

**SUPPLEMENTAL INFORMATION #1**

For Planning Commission Agenda of:  
January 9, 2020

<input checked="" type="checkbox"/>	Consent Agenda Item	<b>No. E-13</b>
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

**Re: Humboldt Emerald Triangle, LLC Conditional Use Permit**

Record Number: PLN-11065-CUP  
Application Number: 11065  
Assessor Parcel Number: 308-131-012-000  
2121 Table Bluff Road, Loleta, CA 95551

Planning staff and the applicant are requesting a continuance of this project to the February 6, 2020 Planning Commission agenda in order to more fully address comments submitted from an adjacent property owner.

Attached for the Planning Commission's record are two letters submitted to the Commission for this item:

1. A letter submitted to the County January 8, 2020 from a neighboring property owner regarding this cannabis application (Attachment 1).
2. A letter submitted to the County January 8, 2020 from a retired water project manager regarding the well on the neighboring property of the property owner in Item #1 (Attachment 2).

**ATTACHMENT 1**

Anne B. Wade  
2442 Table Bluff Road  
Loleta, CA 95551  
415-244-7199



Portia Saucedo, Planner  
Humboldt County Planning Commission  
Eureka, CA 95501

Re: Application Number PLN-11065-CUP (filed July 20, 2016)

To Whom it May Concern,

I am writing concerning the above referenced application from Humboldt Emerald Triangle, LLC, Table Bluff Area for a cannabis growing permit. I have lived at my home at 2442 Table Bluff Road since 1983. Soon after I moved in, I had a well drilled by Rich Well Drilling for my residential use. My well is 327 feet deep.

Until last year I never had a problem with my well or any other water issue on my property. This included all the years that the property located at 2121 Table Bluff Road belonged to Roy and Frae Wittwer of Sequoia Orchids. Their water usage for their orchid greenhouses never affected my well or water supply.

Sometime in the last two years I have noticed that the new owners are growing cannabis on their property. Starting early last summer I began having problems with my water supply. My well had a pump which continually cycled on and off – this eventually led to this pump burning out. I didn't at first realize that the pump was cycling on and off due to low water level in my well. In September 2019, I contracted with Rich Well Drilling (707-839-1087) to replace the old pump with a new pump with an automatic shut-off for low water in my well. At this point I had been a couple days without water. The new pump continues to cycle on and off due to low water in the well and sporadically I have been without water from my well over the last six months.

I am appealing this application for a cannabis grow submitted by Humboldt Emerald Triangle, LLC that is projecting the use of 1,011,000 gallons per year, especially without an environmental review of their water usage and how it will affect the well on my property and other properties in the Table Bluff area. If approved, this excessive water use by Humboldt Emerald Triangle, LLC will further impact my well and my water supply thereby affecting the value of my home and my quality of life.

Thank you for your consideration in this matter. In the coming months I will be away for chemical and radiation treatment for cancer at Stanford Hospital, therefore during my absence I am authorizing Earl and Geri Cunningham to speak on my behalf on this matter.

Sincerely,

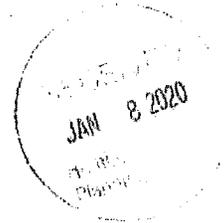
Anne B. Wade

1/6/2020

**ATTACHMENT 2**



Richard D. LaVen  
Retired Water Project Manager  
City of Fort Bragg, CA  
P.O. Box 756  
Fortuna, CA 95540  
725-4974



Portia Saucedo, Planner  
Humboldt County Planning Commission  
Eureka, CA 95501

Re: Application Number PLN-11065-CUP (filed July 20, 2016)

To Whom it May Concern,

Anne B. Wade has lived at 2442 Table Bluff Road, about ½-mile west (and down-gradient) of the site under discussion, since 1983. On the Project Map accompanying Application Number PLN-11065-CUP, the property shown as AP-308-131-016, southwest of Table Bluff Road at the upper left edge of the map is Ms. Wade's. On the Aerial Map accompanying the application, Ms. Wade's home is the dwelling shown on the southwest side of Table Bluff Road in the upper left-hand corner of the photo.

In 1983, Ms. Wade moved her family into the residence at this address and had a well drilled. That well, 327 feet deep, served Ms. Wade and her family until 2019, when the Applicant began heavy withdrawal to irrigate cannabis plants. Since then, Ms. Wade's access to her well water has been severely curtailed.

Water has always been the critical factor limiting development on Table Bluff. If that were not so, Table Bluff would be covered with expensive and exclusive homes. Table Bluff's water, whether derived from springs or from groundwater, originates as rainwater and has not travelled far.

An on-line review of the application notes the following:

In Attachment 1: Recommended Conditions of Approval,  
Performance Standards for Cultivation and Processing Operations;  
Ongoing Requirements / Development Restrictions which must be satisfied for the life of the project:  
Item 30 III: Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or to the environment.

This project, which has been in operation for more than a year, as demonstrated by the well pumping records included in this document, has already created very adverse conditions on AP-308-131-016 as described in the letter submitted by Ms. Anne B. Wade.

Before approval, we request:

- (1) That the connectivity between the wells be verified by pump testing of both wells;

- (2) That the Irrigation usage of water from the well that is the subject of this permit cease until the results of the pump tests are verified and accepted by the Planning Department, and
- (3) That the applicant be required to develop an alternative source of water.

In Attachment 2: Required Findings for Approval

Zoning Section 313-55.4.12.9 Performance Standards for Wells on Small Parcels

Cultivation sites located on lot sizes 40 acres or smaller where proposing or conducting irrigation with water from a proposed or existing well located within 400 feet of a property line, SHALL be subject to groundwater testing to determine the connectivity of the source supply well.

In this requirement, "determining the connectivity" means determining whether or not the well providing irrigation water has any influence on wells on nearby properties. This requirement was never addressed. It has been deliberately ignored. The applicant stated that this was a shift from irrigating one crop to another. But the shift was from orchids to cannabls. To imply a simple 1:1 shift in water demand is Incredible. Orchid irrigation is described in the Coastal Commission Staff Report, dated February 5, 1980 and included as Attachment 5 to this application. The description is as follows:

The system for watering orchids is two-part: One is a spray irrigation and the other is a semi-automated method for watering individual plants. The provision of water only as the plants require, generally once a week, will provide the optimum moisture conditions while minimizing water use.

Before approval, we again request:

- (1) That the connectivity or lack thereof on all wells on nearby properties be tested, and the results verified and accepted by the Planning Department, and
- (2) That the irrigation usage of water from the well that is the subject of this permit cease until the results of the pump tests are verified and accepted by the Planning Department,

**AN ALTERNATIVE:**

There is an alternative to pump testing and the fallout from its results. That is to simply capture rainwater from the existing and proposed buildings on site, divert that captured rainwater into storage, and use that rainwater for irrigation.

The main greenhouse (154 x 178') has a roof area of at least 27, 412 sq. ft.

The new hoophouse (16' x 97') has a covered area of 1,552 sq. ft.

The 4 existing hoophouses have a covered area of 9,800 sq. ft.

Ancillary structure #1 has an area of 3,540 sq. ft.

Ancillary structure #2 has an area of 1,071 sq. ft.

Their combined area is 43,376 sq. ft. That is close to an acre (43,560 sq. ft.).

If we assume that Table Bluff has an annual rainfall of 36 inches, (and it is usually wetter than that), the volume of rainwater that will run off the proposed and existing structures in a year will be 973,346 gallons. That is more than 96 % of the amount the applicant intends to pump from groundwater.

Simply capturing the rainfall runoff from the project's structures will provide enough irrigation water for the entire operation. There is no need to use the existing well for irrigation.

We request that the Applicant be required to shift from groundwater irrigation to irrigation using captured rainwater within 60 days.

Sincerely,



1/8/2020

Richard D. LaVen

Water Project Manager, City of Fort Bragg, CA, 2000-2008  
Hydrologist, BLM Burned Area Emergency Response Team, Eley, NV, 1999  
Hydrologist, Hoopa Tribal Fisheries, 1999  
Director of Land Management, Hoopa Valley Tribe, 1996-1999  
Freelance hydrologist, 1988-1996  
Lecturer in Forest Hydrology, Humboldt State University, 1979-1988, 1994  
Forest Hydrologist, Six Rivers National Forest, 1974-1979  
Forest Hydrologist, Francis Marion National Forest, SC, 1971-74  
Forester, Jefferson National Forest, VA, 1970-1971

Ph.D. candidate, paleomagnetism and climate modeling, 1985-1988  
MS, Wildland Hydrology. Humboldt State University, 1988  
BS, Forest Management, State University of New York College of Forestry, 1968.