

To Humboldt County Planning Commission

Date: January 21, 2021

From: Bonnie Blackberry

For: January 21, 2021 Planning Commission Meeting Agenda Item #7

RE: Special Permit for 18,000 square feet of new mixed light for Rising Goat Limited LLC Record Number PLN-2020-16188, Assessor's Parcel; Number 223-101-004 1400 Ross Road, Garberville

Planning Commissioners,

First of all, the process where the neighbors don't find out about what is being proposed until the end of the process, instead of the beginning, creates situations such as this where the applicant is surprised to find out about specific concerns with the plan.

Water is one of the big issues. We are in a draught. The water table has been dropping over many years with less water in creeks and springs. The well that is proposed to supply 366,660 gallons of water annually is near a watercourse that connects to springs in the area that supplies water for domestic use to numerous households. There are concerns that such massive use of the well water will impact the amount of water available to wildlife and other property owners especially during these low rainfall years. Other cannabis permitted grows in the area are participating in the forbearance process and this project should be required to forbear during the forbearance period.

Why is using a generator even being considered, when a renewable source is required?

**CCLUO 2.0 "55.4.6.3.1 Energy Source: Electricity must be exclusively provided by a Renewable Energy Source, meeting the performance Standard for Energy Use." Exclusively means exclusively.**

**I ask that the Planning Commission uphold the 2.0 Ordinance, and not allow generator use for this project.**

**I also ask that a well study be done, and the Rising Goat operation be required to forbear during the forbearance period.**

I am a neighbor to this parcel. I submitted comments for this project when it came before the Zoning Administrator. Water and generators for commercial cannabis operations are serious issues that need more attention.

Respectfully,  
Bonnie Blackberry

To: Humboldt County Planning Commission  
For: February 4, 2021 Meeting  
RE: Special Permit for 18,000 sq. ft. of new mixed light for Rising Goat Limited LLC  
Record Number PLN-2020-16188

Planning Commissioners,

In response to concerns I previously submitted (and hope you have read,) regarding this permit application, staff revised the condition in Staff Report pg 13 item 3 "solar will be the main power source and generators will only be used as an emergency power source".

CCLUO 2.0 "55.4 .6.3.1 Energy Source: Electricity must be exclusively provided by a Renewable Energy Source, meeting the performance Standard for Energy Use." Exclusively means entirely, completely, totally, not mainly. This provision does not say totally renewable with generator back up. Once generator use is allowed, for back-up or twenty percent or whatever, it becomes an energy source not "exclusively provided by renewable energy".

The interpretation of, "meeting the Performance Standard for Energy Use" for "exclusively renewable" requirement is at issue. CCLUO 55.4.12.5 Performance Standard for Energy Use states; "All electricity sources utilized by Commercial Cannabis Cultivation Manufacturing, or Processing activities shall conform to one or more of the following standards:" with reference to "55.4.12.5.2 on-site renewable energy system with twenty percent net non-renewable energy use". Which is further clarified by, "55.4.6.5.6 Energy Source for Ancillary Propagation Facility or Mixed Light Cultivation", which limits generators to Pre-Existing cultivation sites only.. (2.0 Ordinance pg 19) This provision for Pre Existing is the exception that allows generator use along with renewable sources.

If a generator is allowed for "emergency back up", it will be used to supplement solar power, as anybody that lives off the grid with solar power knows. Generators are used to charge batteries. Emergency back-up quickly becomes the main source when not enough solar. The idea of growing three cycles of 18,000 sq. ft. mixed light from March to November at this location, with exclusively solar is not realistic and would need the aid of generators to supplement the solar input.

What would qualify as emergency back-up? What's the difference between emergency back-up and secondary supplemental? Unfortunately, the county has not exhibited the ability to monitor generator use to verify the actual use, considered as emergency back-up or twenty percent. And why require, electricity must be exclusively provided by a renewable energy source, if intended to include generator use?

I am requesting the Planning Commission to require this proposal be modified so that non-renewable generator use is not permitted, in order to comply with provision, "must be exclusively provided by a renewable energy source". No generators for new mixed light commercial cannabis. If not enough solar to supply energy needs, then downsize and/or growing outdoor are options.

Another major issue is the proposed use of well water with no forbearance requirement. Because of all the reasons stated in comments submitted by myself and neighbors, please require the Rising Goat operation to forbear during the forbearance period.

Respectfully,  
Bonnie Blackberry  
Long time off-grid neighbor

To: Humboldt County Planning Commission  
For: February 18, 2021 Meeting  
RE: Special Permit for Rising Goat Limited LLC Record Number PLN-2020-16188

Planning Commissioners,

I submitted written comments for the January 21, 2021 Planning Commission meeting and again for the February 4, 2021 Planning Commission meeting, both were NOT included in the supplemental or anywhere else that I could find.

Conversion of Timberland report states the first conversion (white oaks) happened between 2005-2009, then again between 2010-2012 then again between 2012-2014.

FYI: Mitchell Leffel, who is connected to this proposed operation, was the property owner when most, if not all of the white oaks were cut down. Our Road Association records show Mitch as the owner in 2010, which is as far back as we have records.

The oaks were not cut down by some unknown previous property owner.

Energy Source: CCLUO 2.0 "55.4 .6.3.1 Energy Source: Electricity must be exclusively provided by a Renewable Energy Source".

Staff has proposed, "Solar power will be the main power source and generators will only be used as an emergency power source." Also states, "Power is supplied by generators, which is limited to 20% and a solar system that will provide 80% of power needs." And "Power is provided by generators, which is limited to emergency backup only". "Solar power will be the main power source."

Staff has added generators for an emergency source or an emergency back-up, with no explanation or definition of what would constitute an emergency, when the ordinance clearly states energy source must be EXCLUSIVELY renewable, not a main source.

If the ordinance intended for the energy source to be mainly renewable with generator back up, why have, "Electricity must be exclusively provided by a Renewable Energy Source"? Generators are allowed in the 1.0 ordinance, however 2.0 requires exclusively renewable energy source, with exception for pre-existing operations. This is a new project bound by the 2.0 Ordinance which doesn't include non renewable sources.

Water Source: We are in a drought, less rain this year so far, less than last year, which was less than the year before... WE ARE IN A DROUGHT. Our water table is getting lower. There needs to be forbearance for commercial cannabis. All of us who live here believe that the well in question is connected to our springs and creeks, which we and the wildlife depend on.

I request that a qualified hydrogeologist report, provided by the property owners concerned about the water situation, be included in the assessment and determination of whether the well is connected or disconnected, diversionary or non-diversionary.

The ordinances were supposed to protect the environment and our neighborhoods. The Timber Conversion requirement needs to be complied with, even if the project would need to downsize. We've got the white oaks, the generators and the water issues that I am hoping the commissioners will take into consideration and require compliance with the 2.0 ordinance.

Respectfully,

Bonnie Blackberry