

SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of: August 6, 2020

- Consent Agenda Item
- Continued Hearing Item
- Public Hearing Item #H-2
- Department Report
- Old Business

Re: **Adesa Organic, LLC, Conditional Use Permit**
Application Number 11923
Case Number PLN-11923-CUP
Assessor's Parcel Numbers (APNs) 315-145-002, 315-211-003 and 315-211-004
23550 Maple Creek Road, Korbek, Maple Creek area

Attached for the Planning Commission's record and review is (are) the following supplementary information item(s):

1. Comments received during the circulation of the Draft Initial Study and Mitigated Negative Declaration prepared for the Adesa Organic, LLC project.
2. County response to comments received.

Humboldt County response to comments received on the Initial Study and Draft Mitigated Negative Declaration prepared for the Adesa Organics, LLC Conditional Use Permits:

Comments received during the circulation period from July 1, 2020 to August 1, 2020

1. Letter dated August 1, 2020 from Redwood Region Audubon Society.

Comment 1: Project would have a significantly higher carbon footprint than if located on agricultural or industrial land closer to major highways and served by public utilities.

Response: The county has analyzed the project that was presented for review and applied mitigation to reduce the carbon footprint of the project. See ENE-1 renewable energy mitigation.

Comment 2: Transportation for fifteen full time employees would require two nine passenger vans or one small bus to make a sixty-four mile round trip per day with an elevation difference of over 2,200 feet.

Response: One or two average daily trips would not result in significant impact. Initial Study estimates and considered up to ten average daily trips for the project.

Comment 3: Vehicle traffic required for fuel delivery and to supply diesel generators, soil for plants would significantly impact the road. There are no plans for soil recycling. There will be significant carbon emissions from these vehicles.

Response: Mitigation to reduce reliance on generators (See ENE-1) reduces the impact of fuel delivery. The Operations Plans for Adesa Organics, LLC states that the operator will use a soil fertility management system to recycle soil on-site (p.4 Ops Plan).

Comment 4: Long term plans include extension of electrical grid, which would be a growth inducing factor.

Response: The area surrounding the project site is designated as Timber Production Zone and Agricultural Exclusive, both of which would not allow for significant growth other than for agricultural purposes.

Comment 5: Project is within Grasshopper Sparrow nesting habitat and surveys should be done in nesting season.

Response: Mitigation measure Bio-8 requires nesting Bird surveys including for Grasshopper Sparrow.

2. Letter dated July 15, 2020 from Department of California Highway Patrol

Concern raised regarding safety of the road and that increased vehicle traffic could create possibility of traffic collisions.

Response: The road is a publicly maintained road that is at a similar functional capacity as a Road Category 4 given the amount of traffic on the road. The road is 20 feet wide in many areas with sufficient turnouts when necessary, and the proposed project would add approximately 10 average daily trips to the road network.

3. Email dated July 21, 2020 from Arthur Wilson

Concern raised regarding protection of water quality of Cowan Creek, pollution from chemicals, noise and light, traffic, fire safety, and regulatory oversight.

Response: These concerns are addressed in the Initial Study. See Biological Resources, Aesthetics, Noise, Hydrology/Water Quality, Noise Sections.

4. Letter undated from Ronald Wilson

Concern raised regarding protection of water quality of Cowan Creek, pollution from chemicals, noise and light, traffic, fire safety, and regulatory oversight of the project once the need for cannabis goes away.

Response: These concerns are addressed in the Initial Study. These concerns are addressed in the Initial Study. See Biological Resources, Aesthetics, Noise, Hydrology/Water Quality, Noise Sections. If facility is not utilized for cannabis, mitigation measures will still apply to the construction and maintenance of the facility.

REDWOOD REGION AUDUBON SOCIETY

P.O. BOX 1054, EUREKA, CALIFORNIA 95502

RRAS.org

August 1, 2020



Planning Commission

Humboldt County Courthouse
825 5th Street
Eureka CA, 95501

Subject: Adesa Organic, LLC Conditional Use Permit and Special Permit. APNs 315-145-002, 315-211-003, 315-211-004, 315-146-018 and 315-222-003; Case Nos.: CUP16-452; Apps Nos.: 11923

Dear Commissioners:

Redwood Region Audubon Society has reviewed the application materials for this project and find it inappropriate for the site. Although it may qualify as “agricultural” it produces neither food nor fiber. Although it is in an agricultural area used for grazing, the crop that is proposed to be grown will require soil to be imported and recycled. The project would establish a high impact industrial site in a remote area of Humboldt County.

The project, as described, would have a significantly higher carbon footprint than if located on agricultural or industrial land closer to major highways and served by public utilities:

1. Transportation for fifteen full time employees would require two nine passenger vans or one small bus to make a sixty-four mile round trip per day over mountain roads with an elevation difference of over 2,200 feet.
2. Vehicle traffic required for fuel delivery to supply diesel generators, soil for growing the plants, hauling spent soil to be recycled and hauling back viable soil, would significantly impact on the road. There are no plans for on-site soil recycling. In addition to vehicular impact, there will be significant carbon emissions from these vehicles.
3. The applicant states that long term plans include extension of the electrical grid to the project site. Although this would reduce ongoing carbon emissions, it would also be a growth inducing factor.

Although the report mentions Grasshopper Sparrow observations on the site. We could not find the details of these sightings. The project site is within suitable Grasshopper Sparrow nesting habitat and it is imperative that surveys for this California listed species of special concern be done in the nesting season.

For the reasons stated above, we believe this project should not be approved.

Sincerely,

Jim Clark, Conservation Committee Co-Chair
Redwood Region Audubon Society

A MEMBER OF THE NATIONAL AUDUBON SOCIETY

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Humboldt Area
255 East Samoa Blvd.
Arcata, CA 95521-6797
(707) 822-5981
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



July 15, 2020

File No.: 125.14866.20424

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

RE: SCH #2020060675

The California Highway Patrol (CHP) Humboldt Area recently received a request to review and respond to the Adesa Organic Project. Adesa Organic's Notice of Completion and Environmental Document Transmittal describes the establishment of 86,400 square feet of new mixed-light cannabis cultivation facilities to be built on Butler Valley Road eight miles south of Maple Creek Road. The project description states these facilities would be operated by approximately 20 employees and serve to allow for marijuana grown on over 400 acres to be farmed. The project description notes the marijuana grown at this property will be processed offsite. The CHP's primary concern, both generally and in terms of this project, is one of safety. The roads in this area are known to be winding, narrow, and often poorly maintained. These roadways could make it difficult, and likely hazardous, to move the equipment and materials necessary to construct the described facilities to the proposed location, and once constructed, to operate the farm. Additionally, the increased vehicular traffic on these roads, often of insufficient width for two vehicles to pass, could create the possibility of motorists becoming stuck in disabled vehicles and/or motorists being involved in traffic collisions. The CHP Humboldt Area recommends considerations be made to improve the roadways needed to access this site prior to implementation of the project in order to mitigate these dangers.

If there are questions regarding the concerns of the CHP Humboldt Area, please contact Sergeant Caleb Carsey at (707) 822-5981.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. L. Barr".

S. L. BARR, Captain
Commander

Safety, Service, and Security



An Internationally Accredited Agency

From: [Planning Clerk](#)
To: [Johnson, Cliff](#)
Subject: FW: Adesa Organics PLN-11923-CUP
Date: Wednesday, July 22, 2020 9:21:06 AM

-----Original Message-----

From: Ron <rgw54@suddenlink.net>
Sent: Tuesday, July 21, 2020 7:37 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Adesa Organics PLN-11923-CUP

Dear planning commissioners,

It is a gut wrenching experience to be notified that this really bad idea wants to come into our world.

How can mitigations possibly come close to offsetting the negative impacts this project will have on your neighbors and the natural world?

How will you protect the flow and purity of Cowan creek for livestock and wildlife?

How will you prevent pollution from chemicals, fuel, noise, and light?

How will we be safe on the long, narrow, windy, poorly maintained county road with dramatically increased traffic?

We've all, already have had enough bad experiences With careless marijuana people drivers.

How will we feel safe in Fire season with all the buildings, equipment and questionable people spread out on the tinder dry country? Cal Fire capacity to protect us is diminished.

How can we be assured regulatory oversight will happen with dramatically reduced Government budgets & personnel cuts.

Just because something like this might be legal doesn't mean it is right, wise or ethical.

Please help us with this his alarming development.

A mitigated negative declaration would be absurd.

Arthur Wilson
Adjoining neighbor
Ap# 315-211-002-000

From:

Ronald Wilson

Interest holder parcels:

315-211-002-000, 315-212-003-000, 315-144-002-000,315-214-001-000

Re:

Adesa Organics, PLN-11923-CUP

Dear Commission members,

The Wilson / Sudori Family has been owners of the closest parcels adjacent parcels since the 1870's. We are the longest continuous owns of any properties in the region. We care what happens in the area especially when it is in such close proximity to our property. Despite the "negative declaration" by the applicants, I see we are at risk of significant negative impact by the proposed project.

Water:

Cowan Creek runs directly through the project and then immediately onto our place. This water has been used and is vital to livestock watering continuously during our ownership. We have senior water rights since 1876. Surface run-off from this project will enter Cowan Creek. The planned disturbance of soil at the site is highly likely to increase turbidity in the stream as well as any other contaminants present in the soil weather oil, fuel or residues from the grow chemicals used. Spills or other unintentional release. Those agents may be approved for organic marijuana grows but are they approved for ingestion by livestock raised for human consumption? It appears the catchment system proposed to supply the ponds will require pumping. The ponds are distant and higher than the roofs feeding them. Pumps can be overwhelmed and fail. It is not clear were overflow water from the ponds will go. We are directly and closely downhill from the largest pond and that terrain is at risk of erosion from overflow.

Sewage from the restroom facility will require pumping from the septic system up over a significant rise to reach the leach field that is directly adjacent to the fence line that separates us. Failure of the system will put sewage overflow in and near the creek. Failure of the leach field puts waste water directly on us. The hazardous chemical storage shed location is not specified by the plot plan. Hopefully it would not be transported across the creek on a regular basis. Spill containment and disposal of any residues or equipment wash water is not clearly spelled out. Storage of containers AND empty containers needs to be bear proof. Mister Bruin is a curious sort with an infinity to explore anything new and different. Tires seem to get chewed on too. (personal experience) The plan seems to focus on its impact to the greater watershed of the Mad river which is relatively minor at the most. It doesn't address the extreme local impact it can have on those relying on a constant clean source of water. Our property is only hundreds of feet away and supplies 100 % of the stock water for the west half of our property.

Noise:

Findings: NO IMPACT ??

The noise associated with construction does not terribly bother me. Loggers and road construction is not unusual and temporary. 5kw generators and numerous AC units are not limited in hours of operation and permanent.

Mentioned in the plan are their own residences .9 miles to the west. WHAT ABOUT US? The property line for this project appears to be less than 200 feet from the grow houses. Our residences are nearly the same distance as theirs to the EAST of the project site.

Fire:

The prevailing winds during the dry months of the year are out of the north, or upriver. The closest fire response would be CalFire helicopter from Kneeland, (if they are home). Ground support would be Trinidad, Bridgeville, or Fortuna. A lot can happen in those hours before ground crews can arrive. Especially to those of use down wind on a windy day. It can be FAST. In my life two fires have impacted our ranch already. I've seen it, don't like it.

Location:

I feel its worth mentioning that the county GIS map of the planed site is slightly misleading. The parcel lines as projected on the terrain are not accurate. The actual boundary on the ground are about 200 feet closer to the project on an existing fence line visible in the images. I've recently confirmed the corners exist on the fence line. This does not change "legal" setbacks, But "my, that's close". Especially when you start with 180 acres or so.

When it's over:

This is a commercial enterprise. When profits disappear someday, what of cleanup? When no money is generated will the place be left to decay? This is not addressed. Will it be left for others. (L.P. Pulp site)

Closing:

Its disturbing that something this close would be undertaken with so little involvement or consideration to neighbors. "NEGATIVE IMPACT" is unlikely. The paperwork looks through and professional and sterile. Approved, our world will change. I have never hesitated to drink directly from Cowan creek, nor hesitated to use its water for stock. Who tests the water? How often to protect our supply. That water is essential for livestock during the dry months as the only alternative is a mile away.

Maybe the engineers and planers see 50decibles as acceptable but this is an area that can have so little background noise that in the evening when the breeze dies, I can hear a ATV running a mile plus away, or hear a neighbor hollering commands to his stock dogs. Despite my poor hearing. Hope those sound mitigations work. Sound bounces off those hillsides in odd ways.

Fire scares me. Pray those employees don't smoke or at least have half the respect for the damage a casual flick of a match or but can do. What of other open flames? The site is out of cell phone service. Without some alternative on site additional response times are likely.

Mentioned are indications of phased buildout. What are the potentials of production facilities coming on line before the

MAY I SUGGEST:

Mitigation is the catch phrase used throughout the planning documents. Perhaps something needs to be spelled out to mitigate any potential damage to the neighbor's weather us, Green Dimond, Hunter Ranch, Wilderness Ranch or others. Perhaps a bond, trust, insurance policy, or other financial arrangement, Irrevocable that covers potential losses. Losses not limited to:

Loss of structures

Repair / replacement of fences

Timber value

Feed value

Lost or injured livestock

Stream restoration

Temporary water supplies for livestock

Erosion control, repair

Upon suspension of operations:

Hazardous materials removal

Removal of structures made of non-organic materials (plastic)

Secure or remove ponds

Remove fuel storage

Fill septic system (not viable without pumps for the leach field)

Etc.

Clean the place up. NOT looking forward to rotting plastic sheeting blowing around. I would hope \$3,000.000.00 might help cover it.

Thank you for taking the time to read my venting. I certainly don't have experience with issues like this and have had little time to fully understand the workings of the engineers and others assigned to derive a negative declaration. I don't quite see it that way.

Regards

Ronald Wilson

Eureka Ca.