5 Signature Carol J. Hammers

Print Name RICHARD DOETCH Date 11-5-2020

Address 7781 BUTLER VALLEY #2 Signature Richard Doetch

Print Name Vanessa McBurney Date 11.5.2020

Address 7781 Butler Valley Rd #3 Signature Vanessa McBurney

Print Name Derek Joseph Tindle Date 11-5-20

Address 7781 Butler Valley Rd #4 Signature [Signature]

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Maria Neely Date 10/30/20

Address 16480 Maple Crk Rd Signature Maria Neely
Korbel, GA 95550

Print Name _____ Date _____

Address _____ Signature _____

Print Name Robert Neely Date 10/30/20

Address 16480 Maple Crk Rd Signature Maria Neely for
Korbel GA 95550 Robert E. Neely (power of attorney)
(guard)

Print Name Fred Conroy Date _____

Address Rt 3 Bx 697 A RCATA Signature Fred Conroy

Print Name Ronald Carlson Date Oct 6, 2020

Address property owned Maple Creek Signature Ronald Carlson

Print Name Velma P. Carlson Date Oct 6, 2020

Address property owned Maple Creek Signature Velma P. Carlson

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Jill Giordano Date 11/1/20

Address 8888 Butler Valley Rd Signature Jill

Print Name SKylar Giordano Date #01 NOV 2020

Address 8888 Butler Valley Rd Signature [Signature]

Print Name Tyler Mihells Date 11/08/2020

Address 2850 Clover way Signature Tyler

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Lonnie Parcellis Date 11-3-20

Address 1235 Harris St Signature [Signature]
Eureka CA 95501

Print Name Jessica Greenfield Date 11.3.20

Address 1537 7th St. Signature [Signature]
Eureka CA 95501

Print Name Risa Waddell Date 11-5-20

Address 509 Spring St Fortuna CA Signature [Signature]
95540

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name William McKonzie Date 10-30-20

Address 1388 Leslie Road, Eureka Signature 

Print Name Erica Cardell Date 10/30/20

Address 6128 Avalon Dr Eureka Signature 

Print Name ANTONIA DOBBER Date 10/31/20

Address 1090 MURRAY PL Spc 133 Signature 
MCKINLEYVILLE

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name GORDON SCHATZ Date 11/1/2020

Address 14345 MAPLE CREEK RD KORBEL 95550 Signature Gordon Schatz

Print Name KAREN L. SCHATZ Date 11/1/2020

Address 14345 MAPLE CREEK RD KORBEL 95550 Signature Karen Schatz

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Anthony Lowe Date 10-31-20

Address 15811 Maple Creek Signature Anthony Lowe

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name ROB GRUNDMAN Date 11-5-20

Address 1532 Nst. EKA Signature Rob Grundman

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

To: Humboldt County Planning Commission
From: Francis and Carole Carrington (Butler Valley Ranch)
Re: Record # PLN-2018-15197 (filed 12/14/2018) APN 315-011-009
Date: July 10, 2020

Humboldt County Planning Commission:

As a long time property owner on Butler Valley Road, I strongly object to the Mable Creek Investments, LLC's Special Permit application for the building of a 27,025 sf commercial cannabis cultivation and a 2000 sf processing facility on a neighboring property.

This type of use would be detrimental to the pristine lands in the Butler Valley and Maple Creek areas. There are many families, an elementary school, and a youth camp all in very close proximity to where the proposed large outdoor growing area and processing facility would be located.

If this use is permitted, it would significantly affect the value of many properties in the Butler Valley and Maple Creek area and would have a negative impact to our daily lives.

I respectfully request that this Special Permit application be denied.

Sincerely,


Francis & Carole Carrington

November 8, 2020

Reference: Parcel Number 315-011--009

Applicant: Maple Creek Investments, LLC

Record Number: PLN-2018-15197

Appeal Record Number: PLN-2020-16608

To Whom It May Concern:

I am the owner of an adjacent property to this proposed project in the Maple Creek area. I was only able to participate in the neighborhood meeting for about 20 minutes. John Ford send my email notification of the meeting to the wrong email address and by the time I found out about it, I already had another meeting scheduled for that evening. I received notification of the public hearing with regards to this matter. I strongly object to MCI's appeal for a Special Permit to operate a large-scale commercial cannabis farm and a year-round cannabis processing facility in this rural community.

This project does not qualify for the CEQA exemption for existing facilities. Although the EIR for the cannabis ordinance placed a cap on permits for the Mad River watershed, that does not take into account cumulative impacts on the watershed. The reality is that the fertilizers used to provide nutrients during the cannabis growing season create by-products, including cyanotoxins which are neither regulated nor tested. Public Health and Environmental officials cautioned residents to stay out of the water after cyanobacteria was confirmed at three locations on the Mad River (Lost Coast Journal, 9/15/20). It was subsequently confirmed that lab samples show the presence of anatoxin-a in the waters in the lower stretches of the Mad River, including popular swimming and fishing spots near Blue Lake. According to Jacob Pounds, environmental program coordinator with the Blue Lake Rancheria, **this bacteria has never been confirmed in the Mad before** (Lost Coast Outpost, 9/15/20). Anatoxin-a, also known as Very Fast Death Factor (VFDF), is a cyanotoxin with acute neurotoxicity. Due to its high toxicity and potential presence in drinking water, anatoxin-a poses a threat to animals, including humans.

Section 15355 of the State CEQA Guidelines defines a cumulative impact as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Cumulative impacts can result from individually

minor, but collectively significant projects taking place over a period of time. There is NO comprehensive water quality monitoring of the Mad River watershed.

The discussion in this proposed project of “minimizing” these environmental impacts must be considered in light of the current information pointing to the increasingly fragile ecosystem of this watershed and in conjunction with the cumulative negative impacts of the existing legal and illegal cannabis farms in the Maple Creek area and in the entire Mad River watershed. **The information presented in MCI’s proposal omits any consideration of the cumulative environmental effects of commercial cannabis farms on this ecosystem.**

This project is on a Category 4 county-maintained road, which was designed for small homesteaders, not large-scale commercial marijuana cultivation and processing facilities. Butler Valley Road continues to deteriorate every winter and is not being repaired. The road has completely collapsed in places so that only one car can pass, and it has numerous blind corners and a high rate of accidents relative to the amount of usage. The increased traffic caused by this proposed project combined with traffic from existing cannabis farms and logging operations in the area would create an even more dangerous situation.

Ongoing drought conditions brought on by climate change make it unlikely that the proposed amount of water for irrigation will even be possible to collect. MCI’s proposal talks about trucking well water from Maple Creek Ranch to the proposed site if needed. Trucking water would further increase traffic, contribute to the degradation of the road, increase noise levels, and is illegal except under emergency conditions. Section 55.4.12.2.5 of the CCLUO states that **“Trucked water shall not be allowed, except for emergencies. For purposes of this provision, “emergency” is defined as: “a sudden, unexpected occurrence demanding immediate action.”** A cannabis farm that does not plan for adequate water does not constitute an emergency.

I am also concerned about my personal safety and the safety of my neighbors and those who recreate on the river. As we all know, with large-scale commercial cannabis cultivation come attack dogs, weapons, robberies, and an increase in crime. Please do not turn this quiet, rural community into an area where residents and visitors are frightened for their lives.

Sincerely,
Beverly Filip

To the Board of Supervisors:

RE: PLN-2020-15197; PLN-2020-16608; MCI's Response to Public Comment.

It is not the long considered opinion of the Sheriff's Department that I am a potentially dangerous person, to the contrary. The Dunaways long history of negligent land ownership and irresponsible behavior associated with the Bridge parcel gave reason for my continued longstanding rapport with the Sheriff's Department and District Attorney's Office to protect my family, my property, and my neighborhood. Former DA Investigator Frank Jaeger, and other prominent figures in the County, are fully aware of the issues the neighborhood faces each Spring, Summer, and Fall. The Dunaways' disrespectful behavior, aggressive and assertive tactics to physically and materially injure me and my family, for over 32 years, is unacceptable. To now try to establish a pot grow next to us on the otherside, on an intersection between two County roads, is unconscionable. We are already surrounded by pot grows on all three sides of our property. The location is surreal.

- No water.
- Chemical run-off goes across our land to the river.
- Environmentally unsustainable.
- Double and triple the amount of traffic (terrible road condition).
- Crime magnet.
- Critical watershed, wetland.
- High fire hazard, forested area (PG & E).
- Odor, smell, commotion, noise.
- Against the will of the Residential Community.

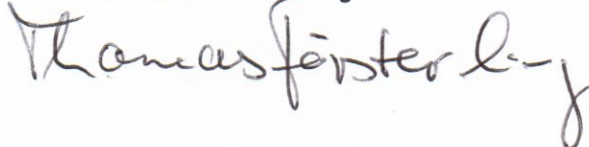
The Dunaways stated clearly they would never sell the '09 parcel to us. Regardless, our daughter, Victoria made three different offers to buy it, and each time was told they wanted more than what she offered, and more than the market value of the land (officially, not a river frontage piece of property).

- GIS Web "survey" commissioned by MCR in 2008.
- Threatened to demolish our home in 2009.
- Filed lawsuit to Quiet Title in 2010.
- MCR aquired Title to '09 parcel in 2011 (land description not conveyed.)
- Dunaways lied under Oath (Case NO. DR10009) 2011-2012.

The Dunaways behavior in the neighborhood, specifically towards us, has been anything but neighborly. Their proposed project is another provocation.

With deep concern,

Thomas Foersterling



PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Michael E. Cox Date 10/12/2020
Address 11300 West End Rd Arcata Signature Michael E. Cox

Print Name Frank J. Jager Date 11/12/2020
Address 3815 G St. Signature F.J. Jager

Print Name Sarah Jäger Date 11/12/20
Address 3815 G Street Signature Sarah Jäger

Print Name Rick BORGES Date 11/13-20
Address MAPLE CREEK RD. Signature Rick Borges

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____


Print Name _____ Date _____

Address _____ Signature _____


PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.


Print Name Judith Wartella Date 11/11/20

Address 52 Ortega Lane Trinidad CA Signature 
1600 Black Creek Lane, Korb

Print Name Erik Weibel Date 11/11/20

Address 1600 Black Creek Lane Signature 

Print Name Jnani Weibel Date 11/11/20

Address 1600 Black Creek Lane, Korb Signature 

Print Name Narayan Weibel Date 11/11/20

Address 1600 Black Creek Lane, Korb Signature Narayan W.

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Thursday, June 4, 2015

Humboldt County Marijuana Farmer Sentenced to Life in Prison Plus 35 Years for Murdering Immigrant Worker and Related Crimes

Mikal X. Wilde, 33, of Kneeland, California, was sentenced today to life in prison plus 35 years for murder and related drug trafficking charges, announced U.S. Attorney Melinda Haag for the Northern District of California and Special Agent in Charge David J. Johnson for the Federal Bureau of Investigations (FBI). The charges stemmed from the defendant's murder of Mario Roberto Juarez-Madrid and the shooting of Pedro Fernando Lopez-Paz on August 25, 2010, on the defendant's marijuana farm in Humboldt County, California.

Wilde was found guilty on March 2, 2015, of six felonies including marijuana conspiracy, manufacturing and possessing marijuana with the intent to distribute, murder during a narcotics offense, use and possession of a firearm in connection with a narcotics offense and crime of violence and use of a firearm resulting in first degree premeditated murder. Evidence at trial showed that Wilde began a large marijuana grow with more than 1500 plants on over 800 acres of mountain property in Kneeland, California, close to Eureka, during the summer of 2010. In the course of his marijuana cultivation operation, Wilde hired three workers to water and care for the plants, including Juarez-Madrid and Lopez-Paz, both from Guatemala. During August of 2010, Wilde provided the workers with firearms to protect against robbery of the marijuana grow. In late August, the workers became unhappy and wanted to leave with payment for the work they had already performed after Wilde altered their work conditions. Rather than paying the workers, Wilde took firearms away from them and on August 25, 2010, returned to the property armed and shot them. Wilde shot Lopez-Paz in the face, but he survived, hiding in the woods all night until he found help the following morning. Wilde shot Juarez-Madrid three times and hunted him down. The final shot was a contact wound to the back of Juarez-Madrid's head. The third worker, Christopher Bigelow, also fled into the woods and hid until he was found by a jogger the following morning.

Wilde was indicted for using a firearm to commit first degree murder, in violation of 18 U.S.C. § 924(j); murder in the course of a narcotics offense, in violation of 21 U.S.C. § 848(e)(1)(A); conspiracy to commit marijuana offenses, in violation of 21 U.S.C. §§ 846 and 841; marijuana offenses, in violation of 21 U.S.C. § 841; and two counts of using a firearm during a crime of violence or narcotics trafficking offense, in violation of 18 U.S.C. § 924(c). The jury found the defendant guilty of a premeditated first degree murder, in addition to the other charges listed above.

According to the government's filings, Wilde hired immigrants "to work on his marijuana grow in the belief that they were expendable, not in a position to complain and that they might not be missed if they disappeared forever into the woods of Humboldt County. When he could not pay them, he murdered one and tried to murder the other. The defendant preyed on their status and viewed them as free labor that could not stand up to him." In contending the only appropriate sentence for defendant's crimes included life in prison, the government argued, . . . the defendant undoubtedly committed the premeditated, heinous and cruel murder of Juarez Madrid by pursuing him and shooting him repeatedly from behind. Then the defendant finished Juarez Madrid off execution style by pushing the gun against the back of the victim's head and firing into his head. This conduct is sufficient to earn him a life sentence alone. But in this case, the murder is further aggravated by the fact that the defendant also tried to murder Lopez Paz by shooting him in the face. Only good fortune kept this from being a double murder – what Wilde clearly intended to commit.

Wilde has been in federal custody since March 12, 2012, and will begin serving his sentence immediately.

The sentence was handed down by the Honorable U.S. District Judge Edward M. Chen. Judge Chen also sentenced Wilde to pay \$50,000 in restitution to his victims and to pay a \$600 special assessment.

The case was prosecuted by Assistant U.S. Attorneys Kimberly Hopkins and William Frentzen, paralegal specialist Kevin Costello and legal techs Lance Libatique, Ponly Tu, Daniel Charlier-Smith and Marina Ponomarchuk. The case was investigated by the San Francisco Division and Sacramento Division of the FBI, Humboldt County Sheriff's Office, Humboldt County District Attorney's Office, U.S. Marshals Service, California Highway Patrol, CalFire and Redding Police Department.

Foersterling, Thomas and Elizabeth
8748 Butler Valley Road
Korbel, CA 95550
707 668 4369
liz.forsterling@gmail.com

Attention: Kathy Hayes, Clerk of the Board
Humboldt County Board of Supervisors
825 5th Street, Room 111
Eureka, CA 95501
707 476 2390
cob@co.humboldt.ca.us

Hearing Date: Tuesday, November 17th, 2020; Time: 1:30 p.m.
Zoom Meeting ID and Access: <https://humboldt.legistar.com> video
Phone: 1-699-900-9128, Meeting ID 965 2090 2806

To the Board of Supervisors,

November 17th, 2020

RE: PLN-2020-16608

The General Plan and the Cannabis Ordinance 2.0 protect the residents and the environment within the communities of Humboldt County. Guiding principals used to create the General Plan and the Ordinance must not be ignored. Deep public concern must not go unheard. Petition No.15 has more signatures than the public response heard back in 2017 for Notice of Preparation for CEQA guidelines. The same concerns are echoed here again. People are “interested in preserving the County’s unique character and quality of life,” as well as “safeguarding residential communities,” and preventing rural areas from becoming crime magnets. As Director John Ford said, it is a “non-starter” to propose a non-residential commercial roadside grow on the intersection of Butler Valley Road and Maple Creek Road, with an industrial compound surrounding the proposed Cannabis cultivation activity. Everyone in the neighborhood and residential community opposes the plan. No roadside grows.

The applicant has already shown the neighborhood what a 9,350 sq. ft. grow would do to the area, when it illegally grew marijuana in containers in the same location for two years. It smelled horrible, it looked terrible, and it became such a nuisance that the Planning Department and other agencies fielded complaints from the greater community. To say it “would not be visible from Maple Creek Road,” is false. The pot plants could be counted, water tanks were seen, a trailer was visible (still is), and so were the growers. Water was trucked-in during those two years. To say the project has been modified and will not include well water or trucked-in water is a falsehood. There is not enough water at the location site for irrigation and cultivation of Cannabis. The flat area, created by the unpermitted grow, once held young fir and seedlings, as well as the fruit trees referred to in the Blair report. Although the size of the flat area is now bigger than it was previously when wetland and forested area properly merged with

one another, the total width of the lot size (430 ft.) between the County Roads is less than the required 750 ft. minimum. This fact alone should have been a Red Flag for the Planning Department. For acreage to be interrupted by a County Road is a separate concern altogether, and in the instant case, the proposed cultivation area is bordered by *two* County Roads. Here, the loss of Natural Habitat and Open Space is contrary to the Intent and Purpose of both the General Plan and the Ordinance.

For the Planning Department to neglect the significant negative impact, the concern for safety and welfare, the detriment to *everything* and *everyone*, the nuisance and annoyance, the harm and injury, and the reduction of water and its quality, which will be caused by this particular project, reveals a lack of integrity on the part of Senior Planners and those responsible for decision making. The project does not meet the Performance Standards set forth in the Ordinance (§55.4.12.1.8(c)1), and is contrary to the Five Counties Salmonid Conservation and Restoration Program of which Director John Ford is one of Humboldt County's representatives.

As Senior Planner Rodney Yandell is *the authority* of Ordinance 2.0, it should be clear to him that the proposed project is not in compliance and does not conform to the regulations. To manipulate the meaning of the Ordinance, and try to push a project down the throat of a community who adamantly opposes it, is a dereliction of duty. No amount of fast talk can change the "relationship to other elements." Applicant has hundreds of other acreage to grow on, more remote and secluded. Why not grow next to the Maple Creek Ranch house? A flat area exists there.

We reject the proposed plan and/or any other alternate design. We already are surrounded by three large Cannabis cultivation operations, on each side of our property, which together significantly impact the critical Mad River Watershed. Anymore cannot be tolerated. "Significant harmful environmental effects, and a substantial increase in the severity of previously identified negative effects will be caused." Significant cumulative impacts of all these grows surrounding our home, and the surrounding ecosystem, have not been properly addressed, nor assessed. With so many Cannabis operations already in the area, a CEQA exemption is not allowed. To neglect this fact, disregard the health and safety of the residents and neighboring property owners, and ignore Environmental Standards ensured by the regulations is a failure.

Findings made by Staff for the Board of Supervisors to sign are invalid, and are not supported by evidence. The welfare of the community is at stake.

Findings:

- 1. Not enough water for proposed project.
- 2. Project is against CEQA Guidelines.
 - a. Resultant cumulative impacts, unhealthy, unsafe, and not for the welfare of the residential community.
- 3. Project does not conform to the General Plan or Open Space Plan.
 - a. Commercial cultivation of Cannabis is **not** allowed as a principal permitted use and is **not** a primary permitted agricultural crop.

- 4. Project is not supported by FR Zoning.
 - a. Timber production and recreation are the desirable predominant uses, in which the protection of the timber and recreational lands is *essential* to the general welfare.
 - b. Does not meet minimum width of 750 ft. for lot size of cultivation area. (Width for cultivation area is 430 ft.)
- 5. Development contradicts Zoning requirements for Cannabis.
 - a. For homesteads.
 - b. Not enough water. Water will be diverted.
 - c. Road evaluation performed by Agent/grower is a conflict of interest, and not valid. Roads are in a deterioration category.
 - d. Slope of land exceeds 15% for wetland, sediment, pesticides and fertilizer run-off, and cannot be mitigated.
 - e. Young fir and seedlings were removed.
 - f. Setbacks are ignored.
- 6. Non-residential Cannabis cultivation on the proposed site will be “materially injurious to all properties and future improvements in the vicinity,” and would be a clear violation.
 - a. There would be a **significant** increase in traffic.
 - b. There **is** an established neighborhood.
 - c. It **would change the character** of the area.
 - d. The Cannabis cultivation location is too close to the County Road, too close to other grows, too close to children playing, too close for comfort, too close to adjacent properties and residents.
 - e. Irrigation of Cannabis cultivation will negatively effect water quantity in the aquifer.
 - f. Applicant’s proposal is to ruin the neighbor’s water quality and quantity, and to deplete the groundwater resources.
 - g. Applicant’s plans reflect a true ignorance of natural habitat. Proposal of a chainlink fence to surround the high-impact, high security non-residential grow is in stark contrast to the natural rural surroundings in the vicinity. Visual impact will be catastrophic, seen as a prison type compound. Odor will be sickening.
- 7. Such an overly encompassing eyesore and smelly operation will intrude upon and reduce residential density and desire. A non-residential pot grow on the proposed location will ruin the residential appeal in the neighborhood, and on the parcel, and bring down property values. Shame on Staff to try and project it any other way.
- 8. Applicant has no ground to Appeal.
 - a. Planning Commission properly exercised their judicial power according to Code. The Hearing Officer’s decision was expressed in writing, *The Project described above was denied by the Planning Commission on August 6th, 2020*, that was the finding.
- 9. The Planning Department should have properly vetted the Application and the proposed plan before it reached a Zoning Hearing, Planning Commission Hearing, or Board of Supervisors’ Hearing.

- 10. Bias has been against the neighborhood and residential community.
 - a. Planning Department has shown extraordinary favoritism toward Applicant, and Cannabis cultivation as a whole.
 - b. Planning Commission clearly heard the concerns from the Public, were familiar with the District being impacted, were educated on the complaints about the proposed project, were committed to Planning Commissions' Goals and the Intent and Purpose of the Ordinance to "not create conflict within neighborhoods."
 - c. Public Notices were minimally distributed to only a few members of the Community. Within one week (obtained during Covid-19), grass roots style Petition No. 15 garnered the necessary evidence to reject Applicant's claims.
 - d. Applicant, Agent, and Staff have had considerable more time for preparing and presenting.
 - e. Attempt at a "virtual neighborhood meeting," without the attendance of the majority of the neighborhood was counterproductive, and showed bias toward Agent, Applicant, and Planning Department. It was clearly just another presentation of the project, same place, same negative impact, same invasive neighborhood nuisance.

Please deny the project in its entirety.

Thank you,
Sincerely,

Thomas and Elizabeth Foersterling

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Breda Savage Date Nov. 5th 2020

Address 1600 Black Creek Signature Breda Savage
Korbel, CA. 95550 Lane

Print Name Kim Savage Date 11-5-2020

Address 1600 Black cr Rd, Maple Cr. Signature Kim Savage

Print Name SKY Savage Date 11/9/2020

Address 1600 Black creek ln. Korbel CA Signature [Signature]

Print Name Liam Savage Date 11/9/2020

Address 1600 black creek ln. Korbel, CA. Signature Liam Savage

Print Name Valencia White Date 11/11/2020

Address 1935 11th St. Arcata CA Signature Valencia White

Print Name Madeline Marnott Date 11/11/2020

Address 1935 11th St. Arcata CA Signature Madeline Marnott

Print Name Kevin Hill Date 11/11/2020

Address 960 I Street Arcata CA Signature Kevin Hill

Print Name _____ Date _____

Address _____ Signature _____

PETITION OF OPPOSITION No.15

I am opposed to the commercial cultivation of Cannabis on the intersection of Butler Valley Road and Maple Creek Road, parcel 315-011-009; PLN-2020-15197.

Print Name Car H. Dphrepaulazz Date 11/8/2020

Address 1400 Black Creek Ln Signature [Signature]
Korbel

Print Name Fatima Dphrepaulazz Date 11/8/2020

Address 1400 Black creek Ln Korbel Signature [Signature]

Print Name Yasmin Dphrepaulazz Date 11/8/2020

Address 1400 Black Creek Ln. Signature [Signature]

Print Name Michael Dphrepaulazz Date 11/8/20

Address 1400 Black Creek Lane Signature [Signature]

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

Print Name _____ Date _____

Address _____ Signature _____

ADDITIONAL Public Comment to Opposition to Commercial Cannabis Cultivation (submitted to the Clerk of the Board, stamped Received October 7, 2020).

To: Humboldt County Board of Supervisors
RE: PLN-2020-16608; PLN-2020-15197; Planning Commission Hearing #20-1001
Hearing (Continuance) Date: December 8, 2020

Stress is the number one killer. To place a non-residential inner-city high-security operation smack dab in the middle of our rural neighborhood, exposed alongside our country roads, will increase unnecessary anxiety, will endanger everyone and everything, and will be unhealthy and harmful, as was already experienced for two years unpermitted. Law enforcement has a difficult time enough to keep up with crime and violence related to marijuana grows. To degrade the Maple Creek area with one bad grow operation permitted in the wrong place, opposed by the total majority, will jeopardize all things good, and set a bad precedent for the entire County. To go against the will of the people is detrimental. To defile the beauty and meaning of clean country living with caged-in Cannabis, chain-link fences, fenced-in water tanks, fertilizer and pesticide storage, portable toilets, and transient workers visible on a small swath of land bordered by the two country roads in and out of Maple Creek will ruin everything. To exploit the region for odoriferous roadside Cannabis cultivation is against all reason, and will corrupt the entire area. Those involved with such an egregious act are liable. Those with the premeditated *intention* to cause us daily stress, and infringe upon our welfare “every day,”¹ need to be held accountable for the injury.

There is not enough allowable water for the cultivation of Cannabis in that location. There are already more than enough working Cannabis farms in the immediate area. Capacity limit has been reached. Drawdown from adjacent wells is not allowed, and further impact to the ecosystem from Cannabis related operations is prohibited. Run-off and seepage of harmful hazardous chemicals during two years of unpermitted cultivation already caused damage. Please help us be safe and secure in our rural region of Humboldt County and deny cultivation of Cannabis in the proposed location. Please protect our welfare, and reinforce the Planning Commission’s decision of denial.

Thank you sincerely,

Liz and Thomas

¹ See attached email...fictitious rantings and unfounded statements from Applicant with threats of a plan to “remind your parents every day.”

Re: Dunaway v. Foersterling/Dunaway Parcel

From: Robert Dunaway <robdunaway@gmail.com>
To: Victoria Foersterling
Cc: "riverrunrock@peoplepc.com" <riverrunrock@peoplepc.com>, Larry Kluck <lakluck@sbcglobal.net>, susan rasmussen <suzyrasmussen@sbcglobal.net>, Catherine Dunaway <cataway99@gmail.com>, Mike Dunaway <dunawaymb@gmail.com>
Subject: Re: Dunaway v. Foersterling/Dunaway Parcel
Date: Oct 13, 2015 2:29 PM

Victoria,

It is sad. But dealing with your parents has also been extremely frustrating, expensive and time consuming. In our view, your parents caused the entire problem by not getting a survey when they bought the property and then locating the house without getting a survey or consulting an architect or the county on site location. They also failed to file a building permit. As you well know, those are basic requirements among others when purchasing a rural property and building a house. And then when our survey showed what they had done, they rejected a simple, inexpensive and favorable to them settlement offer, forcing us to file the quiet title action. We understand that your view of your parents and our view of your parents will never be reconciled.

Regarding your past offer to buy our parcel, it is moot for at least two reasons - one, now, we would never sell to you, your parents or someone connected with you unless the market value was acceptable and the purchase price additionally included every penny we spent fighting your parents (those additional dollars would put the purchase price over \$400,000); and two, currently we aren't planning on selling the parcel as we have other plans for it. Thus, we are moving forward with the court ordered boundary line survey and future installation of a necessary fence to mark the boundary that will also remind your parents every day of how they handled the matter.

Nonetheless, we appreciate your past efforts re making an offer. One early option for your parents, as suggested to you and them, was to buy our parcel, do a lot line adjustment to make their parcel 40 acres and our parcel 28 acres (reverse of the existing situation and acceptable to the county) and then sell off the 28 acres to offset the purchase price. However, your market valuation was too low and was not taking into account the money your parents were forcing us to spend. I believe that you offered \$250,000 for our 40 acres or \$6,250 an acre. What's good for the goose is good for the gander, as they say. If you are willing to buy at that price, you should be willing to sell at that price. We will buy your parent's place for \$6,250 an acre which totals \$175,000 for the land. Send a contract over for \$175,000 and your parents can avoid a difficult situation and move to a new place with more open acreage.

Best,

Rob Dunaway

Law Offices of Robert Dunaway
4350 E. Camelback Road, Suite B200
Phoenix, AZ 85018
602-468-5751 ofc
602-468-1814 fax
dunawaylegal@gmail.com
www.dunawaybusinesslaw.com

On Tue, Oct 13, 2015 at 11:56 AM, Victoria Foersterling <victoriacbcutten@yahoo.com> wrote:

Hello,

I am on vacation, and happened to pick up this email, it is a sad email. I have corresponded through Larry kluck multiple times with an offer to purchase the property in question for a fair market value (which we may not agree on) but have asked all the same. I never have had a formal response and would like one now. Thank you,

Victoria Foersterling
Coldwell Banker Cutten Realty
2120 Campton Rd. Suite C
Eureka Ca 95503