

McClenagan, Laura

From: Susan Nolan <snolan@humboldt1.com>
Sent: Wednesday, January 12, 2022 9:08 AM
To: Planning Clerk
Subject: Humboldt Hempire Farms, PLN-2020-16602

Follow Up Flag: Follow up
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Dear planning commissioners,

Thank you for accepting my comments on the Humboldt Hempire Farms cannabis cultivation application, record no. PLN-2020-16602, APN 223-061-011. The planning staff has done a good job of examining the proposal. This is a troubling plan. It bends or breaks the rules, and the applicant himself has a long history of rule-breaking.

1) The sheriff has objected to this project because of a current felony case. We do not have any further details to judge for ourselves. However, it is not surprising. The applicant has a long history of outlaw involvement with cannabis. Mr. Jeffries was sentenced to six years in prison in 2009 for large scale unpermitted cannabis cultivation and money laundering. This was not a matter of maintaining a small grow at home, but a large criminal enterprise at multiple sites. After his release, Mr. Jeffries started work in the fall of 2015 on his water bladder project without permits (it was eventually permitted). In addition to using the catchment tarps in his eventual permit, he also filled the bladders with water from the river and Connick Creek, having disturbed both streamsites using a backhoe, without a permit. CDFW discovered he kept two sets of records for water sales.

I would like to point out that the water in those bladders would have been sold to unpermitted grows, as trucked-in water is not allowed for legal grows except in emergencies (55.4.12.2.5).

Besides the various issues with the bladders, an unpermitted grow discovered in 2018. Again, the unpermitted logging; there was a second incident besides the one at the former proposed building site.

Mr. Jeffries began his career as a complete outlaw; since then he has mingled legal and illegal activity, using permitting to gain cover for more profitable extra-legal gain.

One difference between permitted and unpermitted grows is that permitted grows get at least 24 hours notice before inspections: plenty of time to switch out the books, move proscribed chemicals offsite, etc.

2) The project is reliant on bladders for water, but bladders are prohibited in the CCLUO. Specious reasoning is employed to get around this objection, but none of those workarounds are mentioned in the CCLUO:

"55.4.12.8 Performance Standards for Water Storage Bladders & Above-Ground Pools, and similar

vessels f) Use of bladders, above-ground pools, and similar vessels is prohibited. Where a Pre- Existing Cultivation site utilizes any of these means for water storage, removal and replacement with a substitute approved method of water storage (e.g. tank(s), reservoir, etc.) shall be completed within 2 years of provisional permit approval. “ This is the entire statement on bladders, and it does not mention any of the exceptions mentioned by the planning department.

Aside from violating the county’s own rules, bladders are not allowed under the state’s cannabis regulations.

3) Much of the produce of this plan is likely to end up in the illegal market. Aside from the applicant’s history, the collapsing price of legal cannabis argues this. It’s widely reported that permitted growers are returning to the black market to make ends meet. Given the expansion of legal and illegal cultivation around our state as well as in other states, this trend can be expected to continue and strengthen. A wise investor would not be pouring money into permitting new projects intended for the legal market.

Of course the county would like to bring growers into the fold of responsible legal activity. But please consider carefully if this is the kind of project that will take beneficial care of the land, be a good neighbor, and build the Humboldt brand.

Thank you very much,

Susan Nolan.