

From: [Tanya Lynne](#)
To: [Planning Clerk](#)
Subject: Re: PLN 2020-16602, for July 1, 2021 Hearing
Date: Monday, June 28, 2021 9:19:44 PM

Letter of Objection to: PLN-2020-16602
Parcel Number: 223-061-011-000

Dear Planning Commissioners,

As a neighbor who stewards land sustainably, directly across the South Fork of the Eel River from this proposed Cannabis Cultivation, I humbly request the Humboldt County Planning Commission:

- (a) remove this Special Permit from the July 1, 2021 Consent Agenda, and allow at least 60 days, if not an entire year, for further project review
- (b) require more mitigations for potential impacts this project could cause to scarce water resources and all species who reside here,
- (c) consider all of the other permits in the Eel River watershed that were already in line waiting for your approval, before you attend to this application, and
- (d) discover all future intentions this land owner has for the development of this Zoned-Residential property.

My initial objections to this project were slightly diminished when I learned that the proposed 20 new greenhouses cannot be located in the flood plain of the Eel River. I appreciate the Planning Department for protecting the Streamside Management and Floodplain areas by setting back the proposed greenhouses to an area of the parcel that is already established for residential use.

However, I remain in firm opposition to this proposal. These contestations ought to warrant for further review by Planners and the Commission:

(1) The use of Water, our most Biologically Valuable (and limited) Resource:

PLN-2020-16602 claims that 600,000 gallons per year can be sustainably collected from “an 83,000-square foot tarpaulin,” but the Planner assigned to this project admitted to me, he never witnessed those pumps running. The planner witnessed the plan in theory. This Proposal has not been adequately vetted.

I contest that this “tarpaulin” is the true water collection plan of the land owner. I have heard pumps running across the river occasionally and unpredictably, often at night. None of the times I have heard water pumps running were times when rain was falling. If you are doing your due diligence, your site inspectors ought to witness 600,000 gallons of water being collected from the purported collection tarp. I do not believe that is true, or possible in the current Drought. I urge you as Stewards of the remaining water resources in Humboldt County, to honor your agreements to your constituents, and consider any water collected (from the purported rainwater collection tarp, or more likely, from the South Fork of the Eel River) to be a sacred necessity for our human community.

Moreover, according to Humboldt County’s General Plan update, Water Resources and Land Use section WR PL, Humboldt county must: “*Ensure that land use decisions conserve,*

enhance, and manage water resources on a sustainable basis to assure sufficient clean water for beneficial uses and future generations.” This conservation ethic codified into County Law is good reason to consider the water collected by the land owner to be a resource for the Southern Humboldt community. What about wildfires? What about our gardens, local food production, or the community's need for that water in the future? Have you adequately surveyed the Eel River, or just the South Fork, and determined how much water will fall or run through this area in the future? Local groups like the Eel River Recovery Project and the Friends of the Eel River are adamant that we are in an extended drought. All of the water that exists in California is a precious source of life and habitat for aquatic and terrestrial species, including Endangered Chinook, Coho and Steelhead Salmon.

The General Plan also indicates that the Commission must consider how *“limited water supply or threats to water quality have potentially significant cumulative effects on the availability of water for municipal or residential water uses or the aquatic environment.”* Given the propensity of wildfires in our area, and the near lack of community water storage in Garberville or Redway, this water that the property owner is already collecting ought to be thought of by Planning Commissioners as a critical resource for the community. Although the water is not potable, it could be filtered or treated. Either way, 600,000 gallons of water will be needed by our Community members, for their gardens and livelihoods, and for the protection of our community in the instance of a wildfire.

As the Humboldt County Commercial Cannabis Land Use Ordinance explicitly prohibits the use of bladders for irrigation and storage purposes, this entire plan seems contradictory to the General Plan. According to ORD#2599 CCLUO, Section: [55.4.5.10](#): *“The County reserves the right to reduce the extent of any Commercial Cannabis Activity, including but not limited to the area of cultivation, allowed under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed where the Commercial Cannabis Activity is located, will not support water withdrawals without substantially adversely affecting existing fish and wildlife resources.”* Well, there’s clear legal basis for denying this project, until it can be adequately proven that (a) the Eel River has enough water flow to support the Communities of Redway, Garberville, Phillipsville, Miranda and beyond, in addition to this project and (b) an Environmental Impact Report is completed that proves there will not be an impact from collecting Millions of gallons of Rainwater, on all of the Species and Communities that rely on the South Fork Eel River.

According to the Planning Staff report on the project, *“The California Department of Fish and Wildlife objected to this application when it was originally scheduled for the Zoning Administrator and asked that it be heard by the Planning Commission. CDFW has asked why the county is considering permitting cultivation that utilizes the existing water bladders and has commented that the project appears to be located in the flood zone and riparian setbacks. The proposed cultivation is outside of the mapped flood plain and is over 200 feet from the edge of riparian vegetation.”* I echo the concerns of CDFW. The water that is collected in the bladders below Garberville ought to be kept for Community use.

Please, really ask yourself: If the water resources the land owner is collecting are used to create more Cannabis, in a market already flooded with Cannabis and with diminishing prices on that commodity - is that the best allocation of Humboldt County’s limited water resources? Is this the best utilization of some of the only flat, Residential land remaining in all of Southern Humboldt?

(2) The Lack of Mitigation of Potential Impacts to the Eel River and all of its Constituents

Runoff:

There are no mitigation measures described in any part of this proposal for the runoff from 20 large greenhouses directly adjacent to the South Fork of the Eel River, which is widely known as a critical habitat for Endangered Salmon. In fact, Salmon are not mentioned in any part of the Planning review. If any fertilizers, especially if any acidic, inorganic, or chemical products are used on this proposed Cannabis Cultivation site, it is likely they will make their way through permeable gravel and rock, directly into the groundwater and the South Fork Eel River.

What's equally concerning about this fact of the lack of Mitigations for runoff, is the fact that the Redway Community Resources District water intake is directly down river from the proposed project site. Any materials that infiltrate or run off into the River will make their way into Community water, which has unforeseen (and un-surveyed) long term impacts on the health of your constituents.

According to the Staff Report on this project, *"Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected."* Excuse me, but, what provisions? That sentence is not much description. I see Zero mitigation measures in this proposal to (a) prevent runoff from greenhouses, (b) protect the groundwater from permeability through gravel and rock, where the greenhouses are proposed to be located, or (c) to dispose of any sediment or runoff outside of the stream side management area. Where would the runoff, or any organic matter generated by this massive grow, go?

According to California Streamside Management regulations, Title III, chapter 4:

61.1.10.1.6 Concentrated runoff will be controlled by the construction and continued maintenance of culverts, conduits, nonerodible channels, diversion dikes, interceptor ditches, slope drains, or appropriate mechanisms. Concentrated runoff will be carried to the nearest drainage course. Energy dissipaters may be installed to prevent erosion at the point of discharge, where discharge is to natural ground or channels.

61.1.10.1.7 Runoff shall be controlled to prevent erosion by on-site or off-site methods. On-site methods include, but are not limited to, the use of infiltration basins, percolation pits, or trenches. On-site methods are not suitable where high groundwater or slope stability problems would inhibit or be aggravated by on-site retention or where retention will provide no benefits for groundwater recharge or erosion control. Off-site methods include detention or dispersal of runoff over nonerodible vegetated surfaces where it would not contribute to downstream erosion or flooding.

61.1.10.1.8 Disposal of silt, organic, and earthen material from sediment basins and excess material from construction will be disposed of out of the streamside management area to comply with California Department of Fish and Wildlife and the North Coast Regional Water Quality Control Board requirements."

There is no mention in the Staff Report on this project that would fulfill any of the above noted requirements, as the project is technically just outside of the Streamside Management area. However, as the project site is remarkably close to the 100-year floodplain and the nearest Streamside Management area, I would urge Commissioners to consider the above regulations as applicable to this parcel and project proposal, as a cautionary stance to protect

the County's plant and animal communities.

Endangered & Threatened Species

According to the Staff Report completed thus far on this Project, *"the Myotis evotis and Bombus occidentalis are the only mapped rare and endangered species of concern on the project site. The nearest Northern Spotted Owl Activity center (HUM0927) is located approximately 2.9 miles west from the project site and the nearest NSO observation is approximately 1.29 miles southwest from the project site."* I differ - I believe Northern Spotted Owls travel through the area, and I often witness another Threatened Species here: the Bald Eagle. What's shocking to me, however, is there is no mention in this Proposal of the **Endangered Coho, Chinook, and Steelhead Salmon**, whose home could be the Eel River, located perhaps 200 feet from the proposed project. What will be the impact on these imperiled species? Moreover, when was the last review for Northern Spotted Owl completed? This proposal has not completed an adequate Environmental review.

Here is an (inexhaustive) list of species I've witnessed living here, near the South Fork of the Eel River, since I moved to a Cabin on Leino Lane, in Garberville, in April 2019:

California Quail; Barred Owls; Anna's Hummingbird; Hairy Woodpecker; Flycatcher; Scrub and Stellar Jay; Raven; Crow; Nutcracker; Thrush; Tanager; Sparrow; Robin; Pigeon; Tiger Swallowtail; Red-tail Hawk; Osprey; Egret; Duck; California Sister Butterfly; Water Strider; Dragonfly; Spiders of many varieties; Bee; Lizard; Snake; Salamander; Frog; Toad; Cicada; Moth; Beetle; Ant; Grasshopper; Banana Slug; Brush Rabbit; Long-tailed Vole; Gray Fox; White tailed Deer (including Fauns); Pacific Dogwood; California Laurel; Alder; Black Oak; California Buckeye; Big Leaf Maple; Cottonwood; Manzanita; Pacific Madrone; Tan Oak; Blackberry; Hazelnut; Monkeyflower; Rose; Pearly Everlasting; California Poppy; Lily; Milk Vetch; Milk Thistle; Sagebrush; Yerba Sancta; Yerba Buena; Redwood; and more!

Noise

I contest that the noise levels on the property will remain around 45 decibels, as the limited Noise Survey describes. In fact, the property owner frequently and unpredictably engages in loud, industrial scale activity involving any of the following, if not all at once: Loud Machines; Clattering of Heavy Metal; Construction; Destruction; Timber Operations. These activities often exceed Noise levels enough to awaken or disturb myself, my neighbors, and their dogs.

As noted within the report on this Proposed Cannabis Cultivation, *"according to the Humboldt County WebGIS, timber conversions occurred on the southeast portion of the property between the months of June of 2020 and July of 2020. The project is conditioned for the applicant to have a Registered Professional Forrester evaluate the timber conversions and provide a Restocking Plan."* Can you imagine the noise and heartbreak that occurred for our entire Ecological community during the logging on this property last summer? This trauma was re-activated recently, shortly after my neighbors and I made our opposition to this proposal known publicly - the property owner awoke the neighborhood on June 26th, 2021 at about 7:05am by felling a large, mighty tree (on a bank above the proposed project site) and tearing it apart for several hours. Then on June 27th, 2021, timber operations on the property recommenced at about 6:25am. I believe these activities were disingenuous to the agreement between Humboldt County and the Property owner to Restock and Remediate areas that were previously logged. Moreover, I am deeply offended that the property owner feels it is an

allowable use of his Residential Parcel to loudly Log and disturb our Ecosystem early in the hours on a weekend. It's extremely disrespectful to our entire neighborhood, but especially to all of the plants and animals impacted by the murder of innocent trees.

If the assessment thus far completed only noted *"General noise came from wind and passing cars from a nearby road,"* said survey was not completed at a time the Property Owner is actively working with his Machines. *"Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species,"* as noted by Planning Staff. How is this condition being monitored or enforced?

Light Pollution

I urge the Property Owner to consider the Light Pollution already created by the very bright Security lights attached to his existing structures, which inhibit my night vision and bother my eyes late at night. Moreover, I see no deep discussion in the Staff Report of how our quiet, dark valley will be truly impacted with the presence of 20 Mixed Light, large greenhouses.

According to the Humboldt County General Plan, Section 55.4.12.4

"Performance Standard for Light Pollution Control

Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise... Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses."

I hope the Planning Commission intends to monitor and enforce that any Security Lighting and Mixed Light Cultivation is fully shielded from the rest of the neighborhood, but especially in the interests of maintaining the surrounding Biologically Sensitive areas for other species use, especially at night. A small amount of Security Lighting or a short glimpse inside a well-lit greenhouse can inhibit night vision that is crucial for many animals' survival.

Alternatives to Approving PLN 2020 16602:

Given that this project would theoretically utilize a substantial amount of the area's rainwater, I urge the Commission to require at least a full year review to ensure monitoring of the proposed rainwater collection, as well as review of the health and viability of the ecosystem in the area.

The Planning Commission should, at the very least, require the applicant to submit further evidence that this plan will Mitigate any potential harms, or reduce the scope of the project. The Mitigation of possible Runoff from Proposed Greenhouses is something that needs further assessment and design.

The Commission should continue the item to a future date at least two months later to allow for more review of potential impacts including: Noise, Light Pollution, Impacts to Habitat, Impacts to Water Resources, and the Community.

I reiterate the fact that 600,000 gallons of water directly benefits Humboldt County when it is

used for Food Agriculture, Drinking Water, and Wildfire Prevention. I guarantee, we will need this water for these uses, more than we need 20 more greenhouses of Cannabis in an already flooded market.

Please, do not authorize any project similar in scope and type, until you have fulfilled Humboldt County's mandate, as per the General Plan, for a long-term Watershed and Groundwater Supply analysis. From Humboldt County General Plan, Section WR - IM11: "Within five years after the adoption of the General Plan Update the County shall prepare a watershed analysis to determine whether the long-term surface and groundwater supply is available, including seasonal, average, dry year, and multiple dry year supplies, and preservation of existing beneficial uses of water. The study shall determine an estimate of the quantity of water available for the level of future development described in the Revised Draft EIR for the CPU. Work with water and wastewater related special districts, regulators, and other appropriate organizations to monitor watershed conditions."

Thank you for contributing your time to our community. I hope you will move to remove this PLN-2020-16602 from the July 1, 2021 Consent Agenda.

Sincerely yours,

Tanya Horlick

215B Leino Lane
Garberville, CA 95542
Mailing Address: PO Box 343
Redway, CA 95560
(707) 223-3963

From: [trout fisher](#)
To: [Planning Clerk](#)
Subject: Hempire farm proposal
Date: Monday, June 28, 2021 2:10:35 AM

June 28th 2021

To the Humboldt County planning commission regarding
Pln, 2020 16602,
apn# 223- 016- 011
Humboldt Hempire Farms

1. The proposed plan has some serious issues that are of great concern to me. Its very close proximity to the bank of South Fork of the Eel River. The proposed 43,560 sq. foot cannabis grow will create a significant amount of fertilizer runoff. The parcel is situated just a short way up stream from the Redway Community Service District's main water intake which supplies Redway's drinking water. Nitrates, and nitrites, cannot be removed from water by Redway's water treatment facility. Municipal water districts in Central Valley found out the hard way, that nitrates and nitrates cannot be filtered out .
2. Also of concern is the South Fork Eel's low flow, warm summer temperatures, and toxic algae blooms that arise under such conditions. Both nitrogen, nitrates, nitrites, phosphates, or phosphorous from fertilizer runoff feed algae blooms.
3. The communities of Redway and Garberville heavily use the stretch of river below the proposed cannabis grow for recreational purposes during the summer. Redway beach is a popular beach for swimmers, as is the river bar adjoining Bear Creek Bridge behind the Renner station. The river from Benbow to Redway beach is a popular kayak, and inner tubing run. Water quality should be a top priority in this stretch of river.
4. The South Fork Eel's water is already over allocated. We are in the worst drought in a hundred years, where's the water going to come from, if there's not enough rain for water catchment? Many Southern Humboldt residents were not able to fill catchment tanks this year. Should the county even be approving cannabis grows during a severe drought? Pot is a luxury crop.
5. The proposed cannabis grow is located in a neighborhood with family residences. How will this plan mitigate the odor coming from grow? That many square feet of pot will create a stench that will travel far off site. Also the noise pollution from industrial fans can be heard for miles. Garberville is less than a half mile as the crow flies.
6. It is likely that an industrial cannabis grow with its noise pollution, fertilizer pollution, odor pollution and increased traffic will lower property values in the adjacent neighborhood.
7. The plan has a far fetched claim it will be manned by only 4 employees. It will take a lot more than 4 employees to trim the quantity of pot proposed in the plan. Where are the trimmigrants going to be housed? Bathrooms, increased traffic etc?
8. A full EIR (Environmental Impact report) should be required before approving any or part of this plan.

Sincerely
Georje Holper
Po box 433

Redway CA.
95560