

Hindley Ranch Neighbors

October 6, 2020

Humboldt County Board of Supervisors
825 5th Street, Room 111
Eureka, CA 95501

Re: October 6, 2020 Continued Appeal from Planning Commission's Approval of Honeydew Ranch, LLC, Conditional Use Permit and Special Use Permit Application Number 12256, Case Number CUP-18-030 and SP16-461

Honorable Supervisors:

Hindley Ranch Neighbors ("HRN") submits this supplemental correspondence in advance of the continued appeal hearing relating to Honeydew Ranch, LLC's ("HDR") above-referenced proposed project ("Project").

Put bluntly, HRN is concerned that Humboldt County ("County") has failed to evaluate the potential environmental impacts of HDR's Project with the same rigor and adherence to the requirements of the California Environmental Quality Act ("CEQA") as it has for other cannabis projects in the County. This is especially concerning, because as described below, HDR's Project has been changed and modified several times since the Planning Commission approved the Project Initial Study and Mitigated Negative Declaration ("IS/MND") in October 2019. The confusion around what constitutes the Project is furthered by the County's release of various Project "options" for the Board's consideration.

The County's approval of the Project and the non-compliant IS/MND appears to be motivated in part by its desire to promote and locate Retirement, Remediation and Relocation ("RRR") site. HRN has no opinion on the merits of the County's RRR policy, except, however, that the County cannot shortcut its obligations under other laws, including CEQA, in order to approve RRR projects.

HRN understands that the Project proponents are entitled to some degree of legal cannabis cultivation on their property under County Code. **In this regard, HRN is willing to accept County approval of the current, existing cultivation on the property, with the addition of the proposed reduced-scale pond and photovoltaic energy system.** HRN believes this Project "option" to be a fair and reasonable compromise. For the reasons set out below, however, HRN fully opposes any increase or intensification of cultivation activities or cultivation area on the property beyond what currently exists.

By submitting these comments, HRN's prior comments submitted to the Planning Commission, and participating in the administrative process for this Project, HRN seeks to protect the quality of the environment in the County and in the Honeydew vicinity. As respects any expansion of cultivation operations on the project beyond the existing activities, the IS/MND fails to describe the "whole of the project", fails to establish an accurate environmental baseline, fails to squarely address the Project's potential impacts, and fails to propose adequate mitigation, all in violation of CEQA.

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I. Project Background

This Project background is borrowed largely from the County staff report prepared for the September 1, 2020 appeal hearing (“September Staff Report”). HDR originally submitted the Project application in December of 2016. (September Staff Report at p. 2.) The Project Application included a conditional use permit for 16,175 square feet of existing mixed light cultivation and a special permit for a 12,000 square foot nursery, and also proposed between nine and sixteen RRR sites to locate to the property, which would together total seven (7) acres of cultivation. (*Ibid.*)

The Project is located in a rural residential neighborhood and is adjacent to several residential properties. Page 2 from the September Staff Report, which is incorporated herein by reference, indicates that there are dozens of greenhouses, many in close proximity to neighboring residences and property lines.

Neighbors, including HRN, raised concerns with the Planning Commission relating to the Project application, and through these concerns several Planning Department inspections occurred. (*Id.* at p. 4.) These inspections resulted in a number of violations including unpermitted construction of greenhouses, unpermitted uses of structures for cannabis activities, unpermitted use of generators, and processing of cannabis not cultivated on the site. (*Ibid.*)

Despite the various violations, on October 2019, the Planning Commission adopted the IS/MND and approved the Project, but limited the cultivation acreage to six (6) acres. (*Ibid.*) Subsequently, on October 15, 2019, Roxanne Kennedy, on behalf of HRN, submitted an appeal to the Board of Supervisors (“Board”) disputing the Planning Commission’s determination. (*Ibid.*) The basis for the appeal generally was that the IS/MND did not properly analyze potential impacts from the Project.

After HRN filed the appeal, the applicant revised the Project. These revisions included changed operations, changed layout of Project components, and new Project components not analyzed in the IS/MND, such as an approximately 28,000 square foot solar array. (*Id.* at p. 5.) The updated site plan, is depicted on an attachment to the September Staff Report, and is incorporated herein by reference.

On September 1, 2020, the Board heard the appeal. The ultimate resolution on September 1, 2020 was to continue the appeal until October 6, 2020, with the understanding that County staff would meet with both the applicant and HRN to attempt to negotiate a resolution. The applicant and appellants met, and no resolution was reached.

Now, prior to the October 6, 2020 continued appeal hearing, HDR has proposed further Project modifications and the County has proposed four possible resolutions to the appeal. The latest project modification site plans are included as attachments to the Staff Report, and is incorporated herein by reference.

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The four possible resolutions to HRN's appeal presented by County staff to the Board are as follows:

1. Project Denial: the Board could deny the Project application and only allow existing operations, while reducing the size of related infrastructure accordingly;
2. Allow Existing: the Board could approve the Project application and the existing cultivation operations, but prohibit the addition of any more RRR projects to the HDR site;
3. Neighborhood Compatibility: this option would allow the Board to compare the HDR site to nearby cannabis cultivation operations, and approve some version of the Project that has a comparable cultivation area to parcel size ratio; or,
4. Approve the Project: this option would allow the Board to approve the Project as applied for in its modified form, including 3.82 acres of cultivation area and related infrastructure.

(Humboldt County Planning Department Staff Report, Board of Supervisors Meeting October 6, 2020 at pp. 3-4 ("October Staff Report".))

It is important to note that despite the many changes and modifications from the original Project application in 2016, the County has not updated the IS/MND to describe the Project now proposed for approval by the Board. As a consequence, the IS/MND is inadequate to support approval of anything other than the existing cultivation activities on the Project site.

II. Deficiencies in the IS/MND

HRN incorporates by reference its prior comments regarding inadequacies in the IS/MND. Additional comments are provided below.

A. Project Description. The Project description provided in the IS/MND is no longer accurate. The IS/MND is required to provide an accurate description of the Project. (See CEQA Guidelines, 14 CCR 15071(a).) California courts have held that an accurate project description is necessary to "fully evaluate the project's potential environmental impacts." (*City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 406; *El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal. App. 4th 1591, 1597.) One of the central purposes of the project description is to provide the public with the ability to review and comment on the proposed project. (See 14 CCR 15073.)

As discussed at the September 1, 2020 appeal hearing and in correspondence from HRN members, the Project has been substantially modified since HRN originally filed this appeal in October 2019. This includes, but is not limited to, changes in the layout and location of major Project components, changes in operations, and the inclusion of new large infrastructure such as nearly one-half acre of solar panels. None of these changes were analyzed in the IS/MND. There exist a variety of potential impacts due to these modifications that are unanalyzed. For example, many of the greenhouses have shifted locations, which may result in new, unanalyzed and unmitigated aesthetic impacts, biological impacts, or air quality impacts. A more egregious

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example is the inclusion of an approximately 28,000 square foot solar installation, which the IS/MND does not examine in any way because it was only added after the Planning Commission approved the IS/MND. This new component presents a variety of potential impacts relating to aesthetics, biology, utilities and wildfire risk. In short, these Project modifications render the IS/MND's project description legally inadequate.

CEQA anticipates that a Project may change after an initial analysis is completed. In those cases, CEQA requires the analysis to be updated, and then recirculated for public review. (14 CCR 15073.5.) Given the clear and substantial changes in the Project after the IS/MND was adopted by the Planning Commission, CEQA requires the County to update and recirculate the IS/MND.

B. Aesthetics. The IS/MND fails to adequately analyze the aesthetic impacts from the proposed 5,000 square foot, one-story, processing structure, the dozens of proposed greenhouses, the rainwater catchment pond, and the solar array.

With respect to the proposed processing facility, the IS/MND states that the proposed processing facility has the "greatest potential for visual impact". (IS/MND, p. 9.) While this statement is true, the document next reads, "The site has been designed to locate this building away from the frontage road, old Hindley Ranch Road." (*Ibid.*) This statement is false and misleading. The site plan clearly shows that the new processing facility will be located at the north edge of the property, almost abutting Old Hindley Ranch Road. The facility will be plainly visible, and inconsistent with the rural surroundings.

Additionally, in regards to the greenhouses and rainwater catchment pond, the IS/MND provides a picture from Wilder Ranch Road to indicate that no new structures will be visible from across the river. However, the IS/MND fails entirely to discuss the dozens of proposed greenhouses that will sit adjacent to the Mattole River. Many existing structures, such as greenhouses, are already visible from Wilder Ranch Road across the Mattole River. The IS/MND also fails entirely to discuss the three million-gallon pond that will also be located near (in some locations thirty feet) to adjacent properties. The IS/MND simply states, without citation to any evidence whatsoever, that vegetation will block most views of the Project site. (*Id.*, p. 9.) Neighbors have already raised concerns with the aesthetic effects of the multitude of new structures. (Honeydew Ranch, LLC CUP 12256 Planning Commission Staff Report, October 3, 2019, at pp. 86-89 ("Planning Commission Staff Report").)

Additionally, and important to the pending appeal, the Project now includes an additional 28,000 square foot solar array located on the north-western portion of the property, adjacent to the property line and the Mattole River. This project component was not analyzed in the IS/MND *at all*. This includes any analysis relating to the potential aesthetic effects of the solar panels on the surrounding area.

The IS/MND fails to address the concerns of neighbors, and entirely fails to adequately analyze and mitigate the effects of the Project on the aesthetics of the area.

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C. Air Quality. The IS/MND's analysis of air quality is also inadequate. The IS/MND concludes the Project would not result in significant air emissions, such as those leading to odors that would affect a substantial number of people. These findings are deficient in several respects.

First, the IS/MND glosses over the Project's potential to result in objectionable odors without providing any analysis or factual support for its conclusion. The IS/MND states that due to air filters, the processing facility will not emit odors, and that the greenhouse odors will only be "noticeable" between August and October annually. (IS/MND, at p. 17.) The IS/MND contains no scientific analysis of the Project's potential odor impacts, nor does the IS/MND impose any mitigation designed to reduce odors. This is troubling given that HRN members already complain of odors from HDR's existing activities. Additionally, there is the potential for odors from pesticide use and pesticide drift which will have significant impacts on surrounding properties, especially considering many of the cultivation sites are a short distance from adjacent residential properties. The County has presented no factual basis for its conclusion that a substantially larger operation on the same property would have no odor impacts.

The Board should be clear that, in contrast with Staff's assertions in the October 6 Staff Report, that lay opinions regarding potential impacts may satisfy the "fair argument" test which would require the preparation of an environmental impact report. (See *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal. App. 5th 358, 375.) The personal experiences, observations, and opinions of neighbors regarding odor impacts, aesthetic impacts, and other impacts discussed below are indicative of a fair argument that the Project could result in significant impacts.

Moreover, the IS/MND's analysis of odor impacts, to the extent that there is any, focuses on odor impacts from mixed light cultivation in greenhouses. The changes in the Project pending the October 6, 2020 appeal indicate that a large portion of the cultivation area will now be "outdoor" in hoophouses. This means that any and all odor impacts previously analyzed are no longer accurate, because a large portion of the cultivation will no longer be contained within greenhouses with fans and carbon filtration devices.

Second, the IS/MND concludes, in contrast to its preceding statement that the Project would not produce objectionable odors, that only an insignificant number of individuals will be exposed to the objectionable odors. (*Id.*, p. 17.) The IS/MND concludes that a total of **fourteen** people on adjacent properties could potentially experience odors from the proposed facility. (*Ibid.*) Odor impacts on fourteen persons out of a total population of less than one hundred are a significant impact. (*Ibid.*)

Third, the IS/MND fails to account for the emissions impacts, including emissions of diesel particulate matter, PM2.5 and PM10, dust, and GHG emissions, related to HDR's proposed use of generators to run its mixed-light facilities, from daily traffic to and from the Property, and from the on-site grading and construction activities. (*Id.* p. 16.) The IS/MND without any factual basis or analysis simply concludes there will be no significant impacts. This is not a matter of an inadequate analysis; this is a matter of the County's complete failure to analyze these impacts at all.

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D. Noise. The IS/MND analysis of noise is also inadequate. The IS/MND concludes that, with mitigation, the Project would not generate substantial temporary or permanent increases in ambient noise levels in the vicinity of the Project. Based on both existing conditions and the description of the Project, this conclusion is clearly incorrect, and it is clear that there will be a substantial increase in the ambient noise levels.

The IS/MND states that according to Table 13-C (Land Use/Noise Compatibility Standards) from the Humboldt County General Plan, normally acceptable noise levels reach up to 91 decibels or more in Agricultural zones. (IS/MND, p. 54.) Notwithstanding, the General Plan includes several goals and policies that clearly prohibit excessive noise. Goal N-G1 seeks to prevent excessive noise, and Policy N-P4 seeks to protect people from excessive levels of noise that interfere with sleep, health or use of their property. (Humboldt County General Plan (2012) Part 4 Chapter 13, p. 13-8.) Additionally, it is critical to note that conformity with a general plan does not in itself insulate a project from environmental review. (*Oro Fino Gold-Mining Corp. v. County of El Dorado* (1990) 225 Cal. App. 3d 872, 881.) Simply stating that the Project will not exceed normally acceptable general plan noise standards does not eliminate the County's obligation to actually assess the Project's potential impacts on adjacent neighbors.

HDR conducted a noise analysis to determine the Project's actual noise profile on May 5, 2020 only after HRN members filed an appeal. These studies therefore were not discussed in the IS/MND and the public had no opportunity to review and comment on them in relation to the IS/MND.

The IS/MND also concludes that the Project will not increase ambient noise levels. This is a factual impossibility- the addition of several greenhouses and expanded processing will inevitably result in significant increases in ambient noise levels. In support of its conclusion, the IS/MND states that processing will only occur during certain times of day (6 AM to 8 PM), and that the sources of increased noise will only be "temporary construction, employee vehicle traffic, delivery truck traffic, equipment use, and back-up generators during power outages" (*Id.* p. 55). The IS/MND concludes that, notwithstanding these significant noise sources, the Project is not expected to result in ambient noise levels because existing cultivation activities have occurred already on the Property. (*Ibid.*)

In fact, as demonstrated by neighbors' comments on the Project, existing cultivation activities at the Project site have already contributed significantly to ambient noise levels. (Planning Commission Staff Report, pp. 86-89.) The neighbor adjacent to the Property already commented that the existing greenhouse fans have increased the noise on the neighboring property to the level that it drowns out the noise of the Mattole River. (*Ibid.*) Drastically increasing the number of greenhouses, as the Project proposes, will add significant noise impacts to adjacent properties. In this regard, the IS/MND ignores the reality that the Project will intensify already-significant noise impacts from HDR's cannabis activities.

The IS/MND's conclusions also conflict with the County's cannabis cultivation ordinance, which provides that all noise-generating operations shall be buffered so that the operations do not exceed existing ambient noise levels by more than 3 decibels. (Humboldt County Code 314.55.4.12.6.) The noise study performed in May 2020 noted that the fans from the HDR

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operations increased the decibel reading from 3-5 decibels on average. (See Noise Mitigation Plan, Honeydew Ranch LLC, Six Rivers Construction & Consulting (May 2020.) This indicates that by its own noise study, the operations at HDR exceed the ambient noise level by an inappropriate amount in violation of the County Code.

Finally, the IS/MND lacks any evidence to support its conclusion that temporary noise from construction will also be less than significant with mitigation. The mitigation measure proposed includes limiting the hours of operation, not performing construction on holidays or Sundays, and ensuring that equipment has factory-approved muffler systems. (See IS/MND Mitigation NOI-1.) However, even with the mitigation measure, the construction will increase already-significant ambient noise levels to an excessive point that violates Humboldt County General Plan policies and goals.

The IS/MND further concludes that the size of the Project parcel is large enough that construction noises will be sufficiently dispersed by the time they reach adjoining properties. (IS/MND, p. 55.) In support of this point, the IS/MND lists maximum decibels of construction equipment noise at the distance of 50 feet. (*Ibid.*) However, a large amount of construction will take place closer than 50 feet from adjacent properties. New structures such as the proposed processing facility, several proposed greenhouses, and the three-million-gallon stormwater catchment pond will all be constructed in close proximity to neighboring parcels or Old Hindley Ranch Road (in some cases only 30 feet from adjacent properties). The IS/MND contains no substantive analysis or explanation of how construction activities will be kept below permissible levels. In short, there is no actual scientific analysis of noise impacts from the Project to support the contentions contained in the IS/MND.

E. Population and Housing. The IS/MND is additionally deficient in its analysis of the Project's potential to result in population increases to the area because it fails to indicate whether full time and temporary employees will live on or off site.

In the event that employees live on site, adding twelve to thirty new temporary or full-time employees may constitute a substantial unplanned population growth in the area. In several sections the IS/MND states that employees will commute to the Property to work on the Project. (See *Id.*, p. 58.) However, when discussing vehicle trips, the IS/MND notes that there is some onsite housing available to staff. (*Id.*, p. 64.) Moreover, in materials presented at the September 1, 2020 appeal hearing, there are indications that most staff will be able to live on site to avoid trips on Old Hindley Ranch Road. (Honeydew Ranch LLC Traffic Management Plan (September 1, 2020). Contradictory project descriptions seem to be an attempt to minimize both vehicle trips to the site, as well as minimizing the effect of housing staff onsite. These two policies are mutually exclusive, and the IS/MND needs to either properly analyze the impacts of staff remaining onsite, or the effects of staff traveling to and from the site daily. As such, the IS/MND inadequately analyzes potential impacts to population and housing.

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F. Traffic and Transportation. The IS/MND is insufficient because it fails to properly analyze Project-related traffic and transportation impacts. The Project will have substantial impacts on Old Hindley Ranch Road, which is already in a state of disrepair.

First, the IS/MND fails to adequately account for employee trips per day. The IS/MND states that between twelve and thirty employees (including temporary employees during the peak season) will work at the Project. (IS/MND at p. 64.) The IS/MND also reports that employees will commute to the Project from other parts of the County. (*Ibid.*) Ignoring the statement that some employees will live onsite (which is inconsistent with the population and housing section discussed above), the IS/MND concludes that thirty employees will generate only eight trips per day by full time employees and an additional nine by part time employees. In other words, the IS/MND claims that up to thirty employees will generate seventeen or fewer trips per day. This is unlikely, and unsupported by the evidence in the IS/MND, staff report, and comments presented at the September 1, 2020 appeal hearing. Additionally, comments from various neighbors have already noted the increased traffic and the effects on Old Hindley Ranch Road. (Staff Report, pp. 86-89.)

Second, the IS/MND fails to properly estimate the number of trips per day to the Property for cannabis-related imports and exports. Pursuant to state law, exports of cannabis require state-issued cannabis distribution licenses. (See 3 Cal. Code Regs. § 8202.) The Project consists of extended cannabis cultivation, extended cannabis processing facilities, and new cannabis nursery activities. (IS/MND, at p. 2.) There is no application for distribution activities associated with the Project. This means that third-party distributors with valid state licenses will need to access the property to legally transport any cannabis.

Additionally, the submitted documents including the cultivation plan for the Project discusses several other activities that may increase traffic. This includes the hauling away of certain cannabis waste and removal of wastes such as packaging, garbage, and recycling. (Cultivation and Operations Plan for Honeydew Ranch LLC at Section 4.8)(“Cultivation Plan”). All of these activities will contribute to daily trips on Old Hindley Ranch Road above and beyond the seventeen trips daily for up to thirty employees. As such the IS/MND failed to adequately analyze transportation impacts.

G. Hydrology and Water Quality. The IS/MND fails to adequately analyze the water use for the Project. The cultivation plan submitted for the Project only contemplates irrigation of between 20,000 to 50,000 gallons per month for the growing season between April and October each year. (Cultivation Plan at Section 2.2.) This cultivation plan seems to be based on cultivation in three existing 6,800 square foot greenhouses (a total of 20,400 square feet). (*Ibid.*) However, the Cultivation Plan states that mixed-light cultivation produces two flowering cycles per year, which necessitates more water than traditional outdoor cultivation methods that only produce a single flowering cycle each year. (See *Ibid.*)

As described above the Project as described in the IS/MND will include the addition of potentially 196,000 square feet of cultivation. (IS/MND, pp. 1-2.) However, neither the Cultivation Plan nor the IS/MND describe or quantify how the three million-gallon pond will be

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able to serve the Project. The IS/MND states only “captured rainwater would be used for irrigation of cannabis.” (*Id.*, p. 49.) A three-million-gallon pond may likely not provide enough water to support a massive cultivation operation such as the Project proposes, and in fact, the Project fails to indicate how or when the pond water will be used.

Moreover, given the extensive changes to the Project since the drafting of the IS/MND, there is no discussion of how water usage is addressed. HRN members continue to have concerns that should the rain catchment pond provide insufficient water for the Project, HDR will rely on groundwater from the existing on-site well for cannabis cultivation activities. Without any factual support, an updated cultivation plan that accounts for increased irrigation beyond the existing greenhouses, or a description of water use on the Property, it is impossible to conclude that the Project will not have an effect on hydrology or groundwater. Not surprisingly, the IS/MND contains no evidence showing that the existing onsite well is not hydrologically connected to the Mattole River. As such, the IS/MND inadequately analyzes water use by the Project and its potential effect on groundwater.

Additionally, the IS/MND states that the onsite well will be used for domestic purposes and for the proposed 20,000 square foot processing facility, which is proposed to be reduced to 5,000 square feet. (*Ibid.*) However, much like the discussion of the rainwater catchment pond, there is no discussion of whether or how this limited use of the onsite well will prevent groundwater depletion. As such, the IS/MND fails to discuss potential groundwater impacts from expanded use of the well for expanded processing facilities and potentially larger residential uses.

H. Wildfire. The IS/MND also fails to analyze potentially significant impacts relating to wildfire. The entire IS/MND section analyzing wildfire risks is one page. (*Id.*, p. 72-73.) This is a substantial concern to adjacent property owners and the community as a whole.

The Project proposes mixed light cultivation which includes high watt grow lights. Additionally, the Project contains a large processing facility holding dried or drying plant products. (*See Ibid.*) Moreover, according to the modified Project description not discussed in the IS/MND, there is now a large solar array that requires wiring, glare, and other potential fire risks. Any and all potential impacts stemming from a solar array are not analyzed at all, because the solar array is not included in the IS/MND. Finally, the Project can use generators for backup power, and has had fires at the site in the past.

The IS/MND contains absolutely no discussion of any of these potential fire risks, or any analysis of emergency response, fire breaks, emergency evacuation plans, or any other substantive topic relating to the issue. The Project would place fuel and potential ignition sources near an area already at risk for wildfire. Given the existing environment of California, and the recent history of catastrophic wildfires, the Project places substantial and unnecessary risk on neighboring properties and the greater Honeydew region. Moreover, existing fire infrastructure is completely inadequate to address a potential fire. As such, the IS/MND completely fails to analyze the potential impacts from wildfires.

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III. The RRR Program Should not Allow RRR Sites to be Stacked Beyond What Would Be Permitted as New or Existing Cultivation

In 2016, the County enacted the “Commercial Medical Marijuana Land Use Ordinance (“CMMLUO”) which allows for the permitting of cannabis cultivation. The CMMLUO allows for the permitting of cannabis cultivation that existed prior to 2016. (CMMLUO § 55.4.8.2.2.) Relevant here, on parcels zoned AE, there is no minimum parcel size limitation, and the CMMLUO explicitly states “No expansion of the existing cultivation area shall be permitted. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation or 22,000 square-feet for mixed light cultivation.” (*Ibid.*) Based on this section of the CMMLUO, it is clear that preexisting cultivation cannot expand, and that it appears that the limit on a single parcel for mixed light is 22,000 square feet. Therefore, based on the CMMLUO, a preexisting mixed light cultivation on a parcel zoned AE may be permitted up to 22,000 square feet, and only up to an acre of outdoor cultivation may occur.

Here, if the Board denies the appeal and allows several RRR sites to move to the Project site, the Board will provide a loophole to the size limitations established in the CMMLUO. The reasons for the CMMLUO cultivation size limitations is well established in the CMMLUO and in the supporting environmental documents. The RRR program exists to move cannabis cultivation from environmentally sensitive areas to more suitable locations, and should consider impacts to neighboring properties when approved. Additionally, by allowing so many RRR sites to move to a property in an established rural residential neighborhood, the Board may set precedent for other intensive projects in inappropriate areas.

* * *

As stated several times throughout the appeal process, HRN members are not opposed to cannabis cultivation at the HDR site. To this end, HRN reiterates that it supports the existing cultivation at the HDR site, which is larger than would be allowed for new or existing cultivation under the CMMLUO, but HRN opposes any more expansion. HRN, therefore, respectfully requests that the Board uphold the appeal.

Respectfully submitted,

Members of Hindley Ranch Neighbors

Sharp, Ryan

From: Cathlyn Wright <cathlynwright@hotmail.com>
Sent: Tuesday, October 6, 2020 11:01 AM
To: COB; Madrone, Steve; Bass, Virginia; Bohn, Rex; Wilson, Mike; Fennell, Estelle
Cc: Roxy Kennedy
Subject: Support for Hindley Ranch Neighbors

Dear Board of Supervisors,

I am not able to attend the zoom meeting today, and so I am writing one last time to urge you to uphold the appeal against Honeydew Ranch cannabis expansion.

I have had a home and property in Mattole Valley since 1978 when I moved there to teach at the school. When I first came to Mattole Valley I was immediately amazed at the sense of community and participation of friends and neighbors in all aspects of life: school, watershed restoration, volunteer firefighters, recreation, and on and on.

The last years before cannabis cultivation became legal there was a huge influx of growers and processors and a shift towards greenhouse and mixed light growing. This change brought about many negative impacts on the environment and community of Mattole Valley. Now the legal cannabis operations are degrading the area further. Even though Valley is an agricultural area, it is also very much a community of residents. People choose to live there specifically because of the environment, and most people are extremely interested in protecting and enhancing the natural aspects of Mattole Valley.

In my opinion there is very little point in packing huge industrial cannabis grow operations into a lovely rural community. If they want to grow and process that much pot, why don't they just find some industrial area and refurbish some old warehouses or store buildings. The infrastructure is already in place as far as roads and power, and they don't need soil and natural light because they're not doing outdoor growing like the old days.

This new industrialized style of growing pot is dangerous to the environment and uses way too many resources, especially water. It is extremely disruptive with the lights and generators going all the time, not to mention the smell and fire hazard and impact on the roads, which were never meant to take that much traffic.

This particular expansion is on a fairly small piece of property and around a community of neighbors, not smack out in the middle of nowhere. I really think this particular grow needs to be nipped in the bud (pun not intended) The owner of Honeydew Ranch can put his money into another more appropriate area for larger grow and processing plant. It seems to me that growers have become overly greedy and completely heedless of the impact that they are having on the communities in which they are invading.

I think the planning and approval process for these large cannabis businesses needs to be continually reviewed and revised to see how appropriate the regulations are as to outcome in the community. This should be a continually ongoing process to fine tune the regulations, since it is a steep learning curve and drastically affects our local communities here on the beautiful north coast.


The ultimate outcome actually has already started, in that people are beginning to move out of the Mattole Valley because it has lost a lot of its pristine rural value.

Please stand up for Community people and not just business growers who are only interested in making as much money as possible.

Sincerely,
Cathlyn Wright

Cathlyn Wright

AKC Breeder of Merit

Live. Laugh. Love. 

Sent from my U.S.Cellular© Smartphone

Sharp, Ryan

From: Nieves Rathbun <nieves@bynieves.com>
Sent: Tuesday, October 6, 2020 8:37 AM
To: COB
Subject: Support for the Hindley Ranch Neighbors

I just want to throw my vote in for the Hindley Ranch neighbors, I hope you'll do the same.

Sincerely,

Nieves Rathbun

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Nieves Rathbun

By Nieves :: Handmade Natural Body Care
(415) 350-7632 Cell
(707) 629-3290 Office

There is no excellent beauty that hath not some strangeness in the proportion.
Sir Francis Bacon (1561 - 1626), "Of Beauty"

Sharp, Ryan

From: Robert Van Horn <r.van_horn@icloud.com>
Sent: Monday, October 5, 2020 4:15 PM
To: COB; Bohn, Rex; Fennell, Estelle; Wilson, Mike; Bass, Virginia; Madrone, Steve
Subject: Old Hindley Ranch expansion proposal

Hi, Supervisors

My wife and I live at the end of Old Hindley Ranch Rd. Just above Jim and Roxy. Our experience with the rapid growth of an ag-industrial complex is one I hope we don't have to share with them.

Our bedroom window is about 200' from the two nursery greenhouses of our neighbor's. They run industrial fans 24/7 in those green houses. There are 7 other much bigger greenhouses on the other side of the giant black plastic reservoir that is close to our driveway. The industrial noises - fans, generators, backup beepers, trucks, and other general noise of this kind of operation will get much worse with the growth of the ranch operation.

We are having our retirement ruined. It's not enjoyable to be out working in the garden or even taking a short walk anymore. Jim and Roxy are master gardeners and deserve to have a peaceful place to work that doesn't smell like skunks died.

Please deny any expansion to the ranch property especially as it will impact the quality of life of so many around us and will have such a huge negative impact on our environment.

Thank you for your attention to this.

Robert Van Horn
R.van_horn@icloud.com

October 1, 2020

To: Humboldt County Board of Supervisors

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

Dear Supervisors,

I am writing in support of the appeal.

One very important issue is the impact on the community (meaning people who live there) of Honeydew.

The incredible enlargement of a grow that has already been difficult for the community to tolerate is not acceptable.

There are several very critical issues that surround this permit that the Board of Supervisors must address:

* RRR – starting with the strange goal of rewarding bad behavior rather than punishing or even discouraging it.

In allowing RRR on the Honeydew site the Planning Commission has violated the regulations that limit grow size. Why would you violate this rule to reward bad and destructive behavior?

Perhaps the RRR is having multiple unintended consequences. That cannot be ignored and I ask that the Board of Supervisors support this particular appeal and then work to remedy the mistakes made in the original cannabis regulations.

The fact that my tax money is being spent on the Planning Department employees working to assist and guide these growers (who are in the RRR system because they created such environmental destruction growing marijuana) to a new area to grow again is beyond galling.

As a resident of the Mattole Canyon Creek area where several of these egregious grows were located I can tell you that the destruction was severe and the idea that the people who had such disregard for the land, the watershed and the community are being rewarded is appalling. Also the work to remediate their destruction caused a lot of hardship for our community because they had to bring in so many truckloads of rock and other supplies they destroyed parts of our road and it took volunteers many months to find redress from the growers.

These grows should have been busted and all the restoration that they are saying they did should have been required. But to reward them by allowing them to grow more in Honeydew makes no sense. These people did not care about their environmental impact they just wanted to make more money and now if allowed you will be rewarding them with more money by destroying the area in Honeydew.

* Why are people being told it is necessary to grow on Ag land when they do not even use the native soil and they grow in containers?

* How are we are to seriously address Climate Change if you are allowing, encouraging and rewarding grows that use generators, or grid power (for multiple harvests, large noisy fans, drying), use tons and tons of plastic to grow under and in when the plant could grow outside in the earth with the power of the sun? It feels like you are going against science and the knowledge we now have of the need to cut emissions.

I listened to your last meeting on September 1, 2020 regarding this appeal and have the following comments:

Some of the pro-project speakers were workers who wanted to save their jobs – and these workers were commuting to Honeydew. Commuting on small very under maintained county roads to a small isolated community from Eureka and McKinleyville.

This is an industrial approach where you have large fossil fuel dependent grows with many workers. And owners who live else where.

It was also pointed out several times that the neighbors did not complain about grows until now. The neighbors of this grow, like all of us who are being forced to see our small neighborhoods turned into industrial areas had been trying to accept and deal with the first phase of the grow. This is unfortunately the situation Humboldt county residents are now in because of the new cannabis rules. The neighbors are forced to be the regulatory agency. Neighbors have been trying to accept and get a long with this grow industry that is being shoved on them.

A small rural community with little infrastructure (like well maintained roads) is not able to support this level of industrial level extraction. Having huge grows owned and operated by people who live outside Humboldt County goes contrary to developing economic hope for Humboldt County.

Please support this appeal and seriously consider a revision of the cannabis regulations that are continuing to have “unintended consequences”

Sincerely,
Robie Tenorio