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August 20, 2020

SENT VIA EMAIL (planningclerk@co.humboldt.ca.us)

Hon. Alan Bongio, Chair
County of Humboldt Planning Commission
825 Fifth Street
Eureka, CA 95501

RE: Adesa Organics, LLC

Dear Chair Bongio and Members of the Planning Commission:

This letter, submitted on behalf of Adesa Organic, LLC ("Adesa"), responds to late comments submitted on August 19, 2020 by Friends of the Mad River ("FMR") concerning the Adesa conditional use permit application ("Project"). FMR asks the Planning Commission to deny the Adesa based on FMR's opinion that, despite the County's cannabis ordinance, commercial cannabis operations such as the Project should simply not be in "the rural reaches of Humboldt County." The County's cannabis ordinance provides otherwise.

FMR's alternate position that an Environmental Impact Report ("EIR") is somehow necessary for the Project is based on its cynical belief that requiring an EIR will result in a *de facto* denial of the Project. FMR's CEQA-based arguments, however, are premised on misapplication of relevant law and mischaracterization of the Project. Each is addressed in turn.

1. **The FMR Letter Provides No Substantial Evidence of Any Significant Impact.**

FMR asserts that the comments submitted by its legal counsel "provide substantial evidence supporting a fair argument that the proposed project may have one or more significant environmental effects, requiring preparation of an EIR prior to approval." Not so.

An EIR can only legally be required if there is substantial evidence of a fair argument that the Project may result in a significant effect on the environment. (*Citizens Comm. To Save Our Village v. Claremont* (1995) 37 Cal.App.4th 1157, 1171; *League for Protection of Oakland's Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904.) There is no such evidence here. Substantial evidence is defined as evidence

of ponderable legal significance, reasonable in nature, credible, and of solid value. (*Lucas Valley Homeowners Assn. v. County of Marin* (1991) 233 Cal.App.3d 130, 142.) It includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact. (Public Resources Code § 21080(e)(1).) It does not include argument, speculation, unsubstantiated opinion or narrative, generalized concerns and fears, and evidence that is clearly inaccurate or erroneous. (Public Resources Code § 21080(e)(2); *Lucas Valley Homeowners, supra*, 233 Cal.App.3d at 163; *Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1352; see also *Porterville Citizens for Responsible Hillside Development v. City of Porterville* (2007) 157 Cal.App.4th 885, 906 [court observes that "dire predictions by non-experts regarding the consequences of a project do not constitute substantial evidence"].)

Under CEQA, an agency can only require an EIR when there is "substantial evidence in the record that the project may have a significant effect on the environment." (CEQA Guidelines § 15064(f)(1).) As such, like a judge in a court case, the Planning Commission here must evaluate the evidence submitted by the opponents and determine whether it is credible enough to justify an EIR. (*Friends of "B" Street v City of Hayward* (1980) 106 Cal.App.3d 988, 1002 [court observes that "[c]onflicting assertions do not *ipso facto* give rise to substantial fair argument evidence."]; *Citizen Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 755 [court upheld agency's rejection of contrary expert testimony of traffic impacts finding that it did not qualify as substantial evidence].)[1]

As explained more fully below, the generalized comments by FMR's legal counsel are speculative, unsubstantiated, and/or contradicted by expert, factual analysis. As such, they do not constitute substantial evidence of a fair argument of significant environmental impacts and cannot lawfully be relied on as the basis to order preparation of an EIR.

(See also *Jensen, supra* [upholding MND for transitional housing project because claims of significant noise impacts were not supported by substantial evidence]; *Parker Shattuck Neighbors v. Berkeley City Council* (2013) 222 Cal.App.4th 768, 786 [rejecting challenge to MND where challenging expert's data lacked foundation and was based on clearly erroneous assumptions]; and *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 958 [upholding MND for distribution facility because there was no substantial evidence in the record that impacts to water quality, riparian habitat, and traffic conditions were not adequately mitigated].)

2. The MND Analyzes the "Whole of the Project"

FMR claims that the MND fails to address the "whole of the action" in violation of CEQA. FMR supports this position by relying on inaccurate facts and speculation.

FMR first essentially restates comments by CDFW that impacts associated with the lake and streambed alteration agreement ("LSAA") are omitted. Untrue. As previously explained in response to CDFW's own comment on this, the vast majority of the "projects" required under the LSAA address existing conditions on the property that are completely unrelated to the Adesa Project: "Nineteen (19) encroachments are to upgrade failing and undersized culverts . . . Five (5) encroachments are to remove or maintain existing instream reservoirs that impounds surface flow waters." (Draft LSAA dated September 14, 2018, p. 2.) Thus, compliance with the LSAA is separate from the Project presently being considered by the County. This was explained with clarity in the IS/MND, which provides in relevant part:

> The IS/MND also addresses certain maintenance and repair actions to culverts and man-made reservoirs requested by the California Department of Fish and Wildlife ("CDFW") and identified in a draft Lake and Streambed Alteration Agreement ("LSAA"). One of these project's CDFW project PO-1, would remove an existing man-made instream reservoir that may be, according to CDFW, contributing sediment and warm water to Cowan Creek. CDFW Project PO-1, and all of the other maintenance and repair actions identified in the LSAA, are separate from the Adesa project for purposes of CEQA because they have independent utility. The Project does not require this work; it is requested by CDFW to address an existing condition whether or not the Project is approved. Accordingly, the IS/MND discloses the impacts of PO-1 for informational purposes.

(IS/MND, p. 2.)

> California red-legged frog was observed in a branch of Cowan Creek with perennial water flow; no part of the project is proposed for the area where the occurrence was documented (SHN 2017, SHN February 2018a). The documented occurrence of this species in June of 2018 was within the direct influence of CDFW project PO-1, which is not a part of the Project but nevertheless included for informational purposes.

(IS/MND, p. 29.)

Thus, notwithstanding their independent utility, the MND in an abundance of caution analyzed and disclosed those aspects of the LSAA potentially implicating significant impacts. The MND went beyond CEQA's mandates with respect to the LSAA.

FMR next claims that the Deva Amrita, LLC project must be analyzed as part of the Adesa project. This argument is without merit because the Deva project, which was a separate application, was abandoned. It is absurd to suggest that an abandoned project must be analyzed.

Finally, the FMR argues that "expanded cultivation operations" must be analyzed simply because the Project was conservatively designed to include a second retention pond. While it is correct that "reasonably foreseeable" future expansion of a project must be analyzed, it is sheer speculation that a purportedly "oversized" retention basin, proposed for the purposes of irrigation or fire-fighting purposes, necessarily results in expanded cultivation. FMR relies heavily on *Laurel Heights* to support its speculation in this regard, yet such reliance is misplaced:

> ***The draft EIR acknowledged that UCSF will occupy the entire Laurel Heights facility when the remainder of the space becomes available***. In response to public inquiry as to plans for the facility, UCSF explained that it intends to use the facility for the School of Pharmacy's basic science group and UCSF's Office of the Dean. The EIR even estimated the number of faculty, staff, and students that will occupy the facility until 1995 (a total of 460 persons) and then afterward when the entire facility becomes available (860 persons). Under the standard we have announced, it is therefore indisputable that the future expansion and general type of future use is reasonably foreseeable. This is not the type of situation where it is unclear as to whether a parcel of land will be developed or as to whether activity will commence. For example, in *No Oil, supra*, 13 Cal.3d 68, whether commercial oil production would ever occur was entirely speculative. There is no doubt, however, that in this case there will be future use.

(*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 396 (emphasis added).)

Our Supreme Court found project segmentation in *Laurel Heights* specifically because "[t]here is no doubt, however, that in this case there will be future use." Here, by contrast, FMR merely speculates about additional cultivation, in the absence of any such plans, based solely on a conservative project design allowing merely 34 percent more storage capacity than presently forecast to account for both irrigation and fire suppression. These facts are much closer to the numerous cases applying *Laurel Heights* to find that the potential future activity is not part of the CEQA project description. (*Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1450 (court upheld an EIR's project description for a residential subdivision against claims the description should have included units that might be built under a county ordinance allowing a second unit on each lot because future construction of second units was speculative); *Flanders Found. v City of Carmel-by-the-Sea* (2012) 202 Cal.App.4th 603, 615 (court held that an EIR on the sale of city-owned property was not required to analyze the environmental impacts of possible future uses of the property that were not reasonably foreseeable); *Rodeo Citizens Ass'n v County of Contra Costa* (2018) 22 Cal.App.5th 214, 221 (project that would enable byproducts of refining process to be recovered did not encompass change in type of crude oil processed); *Del Mar Terrace Conservancy, Inc. v City Council* (1992) 10 Cal.App.4th 712, 735 (development of state highway segment was a project independent from proposals for further extensions to the highway in part because construction of the other segments was highly uncertain).)

In summary, all of FMR's claims regarding project segmentation are based on mischaracterization of the Project and unreasonable speculation.

3. The Adesa Project is Being Considered Pursuant to the Proper County Ordinance

FMR half-heartedly argues, without citation to any authority and based once again on incorrect facts, that the Project is not properly being considered pursuant to the Commercial Medical Marijuana Land Use Ordinance ("CMMLUO"). Contrary to FMR's claim, the "new application" was sought at CDFW's direction to address an existing condition of the property. ("[CDFW] indicated it is urgent to get a grading permit from the County to mitigate a pond outlet that could be putting fish and wildlife resources at risk.") This letter, and the resulting "new permit application" in no way support FMR's position, and instead confirm the independent utility between the Project presently being considered by the County and the LSAA that largely addresses existing conditions of the property.

4. The Project's Stream Setbacks comply with all State and Local Requirements

FMR argues that the Project "is not entitled to grandfathering status" that is expressly provided for by the relevant State Water Board Order WQ-2019-001-DWQ. This is false. FMR acknowledges that the Regional Board represented that the grandfathering provision applied, but seeks to minimize that affirmative representation by characterizing it as an "informal opinion by email" from an employee who "appears to be no longer employed with the Regional Board."

This argument is frivolous. FMR provides no legal authority or a shred of paper stating that such determinations must be "formal" (whatever that means), may not be communicated by email, or somehow expire when the relevant employee leaves the agency. Further, neither the State Board nor Regional Board provide any comments to the Project supporting FMR's misguided position.

5. There Are No Potentially Significant Impacts to Water Resources

FMR letter includes an extensive legal discussion regarding impacts to water resources. The letter's author, however, does not purport to be a hydrologist, geologist, hydrogeologist or engineer, and so these lay opinions are simply not substantial evidence of any impact. (CEQA Guidelines, § 15384 (substantial evidence includes "expert opinions supported by facts").) Setting that aside, FMR patently mischaracterizes the MND by falsely asserting that it did not consider the Project's impact to groundwater. In fact, the MND and technical reports that it relies upon analyze impacts to both surface water and water quality. (IS/MND, pp. 60-64.) Refuting FMR's claim that "[a]bsolutely no analysis is provided regarding groundwater extractions," the MND's discloses potential use of groundwater water:

> Wells: There is an ***existing, permitted well*** located to the north of the proposed cultivation area (sheet 433A Site Map, SHN June 2019), which would provide a potential source of irrigation water and sanitation water for the cultivation and processing operation. The well water would serve as a backup to rainwater catchment and would be stored in the ponds, as needed, to meet any forbearance requirements and irrigation or operational needs.

(IS/MND, p. 3, emphasis added).)[2] Continued use of this "existing, permitted well" is therefore a baseline condition for which CEQA requires no impact analysis – and would be true even if the existing use was unlawful. (*Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1451.) Although not required under CEQA, the MND nevertheless considered whether continued groundwater extraction would be a significant impact:

> Groundwater extraction within the Mad River watershed is not extensive. The project area was not included among the areas analyzed in the Sustainable Groundwater Management Act 2019 Basin Prioritization, and the lower Mad River Lowland area was given a "Very Low" priority among the basins analyzed (DWR 2019). Groundwater extraction from the existing well and an additional proposed well are not anticipated to substantially decrease existing groundwater supplies.

(IS/MND, p. 63.) FMR's criticism, which ignores relevant facts and law, and even analysis in the MND itself, is without merit.

Undeterred, FMR then takes issue with the MND's uncontroversial statement that "if the wells are found to be hydrologically connected to jurisdictional waters of the State, these sources will be subject to any applicable forbearance requirements." FMR claims that this is impermissible deferred mitigation. Not so. It is well-settled that compliance with regulatory standards by other agencies is adequate mitigation. (*Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 937–38; *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 906 ["requiring compliance with regulations is a common and reasonable mitigation measure"]; *Center for Biological Diversity v. Dept. of Fish & Wildlife* (2015) 234 Cal.App.4th 214, 245; *North Coast Rivers Alliance v. Marin Municipal Water Dist.* (2013) 216 Cal.App.4th 614, 645–50; *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 946–47.) There is no improper deferral.

FMR next complains that it is "entirely unclear what is happening with stormwater at the site." To the extent FMR is unclear, there was ample opportunity during the MND's public comment period to review one of the multiple technical studies addressing surface and groundwater quality impacts for the Adesa Project:

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[2] The draft LSAA from CDFW confirms that is an existing well, and directs Adesa to "Maintain existing, jurisdictional, shallow, hydrologically-connected water well. Rate of withdrawal is 7 gallons per minute. Permittee shall provide water diversion reporting annually." (Draft LSAA, p. 5.)

- SHN Consulting Engineers and Geologists. December 2016b. Preliminary Jurisdictional Wetland and Other Waters Delineation, Adesa Organic, Korbel, California. December 2016.

- Roscoe, James and Melinda Salisbury. 2017. Subsurface Investigations at the Cowan's Creek 433 Site A. August 2017.

- SHN Consulting Engineers and Geologists. March 2018a. Water Resources Protection Plan: Adesa Organic, LLC, APNs 315-211-003, 315-211-004, 315-145-002. March 2018.

- SHN Consulting Engineers and Geologists. October 2016. Onsite Septic Suitability Investigation and Disposal System Design Recommendations, Adesa Organics, Maple Creek Area, Humboldt County; APN 315-211-003. October 2016.

All of these technical reports are plainly identified in the MND's references section (MND, p. 121-122), and support substantial evidence supporting the MND's conclusion of no significant impact to surface water or ground water.[3]

6. The Partial Reliance on Generators Is Appropriate for the Project

FMR claims that the use of generators is prohibited by the CMMLUO and also results in significant environmental impacts that have not been adequately addressed. These claims, which are completely unsubstantiated by any evidence, are without merit.

FMR first suggests that the CMMLUO somehow prohibits the use of generators. This is demonstrably false. The CMMLUO provides in relevant part:

> 55.4.6.5.6 Energy Source for Ancillary Propagation Facility or Mixed-Light Cultivation. In TPZ zones and U zones (with a land use designation of timberland) the use of generators and mixed-light cultivation is

[3] FMR's reference to "public trust doctrine" is a red herring. The MND's analysis of impacts to surface and ground water, described above, addresses the public trust resource at issue here. No separate "public trust doctrine" analysis is required. (See *San Francisco Baykeeper, Inc. v. State Lands Com*. (2015) 242 Cal.App.4th 202.)

> prohibited. Where grid power is not available, preexisting cultivation sites located within other eligible zoning districts may utilize on-site generators to supply energy for mixed-light and propagation activities. The permit application shall include an energy budget detailing all monthly cultivation-related energy use as well as on-site renewable energy generation and storage capacity. All generator use must comply with the performance standards for generator noise.
> 55.4.6.5.6.1 Use of on-site generators to supply up to twenty percent (20%) of cannabis cultivation related energy demand may occur as a principally permitted use.
> 55.4.6.5.6.2 Use of on-site generators to supply greater than twenty percent (20%) of cannabis cultivation related energy demand shall be subject to a special permit. The application must demonstrate why it is not technically or financially feasible to secure grid power or comply with the renewable energy standard.

Contrary to FMR's suggestion, the CMMLUO allows the use of generators for greater than 20 percent of energy demand. While not required by the CMMLUO, "The project proposes to meet at least 50% of its electrical energy needs from renewable sources within 3 years and 80% of its electrical energy needs from renewable sources within 6 years of operation." (IS/MND, p. 42.)

Equally frivolous are FMR's generalized claims of significant impacts associated with generator use. The MND, relying on technical reports where necessary, analyzed generator impacts in the areas of noise (IS/MND, pp. 73-75), wildlife impacts (IS/MND, pp. 30-31), energy consumption (IS/MND, pp. 41-42), GHG emissions (IS/MND, pp. 50-53), and air quality (IS/MND, pp. 20-23). The FMR letter is not substantial evidence of a significant impact in any of these areas, and indeed does not even identify the significance standard upon which it makes its conclusory assertions of significant impacts.

7. Impacts to Biological Resources Have All Been Adequately Addressed

FMR's last two sections of its comment letter merely rehash earlier comments by CDFW, which have been addressed by the County and Adesa's expert biologist, Gretchen O'Brien. FMR's additional lay discussion of these issues provides no substantial evidence of any impact to biological resources, and does not require any further response.

* * *

Clearly FMR disagrees with the County Code allowing so-called "large-scale" cannabis cultivation in "rural reaches of Humboldt County." But FMR's policy disagreement with the County Code is not a basis to deny the Project, and its lay opinion about the MND, unsupported by any substantial evidence, does not require preparation of an EIR.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Patrick M. Soluri

PS/wra

cc: John Ford, Director, Planning & Building Department
(PlanningBuilding@co.humboldt.ca.us)
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Jeffrey S. Blanck, County Counsel (jblanck@co.humboldt.ca.us)

Dear Planning Commission and Whomever It May Concern:

Because there were concerns about my company and who is operating Adesa and living up here I'd like to start by sharing a bit of my story and how I ended up here in Maple Creek. My entire teen and adult life I knew that cannabis would eventually be legalized not only nationwide but globally and I wanted to be an entrepreneur in the new legal market. I feel called to work in this industry not only because I believe in the medicinal, therapeutic, and social benefits of cannabis but also because I knew there is a chance to be on ground zero of a new industry that can be shaped by different norms than the 'resource/wealth' extraction focus of most industries today. While studying in University, I worked for an international cannabis consulting company as a technical writer presenting research documents and regulations to corporations and governments such as the Victoria parliament in Australia prior to their adoption of a medical cannabis program. I had already begun my cannabis cultivation apprenticeship through the company and through my own connections under master growers with some of the first cultivation licenses to come out of Colorado and Washington. I have a background in highly regulated cannabis markets, and I am eager to be a fully compliant business here. Upon finishing my degree, I decided to make the jump and moved to California to Mendocino County where my boyfriend Scott grew up.

Upon my first visit to Humboldt County I knew this is where I wanted to put down my roots. All of this County and the entire North Coast is truly magical. As you all know, we are also one of the most, if not the most, famous cannabis growing regions of the world. It's easy to look at all of the bad actors prior to legalization and to condemn cannabis as another dangerous resource extraction industry with a guaranteed boom and bust such as timber or fishing. But unlike timber or fishing which extracts a finite resource, cannabis can be grown on the same land with regenerative practices and not contribute to soil degradation and forest loss. And with the type of innovation that Humboldt breeders, farmers, extraction artists, and others are doing we have a chance to lead the entire world in a multi-billion-dollar industry. Regulations that Humboldt County has put in place are meant to bring people out of the shadows and into legal

markets, to hold people accountable to their growing practices, to sustainable land management practices, and to punish those that cannot or choose to not meet these standards.

From day one I had the best intentions in mind for my company and this property. I read and reread the Humboldt County Ordinance in 2016 a dozen times before choosing this property on Maple Creek Road. It met every single standard that was requested for new grows and it exceeded my own expectations and requirements that I had in mind. Initially the grow was going to be split onto two separate areas, and it took several years of convincing and bringing CDFW and the County on site to show them physically why the current site location was perfect for the grow. When you enter this little "nook" on the property, you are immediately sheltered and secluded from the open mountainside that most of the properties on Maple Creek have. The forest surrounding the grow site are outside any of the mandatory setbacks and by not being exposed to the steep declining hillside south of Maple Creek Road it means that the grow is not visible to any other property owners and will not create a visual disturbance in our valley. The Wilsons claim that it's not true, that the property is visible from theirs but unless you climb a 50 foot boulder with no buildings or anything else on there, you cannot see over the forests and to look up the mountain slope to see the cultivation site. Preserving the natural vista of the valley was of upmost importance to me, and I don't think the satellite imagery really does a good job of showing how out of the way and tucked in this project is. I also think it is important to note there is almost a 2,000 foot elevation drop between the project site and the river. Although the distance covered on a flat map may be 1.2 miles to the river the distance added by the elevation drop makes it so much more removed from the valley than a picture can ever show. The size of the property that is under our direction is actually 618 acres, I could have pushed for a larger grow but I know what is reasonable and manageable without going to the maximum of my allotment. With the grow, pond sites, and building sites, my entire project is only .73% of the property. That's right, less than 1% of the entire property.

This property also checked the biggest box of all for me: an opportunity to harvest rainwater. Most commercial growers will choose an endlessly sunny location, but for me I'll take weather

and rain over trucking in water and depleting ground water resources in heavily populated areas. I understand how precious water is and that it's the ultimate resource, that is why it was so vital to me to have a property with enough land to install rain catchment ponds. I understand some Planning Commissioners were saying that these projects should be located in town but there is nowhere in town where one could store an entire growing seasons worth of water in ponds and the water would have to come from the same supply that residential water for the cities would come from, thus depleting civilian water sources sooner. Not only that, but my rain catchment ponds can act as major water sources in case there ever was a fire on Maple Creek Road, and I would gladly not water my crop knowing that my sacrifice was helping the community.

As we continued to develop and engineer the project based on meeting the County and State regulations, I also voluntarily gave up and mitigated internally many project details. Without anyone mandating or requesting anything of me the following were all done on my accord: creating a company vanpool rather than having people drive up themselves, removing the entire trimming process and moving it to town, giving up installing a new metal building for the project and instead renovating existing structures and maintaining a much smaller footprint, cutting out the winter and fall harvests for a more natural growing season to lower our carbon footprint, requesting Deva Amrita, LLC to drop their permit application for a 10k square foot grow on the property in order to not have to install a commercial road cutting across the farm, and proposing massive solar install during Ordinance 1 before we were ever requested to do an 80% renewable energy mandate by the County. Just from SHN here are the hours put in by habitat specialists:

Greg O'Connell, SHN Biologist/Botanist (now working for CDFW)	288 hours
Gretchen O'Brian, SHN Biologist (specialty birds)	149 hours
Cindy Wilcox, SHN Geologist (specialty in wetland soils)	384 hours
Warren Mitchell, SHN Biologist (specialty Fisheries)	10 hours

When we were presenting the grow to the County and through all the documentation and CEQA process we are repeatedly asked not to go into the details of our company ethos or why we want to do what we do, that the facts should speak for themselves – and I think that is great but at this point I feel like you must hear about WHY I want to do what I do. To be honest, cultivating cannabis is simply the best use of my unique skillsets, in order to help people in general. I want to operate an organic, not only sustainable but regenerative farm, that is commercially sized because I want to generate enough revenue to do something beneficial for Humboldt and California not just to help myself, my family, or my employees. My goals are to eliminate millions of dollars of uncollectible medical debt from the poorest in our community via debt forgiveness. My year one goals are to forgive one million dollars of medical debt here in Humboldt County.

I am so focused on my goal that I literally would not let anything stand in my way. I took every single request and requirement from the Ordinance, the Planning Department, every single agency that came to visit very seriously. I have met every single guideline, done every single requested study, and then some. I have hired the most qualified professionals in each field, and I did all the studies how they thought they should be done without giving any bias or guidelines to favor me. I have gone into debt by the hundreds of thousands to engineer a project that would meet the guidelines in the Ordinance – and I was happy to do it for a chance to live out my dream.

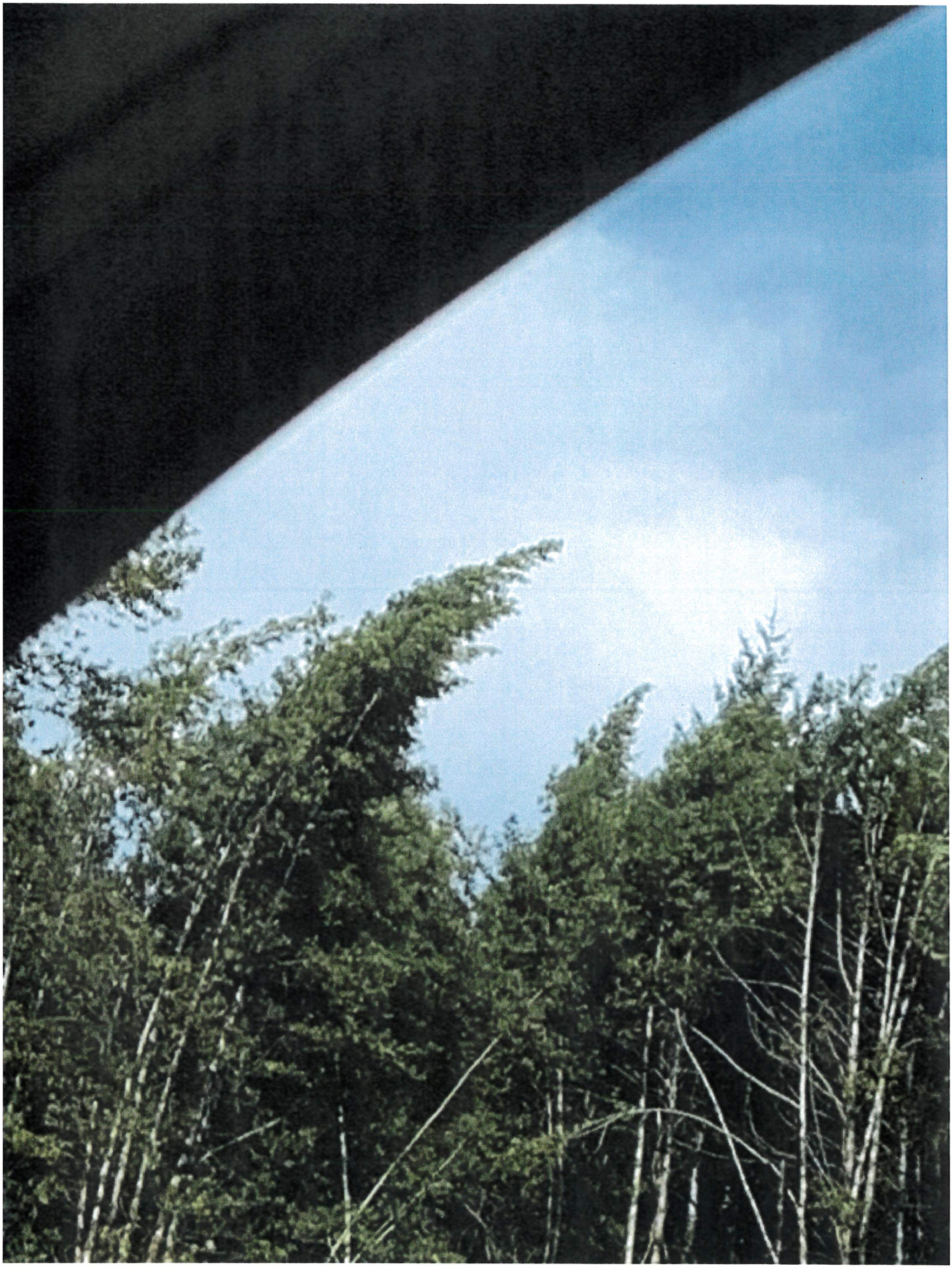
The Planning Commission thinks of Maple Creek as an undisturbed area without industrial operation—well I would encourage you to drive a little further than the swimming spot at the bridge to see what Maple Creek is really experiencing. Since I moved in four years ago there has literally been a thousand acres clear-cut in this valley. I have sent in some photos of the most recent examples, which are actually right on the road. My property is adjacent to some of these operations and the devastation to the wildlife corridors, the sediment running into the steams, the piles of dead wood everywhere and all of the oaks cut in the process to me is astonishing. I'd like to remind you I'm using less than 1% of my entire property for my operations. The

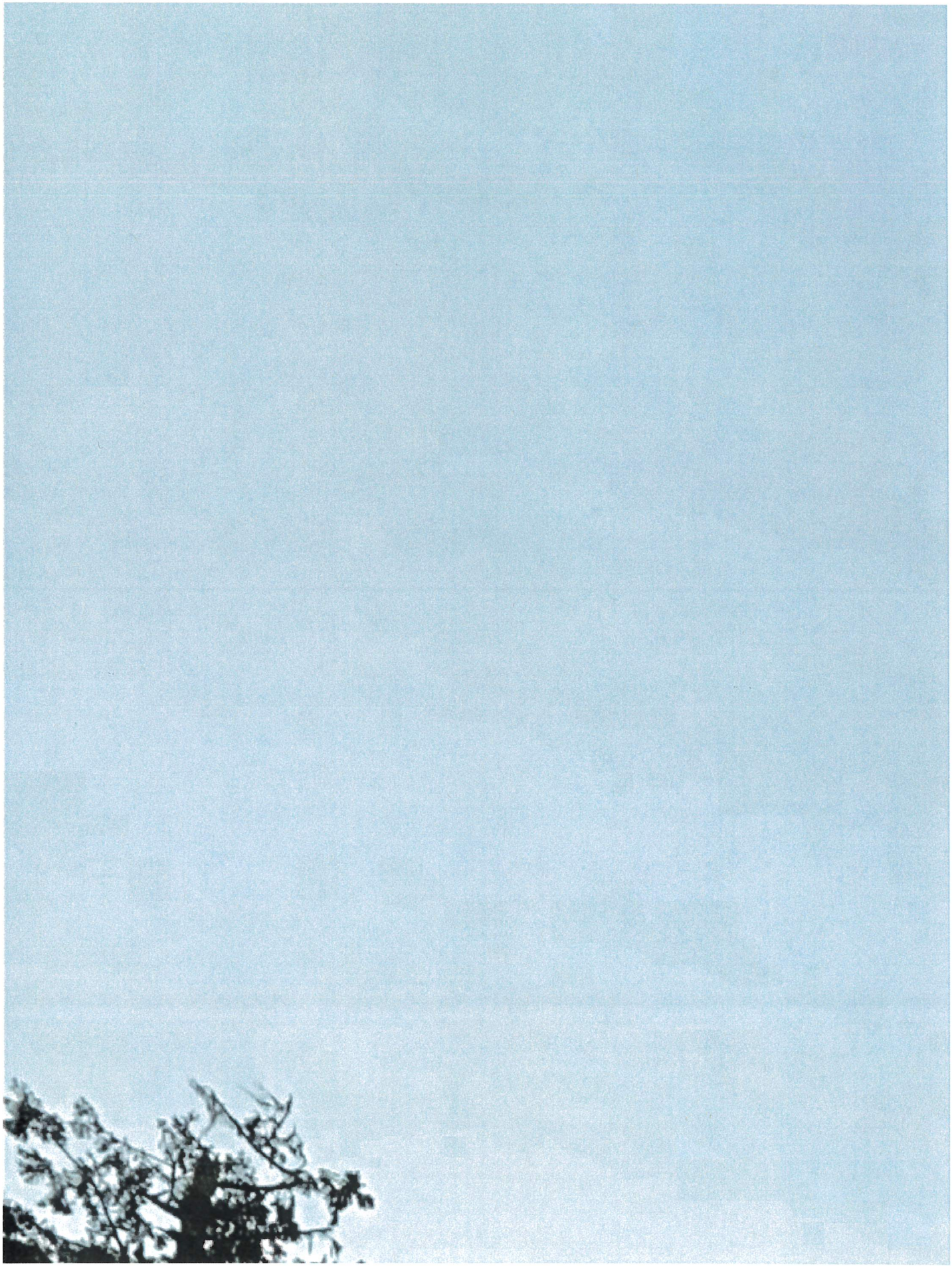
concerns about this road not handling the added traffic are also absurd considering what traffic these logging operations bring to the area- hundreds of weekly trips by massive semis. I understand that logging is an institution in Humboldt but to select my project for denial in order to preserve the bounty of Maple Creek while turning a blind eye to what is actually happening out here seems ridiculous to me, and clearly bias specifically against cannabis. I am a young female entrepreneur, who is trying to entrench herself here in the community, who did everything according to the Ordinance voted in Humboldt, with a history working in legal regulated markets, eager to be compliant, and at this point willing to do anything to see this project through. I hope you judge my project based on the requirements of the Ordinance, with an honest unbiased eye towards the project scope compared to the industrial agricultural activity already in the area, and knowing that the County supports us with the mitigations they have decided upon and which I have agreed to follow.

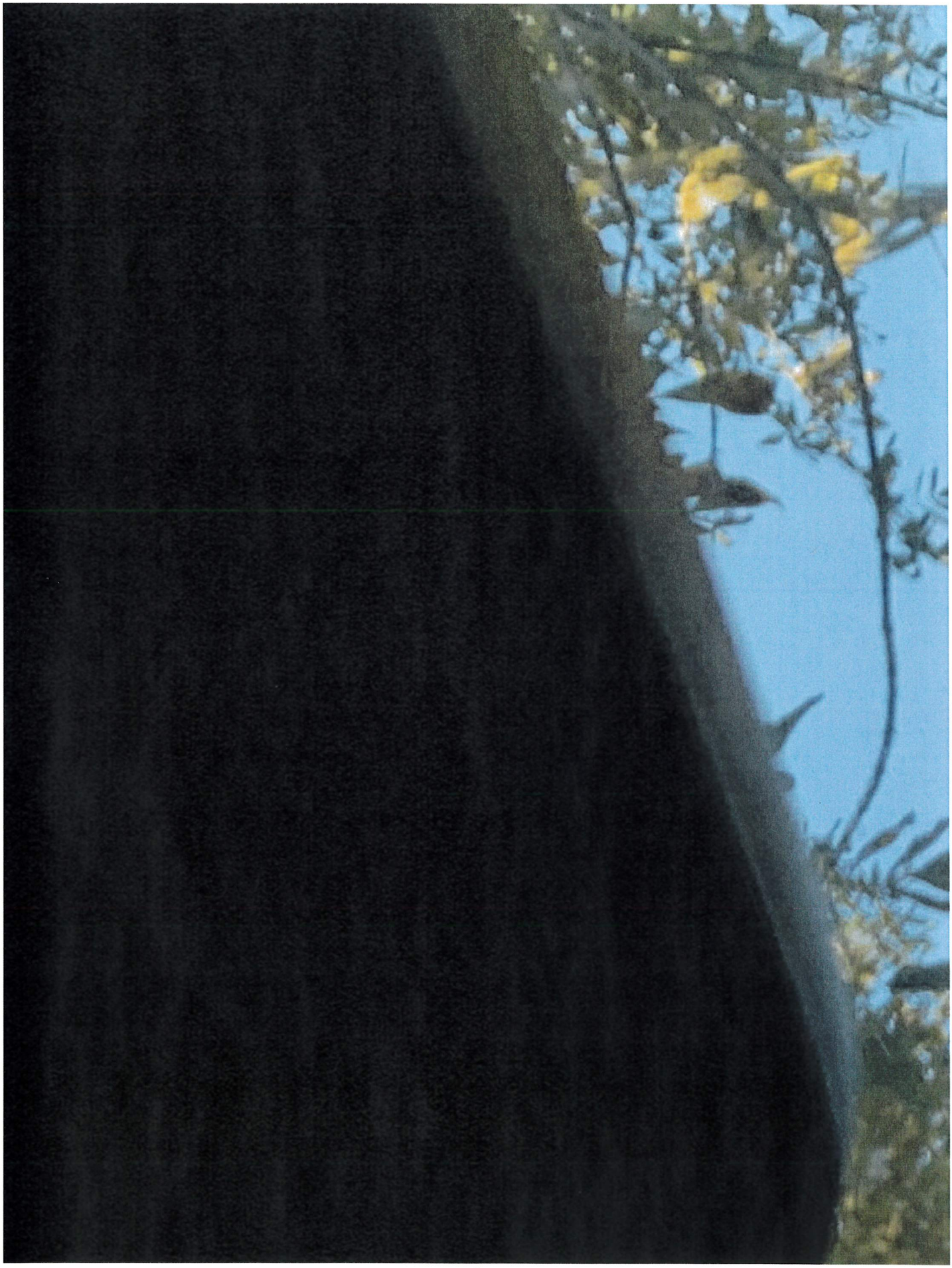
Sincerely,

Laura Borusas

8-19-20







From: Cena Marino
To: Planning Clerk
Subject: Maple creek grow
Date: Wednesday, August 19, 2020 11:31:22 AM

I am totally against the proposed 400 acre marijuana grow in Maple Creek. Not only will it take water from other plant, tree and wildlife use but also use plenty of oil-based fuel to create it long before the development of the solar panels to sustain the grow. Better they develop the solar into a mini grid in light of global warming and needing to develop non fossil fuel energy sources.

Cena Marino, Eureka

Sent from my iPhone

From: Wendy Ring
To: Planning Clerk
Subject: Adesa, LLC. Case Number PLN-11923-CUP
Date: Thursday, August 20, 2020 5:46:29 PM

The Cannabis Ordinance clearly states that all electricity should be renewable. That means renewable on day one. Diesel is not renewable, especially on this scale. The potential for spills and wildfires also poses an extreme hazard. Please do not approve this project.

Wendy Ring