



**Meghan Ryan said this is an application to Appeal RK*

PLANNING APPLICATION FORM
Humboldt County Planning Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4484
 Phone (707) 445-7541 Fax (707) 268-3792

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

"Planning Dept. Front Counter"

SECTION I

APPLICANT (Project will be processed under Business name, if applicable.) **AGENT** (Communications from Department will be directed to agent)

Business Name: Hindley Ranch Neighbors / Jim Business Name: _____
 Contact Person: Roxanne Kennedy / Bowdoin Contact Person: _____
 Mailing Address: P.O. Box 1513 Mailing Address: _____
 City, St, Zip: Honeydew CA 95545 City, St, Zip: _____
 Telephone: 707-629-3313 Alt. Tel: _____ Telephone: _____ Alt. Tel: _____
 Email: hnydew@gmail.com Email: _____



OWNER(S) OF RECORD (if different from applicant)

Owner's Name: _____ Owner's Name: _____
 Mailing Address: _____ Mailing Address: _____
 City, St, Zip: _____ City, St, Zip: _____
 Telephone: _____ Alt. Tel: _____ Telephone: _____ Alt. Tel: _____

LOCATION OF PROJECT

Site Address: 665 Old Hindley Ranch Road Assessor's Parcel No(s): 107-272-005
 Community Area: Honeydew Parcel Size (acres or sq. ft.): 49 acres

Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? YES NO

SECTION II

PROJECT DESCRIPTION

Describe the proposed project (attach additional sheets as necessary):

Appeal of Planning Commission Project Approval, File #19-1444, CUP 12256

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed and may result in denial or revocation of approvals.

Roxanne Kennedy / James J. Bowdoin
 Applicant Signature

10-14-19 10-14-19
 Date

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

 Owner of Record Signature

 Date

 Owner of Record Signature

 Date

PLN-2019-15888

This side completed by Planning Staff

Checklist Completed by: _____ Date: 10/11/2019

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION

Item	Received	Item	Received
<input type="checkbox"/> Filing Fee of \$ <u>1,270.00</u>	<input type="checkbox"/>	<input type="checkbox"/> Architectural Elevations	<input type="checkbox"/>
<input type="checkbox"/> Fee Schedule (see attached, please return completed fee schedule with application)	<input type="checkbox"/>	<input type="checkbox"/> Design Review Committee Approval	<input type="checkbox"/>
<input type="checkbox"/> Plot Plan 12 copies (folded if > 8½" x 14")	<input type="checkbox"/>	<input type="checkbox"/> CEQA Initial Study	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 12 folded copies (Minor Subd)	<input type="checkbox"/>	<input type="checkbox"/> Exception Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map 18 folded copies (Major Subd) [Note: Additional plot plans/maps may be required]	<input type="checkbox"/>	<input type="checkbox"/> Joint Timber Management Plan	<input type="checkbox"/>
<input type="checkbox"/> Tentative Map/Plot Plan Checklist (complete & return with application)	<input type="checkbox"/>	<input type="checkbox"/> Lot Size Modification Request Justification	<input type="checkbox"/>
<input type="checkbox"/> Floor Plan	<input type="checkbox"/>	<input type="checkbox"/> Military Training Route (see County GIS)	<input type="checkbox"/>
<input type="checkbox"/> Division of Environmental Health Questionnaire	<input type="checkbox"/>	<input type="checkbox"/> Parking Plan	<input type="checkbox"/>
<input type="checkbox"/> On-site sewage testing (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Plan of Operation	<input type="checkbox"/>
<input type="checkbox"/> On-site water information (if applicable)	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Hydraulic & Drainage Plan	<input type="checkbox"/>
<input type="checkbox"/> Solar design information	<input type="checkbox"/>	<input type="checkbox"/> R1 / R2 Report (Geologic/Soils Report, 3 copies with original signatures)	<input type="checkbox"/>
<input type="checkbox"/> Chain of Title	<input type="checkbox"/>	<input type="checkbox"/> Reclamation Plan, including engineered cost estimate for completing reclamation	<input type="checkbox"/>
<input type="checkbox"/> Grant Deed <input type="checkbox"/> Current <input type="checkbox"/> Creation	<input type="checkbox"/>	<input type="checkbox"/> Accessory Dwelling Unit Fact Sheet	<input type="checkbox"/>
<input type="checkbox"/> Preliminary Title Report (<u>two copies</u> , prepared within the last six months prior to application)	<input type="checkbox"/>	<input type="checkbox"/> Variance Request Justification	<input type="checkbox"/>
		<input type="checkbox"/> Vested Right Documentation/Evidence	<input type="checkbox"/>
		<input checked="" type="checkbox"/> Other <u>Appeal to Board of Supervisors</u>	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>
		<input type="checkbox"/> Other _____	<input type="checkbox"/>

FOR INTERNAL USE

<input type="checkbox"/> Ag. Preserve Contract	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Reclamation Plan
<input type="checkbox"/> Certificate of Compliance	<input type="checkbox"/> General Plan Petition	<input type="checkbox"/> Surface Mining Permit
<input type="checkbox"/> Coastal Development Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission	<input type="checkbox"/> Information Request	<input type="checkbox"/> Surface Mining Vested Right Determination
<input type="checkbox"/> Design Review <input type="checkbox"/> Inland <input type="checkbox"/> Coastal	<input type="checkbox"/> Modification to _____	<input type="checkbox"/> Timber Harvest Plan Information Request
<input type="checkbox"/> Determination of Legal Status	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Use Permit H.C.C. § _____
<input type="checkbox"/> Determination of Substantial Conformance	<input type="checkbox"/> Preliminary Project Review	<input type="checkbox"/> Variance H.C.C. § _____
<input type="checkbox"/> Extension of _____	<input type="checkbox"/> Special Permit <input type="checkbox"/> Administrative <input type="checkbox"/> Planning Commission H.C.C. § _____	<input type="checkbox"/> Zone Reclassification
<input type="checkbox"/> Fire Safe Exception Request	<input type="checkbox"/> Subdivision <input type="checkbox"/> Parcel Map <input type="checkbox"/> Final Map	<input type="checkbox"/> Other _____
	<input type="checkbox"/> Exception to the Subdivision Requirements	<input type="checkbox"/> Other _____

Application Received By: _____ Date: _____ Receipt Number: _____

General Plan Designation: _____

Plan Document: _____

Land Use Density: _____

Zone Designation: _____

Coastal Jurisdiction Appeal Status: Appealable Not Appealable

Preliminary CEQA Status:

Environmental Review Required

Categorically Exempt From Environmental Review: Class _____ Section _____

Statutory Exemption: Class _____ Section _____

Not a Project

Other _____

Hindley Ranch Neighbors

October 9, 2019

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

Re: *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”) is a group of neighbors, adjacent property owners, and concerned locals who oppose and are and will be directly affected by Honeydew Ranch, LLC’s (“HDR”) existing and proposed cannabis cultivation and processing project (the “Project”). Many HRN members are individuals who sought out the area specifically for a quiet, peaceful rural lifestyle. The Project includes drastically expanded cannabis cultivation operations, new processing structures, extensive retirement, remediation, and relocation (“RRR”) of other cannabis cultivation operations and a massive three million-gallon rainwater catchment pond- all of which will dramatically alter the existing environment.

On October 3, 2019, the Planning Commission adopted HDR’s Initial Study and Mitigated Negative Declaration (“MND”) and approved HDR’s Conditional Use Permit and Special Use Permit applications. The MND, however, fails to accurately and fully disclose and analyze the Project’s full range of impacts. The Planning Commission’s approval, moreover, gives the impression that the Project is relatively minor when, in fact, the MND paves the way for HDR to pack nearly every corner of the 40-acre Project site with more than 196,000 square feet of mixed-light cultivation in thirty-one new greenhouses that are thirty five by two hundred feet, as well as associated processing facilities, irrigation facilities, and even a parking lot. The Project is totally inappropriate for its location, which is directly adjacent to neighbors who will be irreversibly impacted by excessive noise, odors, a massive increase in daily employee traffic, and the risk of catastrophic fire from thousands of grow lights utilizing hundreds of thousands of kilowatts per day. If approved and allowed, HDR’s Project will cause irreparable damage to the Honeydew community and residents adjacent to the property.

HRN members hereby appeal the Planning Commission’s approval of the HDR Project and ask the Board to grant this appeal and deny the Project.

1. Background Facts

The Project is located at 665 Old Hindley Ranch Road (APN 107-272-005) (the “Property”). (MND, p. 1.) The Property is designated under the General Plan designation and zoned Agriculture Exclusive (AE). (*Ibid.*) The Property is bounded on the north, east, and west by other agricultural properties and private residences. (*Id.* at 2.) On the south the Property is bounded by the Mattole River. (*Id.* at 4.) Access to the Property is by Old Hindley Ranch Road. (*Id.* at 2.) The Property is already developed with several cannabis cultivation greenhouses, a

Hindley Ranch Neighbors

processing barn, several storage sheds, and a house. (Honeydew Ranch, LLC CUP 12256 Staff Report, p. 2) (“Staff Report.”)

The Project proposes to drastically expand the facilities and operations on the Property. The physical components of the Project consist of:

- 16,175 square feet of additional mixed-light cannabis cultivation;
- A 14,000 square feet of cannabis nursery space;
- An expanded 10,000 square foot, two-story cannabis processing facility;
- An additional nine (9) RRR sites, which would include an additional 31 greenhouses and 180,000 square feet of cultivation; and
- A 3,000,000-gallon rainwater catchment pond

(Ibid.)

The Project as summarized above will necessitate additional infrastructure including, but not limited to, 31 additional thirty-five by two hundred-foot greenhouses which necessitate incredible amounts of fencing, lighting, ventilation, generators, and construction equipment. Additionally, the Project will host up to thirty total employees during peak periods¹. *(Ibid.)*

The Property already contains existing cannabis cultivation and processing facilities, including several greenhouses, in between five and nine, and associated processing facilities. *(Ibid.)* Although the County authorizes these facilities, it is unclear if the State CalCannabis Cultivation Licensing licensed the existing activities. *(See ibid.)* We were unable to find any record of State licenses having been issued to HDR for their current and ongoing cannabis cultivation and processing activities, and as such believe that the current operations are conducted in violation of local regulations and state law.

HDR’s existing operations already have a significant effect on surrounding properties, as evidenced by several comments made by HRN members (*Id.* at Attachment 6 at 86-89.) The neighbors contend that Old Hindley Ranch Road is currently not suited for commercial cannabis cultivation and processing activities, including employee trips to and from the Property. *(See ibid.)* The road has potholes and is rutted from runoff over the winter. *(Ibid.)* Additionally, the current greenhouses at the Property already interfere with the neighboring properties in several respects. *(Ibid.)* The fans used to circulate air throughout the greenhouses drown out the noise of the Mattole River and cause an annoyance to neighboring parcels. *(Ibid.)* The odor from cannabis cultivation also permeates the area and has already led to several complaints from neighboring property owners. *(Ibid.)* If expanded, as proposed by the Project, these effects would only worsen despite the proposed mitigation measures, they will devalue neighboring properties, and worsen the quality of life for those affected.

¹ The number of employees is difficult to determine. The Staff report states that the Project will require between 12 and 18 employees (Staff Report, p. 2), while the MND states that there will be potentially 17 to 30 employees during peak periods, including staff from the RRR sites (MND, p. 2).

Hindley Ranch Neighbors

The Project, as proposed, will have a multitude of significant effects on the surrounding community. The MND, as adopted, failed to adequately analyze these potentially significant effects. Below is a list of specific deficiencies and inconsistencies within the MND.

2. Deficiencies in the Mitigated Negative Declaration

Aesthetics. The MND fails to adequately analyze the aesthetic impacts from the proposed 10,000 square foot, two-story, processing structure, the dozens of proposed greenhouses, and the rainwater catchment pond.

With respect to the proposed processing facility, the MND appropriately states that the proposed processing facility has the “greatest potential for visual impact”. (MND, p. 9.) While this statement is true, the next phrase 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 MND provides a picture from Wilder Ranch Road to indicate that no new structures will be visible from across the river. (*Id.* Image 1, p. 10.) However, the 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 MDN 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 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. (Staff Report, pp. 86-89.)

The MND fails to address the concerns of neighbors, and entirely fails to adequately describe the projected effects of the Project on the aesthetics of the area. If approved the Project will change the aesthetics from a beautiful rural river canyon to that of an industrial agriculture, and the view will change to a view of industrial plastic greenhouses stretching across dozens of acres.

Air Quality. The MND analysis of air quality is also inadequate. The 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 MND glosses over the Project’s potential to result in objectionable odors without providing any analysis or factual support for its conclusion. The 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. (*Id.*, p. 17.) The MND contains no scientific analysis of the Project’s potential odor impacts, nor does the MND impose any mitigation designed to reduce odors. This is troubling given that Hindley Ranch Neighbors already complain of odors from HDR’s existing activities. Additionally, there is the potential for

Hindley Ranch Neighbors

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.

Second, the 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 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 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 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.

Noise. The MND analysis of noise is also inadequate. The 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 the 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 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. (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.

In fact, neither HDR nor the County conducted any noise analysis to determine the Project's actual noise profile. Therefore, even if the general plan sets noise levels at 91 decibels on the Property, the Project has not analyzed whether it will in fact meet this standard or introduced measures for how specifically it will conform to these standards. Without any evidence, it is impossible to determine how the Project will conform to the standards that it cites.

Despite its lack of actual analysis, the MND concludes that the Project will not increase ambient noise levels. This is a factual impossibility- the addition of over thirty greenhouses and

Hindley Ranch Neighbors

expanded processing will inevitably result in significant increases in ambient noise levels. In support of its conclusion, the 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 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 neighbor’s comments on the Project, existing cultivation activities at the Project site have already contributed significantly to ambient noise levels. (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 MND ignores the reality that the Project will intensify already-significant noise impacts from HDR’s cannabis activities.

The 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.) As stated already, no noise studies were performed to determine existing ambient noise levels, and thus the MND has no basis to conclude that the Project would conform to this standard.

Finally, the 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* 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 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. (MND, p. 55.) In support of this point, the MND includes Table 1 that 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 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 MND.

Population and Housing. The 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

Hindley Ranch Neighbors

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 MND states that employees will commute to the Property to work on the Project. (*See Id.*, p. 58.) However, when discussing vehicle trips, the MND notes that there is some onsite housing available to staff. (*Id.*, p. 64.) Contradictory project description seems 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 MND needs to either properly analyze the impacts of staff remaining onsite, or the effects of staff traveling to and from the site daily.

Traffic and Transportation. The 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 due to overuse and adverse weather conditions.

First, the MND fails to adequately account for employee trips per day. The MND states that between twelve and thirty employees (including temporary employees during the peak season) will work at the Project. (*Ibid.*) The 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 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 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 MND and staff report. Comments from neighbors have already noted the increased traffic and the effects on Old Hindley Ranch Road. (Staff Report, pp. 86-89.)

Second, the 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. (MND, 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 MND failed to adequately analyze transportation impacts.

Hydrology and Water Quality. The 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.*)

Hindley Ranch Neighbors

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 will include the addition of potentially 196,000 square feet of cultivation. (MND, pp. 1-2.) However, neither the Cultivation Plan nor the MND describe or quantify how the three million-gallon pond will be able to serve the Project. The 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. Hindley Ranch Neighbors are concerned 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 MND contains no evidence showing that the existing onsite well is not hydrologically connected to the Mattole River. As such, the MND inadequately analyzes water use by the Project and its potential effect on groundwater.

Additionally, the MND states that the onsite well will be used for domestic purposes and for the proposed 20,000 square foot processing facility. (*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 MND fails to discuss potential groundwater impacts from expanded use of the well for expanded processing facilities and potentially larger residential uses.

Finally, the MND does not discuss at all how the Project will not impact off-site water quality through stormwater discharges and irrigation runoff. Containment of both will be challenging if not impossible given the extremely intensive activities planned on the 40-acre Project site. As with many of its conclusions, the MND appears to rely on a lack of evidence to support a finding of no impact. This is clearly inconsistent with the law.

Wildfire. The MND also fails to analyze potentially significant impacts relating to wildfire. The entire 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 *over one hundred thousand square feet* of mixed-light cannabis cultivation with a potential for approximately six acres total. (*Id.*, p. 1-2.) This could potentially include thousands of high watt grow lights that in the aggregate could utilize hundreds of thousands of kilowatts per day. Additionally, the Project contains a 10,000 square foot processing facility holding potentially thousands of pounds of dried or drying plant products. (*See Ibid.*) The MND contains absolutely no discussion of potential fire risks, mitigation relating to the use of thousands of lights for cultivation, emergency response, fire breaks, emergency evacuation plans, or any other substantive topic relating to the issue. The Project would place an incredible amount of fuel and potential ignition sources to an area that may already be at risk for a wildfire. Give the existing environment of California, and the recent history of catastrophic wildfires, the Project places a

Hindley Ranch Neighbors

substantial and unnecessary amount of risk on neighboring properties and the greater Honeydew region. In the event a wildfire did occur due to Project activities, the size and density of the proposed cultivation operation would become a tinder box that could conflate the entire valley. Moreover, existing fire infrastructure is completely inadequate to address a potential fire of this scope. As such, the MND completely fails to analyze the potential impacts from wildfires.

Public Safety. Cannabis operations, both legal and illegal, have become the target of criminal activity including robbery and assault. Criminals recently targeted several Humboldt County cultivators and seized cannabis products as well as cash and other valuables. The Project, as proposed, could potentially draw the attention of criminal activity, which may have effects on neighboring property owners. The Project does not contain a detailed security plan addressing these issues, or how it will prevent criminal activity in its vicinity. As such, neighbors are concerned that the Project could have the effect of criminal activity spilling over onto their properties, and the MND fails to analyze this issue at all.

3. Conclusion

This letter is not an exhaustive account of all of Hindley Ranch Neighbors' concerns regarding the Project. Hindley Ranch Neighbors are also concerned with the potential RRR recipients including concerns such as where the RRR sites are coming from, the status of the RRR recipients, whether the RRR suites are already mixed light, or if the RRR sites are being "upgraded" to mixed light, and how the RRR recipients will conduct business. Additional concerns such as Project employee trespass onto adjacent properties, and the expansion of existing operations have already been raised, but not significantly addressed in this letter.

We cannot understand why the County would approve such an intensive project on such a small parcel near so many neighbors with so little and such poor analysis of the resulting environmental impacts. We understand the desire to cultivate, however there are many larger, more remote sites that better suited for an operation of this magnitude. This concern is compounded by the fact that the County is aware of the neighbors' complaints regarding the existing activities on the Project site. Put simply, the Project will adversely affect the community, including those members who moved to the area to retire in a quiet, peaceful corner of Humboldt county. As stated earlier in this letter, the Project will expose the area to a host of potential environmental effects, none of which were adequately analyzed.

For the reasons set out above HRN respectfully asks that the Board of Supervisors deny the Project. It is clear that the County did not properly analyze the potential significant impacts associated with the Project. Put simply, the Project is far too large, loud, noisy, unsightly, and unsafe.

Sincerely,

The concerned members of Hindley Ranch Neighbors

HINDLEY RANCH NEIGHBORS

Roxy Kennedy, Jim Bowdoin, 650 & 670 Old Hindley Ranch Rd., Honeydew

Rudi and Cindy Weber, 100 Old Hindley Ranch Rd., Honeydew

Victoria and Robert Van Horn 725 Old Hindley Ranch Road , Honeydew

Roger K Warren /Warren family trust, Old Hindley Ranch Road, Honeydew

Julia Newcomb, Old Hindley Ranch Road, Honeydew

James and Drew Smith, Mattole Property APNs:107-054-023, 107-101-009, Deed reference: # 1916-881020 Honeydew

Cedric Roy, Applewood Road, Honeydew

Sarah Bstar, Applewood Road, Honeydew

Lawrence & Lisa Hindley, 4816 Mattole Rd. Honeydew, Hindley Ranch descendants

Ken Carpenter, 129 Hindley Ranch Road, Honeydew

Hope Rose Wright, 95 Hindley Ranch Road, PO Box 173, Honeydew

Joey Street, 3 Applewood, Honeydew

MATTOLE VALLEY COMMUNITY IN SUPPORT OF HINDLEY RANCH NEIGHBORS:

The Mattole Grange #569, Mattole Rd., Honeydew
Robert Wiele, P O Box 13, 32375, Mattole Road
Charles N. Gould, P.O. Box 153, Petrolia, CA 95558
Peter Marshall, Mattole Road, Honeydew, Mattole Grangemaster, Honeydew Fire Company captain
Claire Trower, Wilder Ridge, Mattole Grange, Honeydew Fire Company
Richard Gillespie, 36948 Mattole Road, Petrolia CA. 95558
Honeydew VFC, Mattole Grange Member, First Responder
Dyan Damron-Cushing PO Box 61 Petrolia, CA 95558, Mattole Grange, Community Center, Historical Society
Michael Evenson, President, Mattole Salmon Group, Owner/Operator Lost Coast Ranch, Overseer, Mattole Grange #569, Legislative Director, California State Grange.
Roger Zoss <rmz2@frontier.com> Grizzley Creek
Laura Walker Cooskey, 544 Green Fir Rd., Petrolia, CA 95558, Mattole Grange, Mattole Historical Society Founder.
Maureen Catalina...Box 93, Wilder Ridge Rd, Honeydew
Sonny Dobson of Dobson Images Photography
Shannon Dupret, Box 130, Petrolia, CA, Grange member. School Parent Club
John & Josie Brown, Petrolia, CA, Lost Coast Camp director
Ron Cleave, Petrolia, CA, retired Real Estate
Leigha Campbell, Petrolia resident, school secretary
Dulce Doane, Box 69, Petrolia, CA
Ken & Heather Gossard, 40385 Mattole Road, Petrolia, Fisher folk.
Sandy Antonson, Box 2, Petrolia. Member MRC, Community Center, Historical Society, Grange
Ali Freelund, Box 1, Petrolia.
Rob Yosha, Box 155, Petrolia. Salmonid Biologist for 30 yrs., Past board member and employee of MRC, Mattole Salmon Group, and own company, Salmonid Solutions.
Ron Cleave, 1900 Lighthouse Rd, Box 56, Petrolia. Retired Realtor.
Jane Lapiner & David Simpson, Box 81, Petrolia
Abbiann Prince, 2766 Ettersburg Road, Permitted outdoor farmer
Toreitha and Allen Heady, Box 170, Honeydew. Retired post mistress & retired Navy
Dick Brown, Mattole Rd, Petrolia, Retired shop teacher
Dan Berger, 330 Chambers Rd., Petrolia
Lindsay & Rob Merryman, Box 13, Petrolia
Kathryn Radke, PO Box 214, Petrolia 95558. Mattole Grange (member), Mattole Valley Community Center (member, board of directors), Mattole Valley Resource Center, (member, board of directors).
Nieves Rathbun and family, Owner - By Nieves :: Handmade Natural Body Care Chair - Mattole Elementary Site Council
Vice Chair - Mattole Valley Community Center Board
Marika Ennis, MD and Josh Ennis MD, PO Box 129, Petrolia, Mattole Community Center members, parents at local Mattole Elementary and Preschool, local physicians.
Wren Belcher, Box 132 Honeydew. Carpenter
SueBee McCants, Green Gate, Honeydew. Retired Teacher
Lois Juodeika, P O Box 16, Honeydew, Retired Mattole School Board.
Ron & Linda Lyons, 5562 Wilder Ridge Rd, Honeydew

**Michael
Evenson**

Mon, Oct 7, 9:47 PM (18 hours ago)

to me

To officials in the County of Humboldt,

I oppose the zoning of ag land to industrial chemical production and processing and am completely against the Honeydew Ranch, LLC, Conditional Use Permit, Special Permit and Zoning Clearance Certificates: APN 107-272-005; Record Number" PLN-12256-CUP; Apps No. 12256. In terms of that neighborhood, it is fully appropriated (if not overly appropriated) for cannabis production.

From the standpoint of our over four decades of river restoration efforts, one essential fact has made itself clear in this multi-year drought: according to USGS gauges, the Mattole river has lower and lower flows with each succeeding year, despite a vigorous "forbearance" program which impounds winter time flows for summer time use. The Mattole needs water. The public trust values dependent upon Mattole water should result in no further industrial water appropriations, whether winter or summer time.

From the standpoint of a vibrant Humboldt community supporting families in an isolated valley, the introduction of industrial scale cannabis is an assault to the existing community. The smell, as now permitted, is almost overwhelming in many areas of the Mattole, including the Hindley Ranch. It is unliveable, unmeasureable and unmitigatable. It is constant during several seasons and certainly not conducive to protecting families and family values from harm.

The Planning Commission should not have the power to turn a neighborhood into an industrial zone, complete with noisy fans running 24 hours a day, or the use of other industrial equipment with their assorted impacts. The 60 decibel threshold established by ordinance is woefully high and should be lowered to 20 decibels and only during normal work hours. To do otherwise would be to deprive nearby Mattole residents their right to use their properties for home dwellings, something that could be successfully challenged in the courts. Should the residents prevail, the county which permitted these industrial facilities will be liable for damages to the health and property values of residents who are abiding by their rural zoning.

Any facility to grow or process cannabis must contain all impacts onsite, including those of noise, traffic, smell and threat to public safety. This is why we have industrial zoning near our major transportation arteries.

Please deny this Honeydew Ranch, LLC permit.

Sincerely yours,
Michael Evenson
PO Box 157
Petrolia, CA 95558

President, Mattole Salmon Group
Owner/Operator, Lost Coast Ranch®
Owner/Operator, OldGrowthTimbers.com
Overseer, Mattole Grange #569
Legislative Director, California State Grange



Roxy Kennedy <hnydew@gmail.com>

6 acre grow opposition addition

1 message

D's frontier <drewbarber2@frontiernet.net>

Tue, Oct 8, 2019 at 11:48 AM

To: Roxy Kennedy <hnydew@gmail.com>

Hi Roxy and Jim,

I would like to add my name and address to the opposition to this grow. I read your letter and agree with your perspective and appreciate your differentiation between this type of business and those of us local small operators making a go of the cannabis business.

This type of operation is the exact reason I have been working with Uplift, our local cooperative of cannabis farmers to keep small-local operations viable: the mega growers are already in, and working to get more of a foot hold in our area due to the name that has been built by the family run operations. This farm is the equivalent of 24 families running an operation of my size. From a community perspective I think we would be better off with the 24 local families contributing to our schools, fire departments and society than the situation you are experiencing.

I am so sorry this issue has been building on your fence line, it is time we have an accountable cannabis industry that is done in a way that supports and is supported by our community. That is my hope for the regulated market, and what I am working towards.

Sincerely,

Drew Barber

Petrolia Vol. Fire Lt, Mattole Valley Resource Center BOD, Uplift Cooperative President, Cannabis farm owner/operator
PO Box 112
Petrolia CA, 95558
East Mill Creek Farms, Farmer, Owner