

## McClenagan, Laura

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**From:** Ann Constantino <annconstantino@gmail.com>  
**Sent:** Thursday, January 20, 2022 3:54 PM  
**To:** Planning Clerk  
**Subject:** Comments on Humboldt Hempire PLN 2020-16602

**Follow Up Flag:** Follow up  
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1. We would like to respectfully request that Mr. Mulder recuse himself from voting on this matter. His involvement with cannabis grows gives the public the perception that he may have a conflict as does his status as a long-time resident. He also has a very close relationship with supervisor Michelle Bushnell who has a close association with the project. She involved herself directly with this application by holding a so-called mediation involving an opponent of the project's plan writer, and herself.

2. The Humboldt County sheriff rejects this project without qualification. There are pending felony charges against the applicant already a convicted felon who did time for cannabis-related money laundering and illegal cannabis cultivation.

3. The applicant has a long history of violations and disregard for environmental protections. In 2014 he was found diverting water and pumping it into 6 unpermitted 200,000 gallon bladders. Later he was able to permit the diversion. He explained to him at that time how to keep records of his water business but it was soon discovered by the county books. It was found that when he installed the bladders he violated environmental protections again and destroyed riparian vegetation. He was again given another chance and had to restore the vegetation. Despite the restoration he was allowed to continue his operations.

In 2018 he was found to be illegally diverting water again. This time to an illegal grow as well as into his property. The staff report show continued disregard for stream integrity and persistent disregard by the applicant for the protection of and already cited for. Over and over and over again he knowingly violates and is allowed to continue his operations.

He twice cut trees for his cannabis enterprise but escaped consequence by rearranging his cannabis property into unrelated activity. The planning staff was recommending denial last month for this tree activity.

Based on this history there is no reason to trust that this applicant will abide by the law.

4. The county has fallen behind on CEQA mandated studies of the cumulative effects of cannabis development in the neighborhoods. Jeffries has a permitted indoor grow and a water sales business on a property that has been a homestead and horse pasture during my 49 years of living in the neighborhood. The staff report is incorrect. The average property is between 5-20 acres in this neighborhood. There are two nearby clusters of homesites, one is two acres. The cumulative effect of the applicant's ongoing violations along with his established permitted operations has been studied. The welfare of neighbors and their property values have been negatively affected by the applicant's actions. The applicant has yelled hostilities at me as I walked along the river and I am afraid of him.

5. Because of the applicant's history it is reasonable to suspect that he will attempt to extend the temporary water sales business as he has now made it part of his cannabis infrastructure. He is required to have set aside funds for water sales bladders and restore the area to its former state when the CUP expires in 2030 or thereafter. The county should ascertain the applicant's intentions for his future water storage if he intends to continue his cannabis production until termination. The county should also ascertain that the applicant has the required funds set aside as required given the current downward trend in the industry.

6. The effects of the 2019 lawsuit involving FEMA's mismanagement of environmental information regarding development is being looked at more carefully in the wake of this ruling against FEMA in Humboldt, MA. It would be prudent of the county planning government to hold back on any further permitting of project development until these FEMA matters are resolved.