



March 7th, 2022

Dear Mr. Ford and members of the planning commission,

I would like to apologize for the misunderstanding at the planning commission meeting on March 3rd. I was in attendance via zoom, but was so taken by surprise at the accusations made against me at the public hearing that I did not announce my presence for fear of making a wrong statement that would make the situation worse. I realize this was a mistake, but I am a farmer, not a public speaker. As I couldn't offer an explanation, I felt that the commission became critical of Director Ford instead and for that I apologize to Mr. Ford. I would like to address the concerns that were discussed during the hearing:

1. **Road issue:** I purchased the properties APN 208-241-006 & 208-241-007 last year and only grew on them for one season in 2021. I have never met any neighbors on that road. I do not know the gentleman who made the anonymous complaints against me. Far from dodging his calls, I would love to talk to him to work out any differences but do not know how to reach him. The easement road that connects the two properties does not pass near any houses that I know of and I have never met anyone on that road whether they were asking me to slow down, not block the road, or even to say hello. I think that whoever this is must have been having issues with the *previous* owners. I am strongly committed to being a good neighbor. We have ways of transporting employees through the parcel internally via a quad trail, but last season we got into the habit of using the main road for the reason that we did not think that anyone minded. Would someone have asked us to stop we would have immediately. For example, there is another way to access these properties through the top of eight Mile Ridge Road which we were told by the previous owners that we were allowed to use. Last summer, some signs appeared on the gate indicating that we were not allowed to access our land through this route. When I saw them, I asked my consultant to look at my deeds which are difficult to read, and he confirmed that I did not have an easement through that way. No one from my operation has driven through that gate since. Before our hearing, we were told by our planner that an anonymous complaint was made that we were spilling light from greenhouses and that our vehicles blocked the road. My consultant immediately responded that the claims were untrue, and requested that either I could be put into contact with the complaining neighbor to work it out, or if that was not possible, to please inform the commission that I dispute the allegations and am committed to following the rules and being a good neighbor. Please imagine my shock when at the hearing, not only was my refutation ignored, but a long list of undisputed and until then undisclosed allegations was added to the staff report including damage to the road, safety issues and an accusation of theft. I am not and never have been a thief, and I do not appreciate the public accusation to the contrary. Please do not take these accusations for undisputed facts.
2. **Separation of parcels:** As Mr. Ford stated in the hearing, the decision to keep the projects separate was deliberate. We have gone to great lengths to keep the properties separate from one another including unique water sources, separate nurseries, separate dry sheds, separate fertilizer storage, etc. At the request of our planner, we even agreed to relocate multiple tanks from a perfectly good flat that provided superior gravity pressure just so that each parcel would

contain its own storage only. I spent a substantial amount of money on these farms and operated it at a loss last year. There is a very real possibility that I may have to sell one farm in order to keep the other, so it was important to me to keep them separate. There was no deceit involved, and my consultant was very up front on this topic with my planner in writing, with whom both projects were discussed concurrently. However, after the discussion at the hearing, it became evident that the two projects might share a resource after all: the employees.

3. **Employees:** To be honest, it never crossed my mind to consider employees as a shared resource. Two of us live on the upper parcel while two live on the lower parcel and we share the work. I think this was mistranslated into the operations plan as me plus one seasonal employee on each parcel. I apologize for the miscommunication. In the future, while operated by one owner, I anticipate a total of four employees on either farm at any given time. While both farms are owned by me, obviously it is more economical for all employees to help on both properties, but should one change hands, each property would be able to get away with fewer than 4, naturally. There is a skid trail that connects the two parcels and lies within their borders. We got into the habit this summer of using the shared easement road in our cars to travel back and forth, out of convenience since we only had one quad. Now that we know that our use of the easement road is bothersome to our neighbors, we will gladly rely more heavily on the quad trail and invest in an additional quad that can make it up that steeper path. Again, there was never an intention to deceive, lie, or otherwise trick the planning commission into thinking that there were fewer people on these sites. By stating one trip to the parcel per day, we had in mind trips from town to the farm, which actually average less than once per day.
4. **Water storage:** As it was explained to our planner; the parcel contains a 65,000 pond and a 20,000 gallon bladder previously used as primary water storage in addition to tanks. Through the process of obtaining an LSA Agreement with CDFW, which was finalized last month, the pond was found to be fed by about 60 feet of a small channel that flows only when raining and we were informed that this constituted the pond as an on-stream pond and was not usable for irrigation water storage. We were also informed that the use of bladders was against policy and that they must be removed. These two factors reduced our permissible water storage by 105,000 gallons, about half of our annual use across both parcels. In the last year, we have been able to add 25,000 gallons back, but we still need an additional 80,000 gallons. We are in the process of obtaining more storage, and are committed to obeying forbearance restrictions on our diversions. I do not know where my anonymous neighbor got the idea that I was diverting water to my plants all through the summer, and the deeded water rights for the summer use of our domestic spring date back to 1999.

I would like to move forward with our permit and will be in attendance with my consultant at the next hearing for a discussion. If there is anything I can do to help clear up these issues, I will make myself available. Thank you for your time and consideration.

Sincerely,

Brandon Mohan
MDRV Realty Holdings, LLC