

**From:** [Daniel Chandler](#)  
**To:** [Planning Clerk](#)  
**Subject:** I oppose the Adesa CUP  
**Date:** Sunday, August 30, 2020 10:47:54 AM

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Dear Commissioners,

"Nonetheless, the Planning Commission should consider whether this portion of Maple Creek, with its historical very low density and passive agricultural uses, is appropriate for permitting of more intensive agricultural uses such as commercial cannabis." pg 4 Staff Report

When marijuana was legalized I expected that big firms would attempt to industrialize marijuana growing. However, I did not anticipate it happening in Humboldt County, known for its high quality "family" grows. I don't think industrialized marijuana farming (size plus all the things that need diesels to run all the time) is appropriate in Maple Creek, and perhaps not at all in Humboldt County. Certainly no permit should be granted until either PG&E or solar/wind power is the source of energy.

I do support the Planning Department's goal of bringing into compliance previously illegal grows when that can be done without risk to neighbors or the environment. This is a whole different animal, and the conditional use permitting process should be very rigorous.

Dan Chandler

Daniel Chandler  
[dwchandl@suddenlink.net](mailto:dwchandl@suddenlink.net)  
436 Old Wagon Road  
Trinidad, CA 95570  
Phone: 707 677 3359  
Mobile: 707 601 6127

**From:** [Kate McClain](#)  
**To:** [Planning Clerk](#)  
**Subject:** To HC Planning Commission 9/3 meeting regarding Adesa Organic Cannabis Permit Application Number 11923 Case Number PLN-11923-CUP  
**Date:** Wednesday, September 2, 2020 9:14:27 PM

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Re: Adesa Organic Cannabis Permit Application Number 11923 Case Number PLN-11923-CUP

Dear Humboldt County Planning Commissioners:

Thank you for the opportunity to comment on the proposed Adesa LLC Conditional Use Permit. As a resident of Humboldt County I oppose the Adesa cannabis conditional use permit.

I do not support large, industrial cannabis production in our area.

Large agricultural business located in rural Humboldt creates a footprint on our natural environment that causes harm to plants and animals (living beings who are non-human). These big operations are not able to live in harmony with other living beings that surround them.

Fossil fuel use running generators (I know, solar is promised) and vehicles driving in and out of rural areas located at a distance from delivery points is counter to our county's goal to reduce our carbon footprint. How do you assess increased use of fossil fuel for this business? How much traffic will be involved in workers driving back and forth to the work site as well as delivery supplies and products?

A large corporate business creates big money for itself, its shareholders. My guess is that the Planning Department staff supports these endeavors to help increase our County tax base. Understandable. How much of their revenue would actually stay in Humboldt Co? Are the owner's local citizens? If successful, will they sell out to any out-of-state business? Who will own that land?

Large extraction corporate businesses are not designed to care for their workers with secure incomes. Would these workers be residents or transients?

I urge the Planning Commissioners to consider the bigger, long range picture of who we are, who we want to be now and in the future. Do we really want to be like the Bay Area? Rich in money but sacrifice our natural environment? Already, "progress" is killing us humans and our planet with too many people, buildings, paved roads with very little open spaces left for all other beings of the natural world. We will need a healthy vast amount of non human life to keep this planet healthy. Please plan wisely!

Please vote NO for Adesa Organic Cannabis permit in our rural Humboldt.

Sincerely,  
Kate McClain, McKinleyville

Dear Planning Commission,

My name Jill Giordano, and my address is 8888 Butler Valley Road, Korb, CA. I am in support of the proposed Adesa project. Laura Borusas and her partner are environmentally conscious, kind people who are active participants in the Maple creek community. Their vision for the Adesa project meets all the Planning Commission's requirements and exemplifies an ethic of land stewardship. These are socially and environmentally responsible people and I know they will uphold their environmental commitments to the highest standard. People who have voiced opposition to this project, based solely on their own agendas, should not have the power to halt this completely compliant project. The demands this project will put on the road pale in comparison to the daily onslaught of logging trucks running from before dawn all day long. Please approve the Adesa project and set a precedence for Humboldt county's economic and environmental future. Now is not the time to discourage regenerative farming. Now is the time to empower young farmers and those committed to the land.



From: [\[redacted\]](#)  
Sent: Friday, August 21, 2020 11:47 AM  
To: [\[redacted\]](#)  
Subject: [redacted]

Attachments: [redacted]  
[redacted]

Re: [redacted]  
[redacted]  
[redacted]

From: [redacted]  
Sent: Friday, August 21, 2020 11:47 AM  
To: [redacted]  
Subject: [redacted]













**From:** [rama.zarcufsky](#)  
**To:** [Planning Clerk](#)  
**Subject:** Adesa project  
**Date:** Monday, August 31, 2020 11:16:07 PM

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Dear Planning Commission,

My name is Rama Zarcufsky, and I live in Maple Creek. I'm writing in support of Adesa. Simply put, I believe the Adesa project will be a good neighbor. Laura is a member of the School Board at the Maple Creek School. She and Scott are members of the community here, they care about Maple Creek and you can tell they love the land they live on.

Some other residents have voiced opposition to the Adesa project, but none of those concerns are based on specific facts about how the project fails to meet the requirements of the County's cannabis ordinance. These people in large part are opposed to cannabis generally or are pursuing their own agendas. Laura Borusas has gone out of her way to design a project that meets the County's requirements.

I ask that the Planning Commission approve the Adesa Project.

Rama Zarcufsky

Sent from my iPhone

**From:** [Lisa Bethune](#)  
**To:** [Planning Clerk](#)  
**Subject:** Agenda item 2, Adesa Organic  
**Date:** Tuesday, September 1, 2020 2:48:27 PM

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Desr Planning Commission,

We are writing to ask you to deny approval of a large scale cannabis grow permit in the Maple Creek area by Adesa Organics. Maple Creek is one of the sparkling jewels of Humboldt County. It is an area with significant habitat value (golden eagles, spotted owls, rare white oaks), as well as an important watershed for the Mad River, which provides quality drinking water for residents of Humboldt County. Both the California Department of Fish and Wildlife, as well as Humboldt Bay Municipal Water District have written in opposition to allowing this project to pass without full CEQA review. To ignore their professional advice would make it seem that the Planning Commission is selling out to outsiders who are investor-driven. We've seen this over and over again, and in the long run, it only damages our county and its residents.

Maple Creek is not the right location for any large-scale industrial grows. This should NOT be approved for a permit!!

Sincerely,

Lisa and Tom Bethune

149 Boynton Prairie Road  
Arcata, CA 95521

[lisabe149@gmail.com](mailto:lisabe149@gmail.com)

**From:** [Cynthia Kuttner](#)  
**To:** [Planning Clerk](#)  
**Subject:** Adesa Cannabis Grow  
**Date:** Tuesday, September 1, 2020 3:18:40 PM

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I write to you today because the land cannot speak for herself. If you want industrial grows please use already industrialized property. Please do not add to the destruction of natural lands which are suffering from human impact all over the world. We need, the earth needs, clean abundant water, healthy forest systems, and the fauna and flora who depend on that healthy system. Don't be the ones to further destroy our planet. Maple Creek is one of our more pristine valleys! Do the right thing: put nature's health before profit.

Most sincerely, Cindy Kuttner,  
1740 Buttermilk Lane, Arcata, California

Sent from my iPad

**From:** [Joyce King](#)  
**To:** [Planning Clerk](#)  
**Subject:** Public comment for Sept 3 Planning Commission mtg  
**Date:** Tuesday, September 1, 2020 5:24:16 PM

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## Agenda item 2. Adesa Organic, LLC, Conditional Use Permits

Application Number 11923

Case Number PLN-11923-CUP

Please require full CEQA review for this project, as recommended by the Humboldt Bay Municipal Water District, and as indicated by the significance of issues presented by the California Department of Fish and Wildlife.

It concerns me that the Planning staff sometimes appears obstructionist with regard to agency input. It did not include the full comment letter from CDFW in Planning Commissioners' packets until formally requested. It failed to have CDFW personnel with the most direct, on-the-ground knowledge of the project issues in attendance for questioning. Written responses to CDFW come across as challenging and dismissive. The recent revelation of the CDFW comment letter having been "watered down" is reminiscent of the Planning Department attempt to do the same to CDFW during the TeraGen hearings.

Large landowners and businesses already have many opportunities to circumvent environmental regulations. They can pay to find legal loopholes, obtain variances, establish overriding economic concerns, treat fines as the cost of business, and count on lack of sufficient funding for enforcement. Thus, any pressure on the resource agencies to soften their findings in order to facilitate permitting under the least stringent environmental requirements strikes me as unfair, to small landowners and businesses, and to the environment.

Humboldt has suffered repeatedly from absentee-owned, investment-backed, industrial scale exploitation of its natural resources and people. The rare geographic and biological characteristics that make this a refuge from today's climate catastrophes are increasingly at risk from the cumulative impacts of incomplete and short-sighted planning.



The Adesa project will be a precedent-setter. Not only for its own expansion plans, but for similar projects in the queue, and in the minds of investors here and abroad.

Please do not be derailed by legal challenges to your decision. My understanding is that the actions of a Planning Commission should be based on a layperson's holistic understanding and concern for long term health and sustainability. The Board of Supervisors seems the more appropriate venue for legal debates, and for assessment of often politically influenced industrial scale economics and impacts on the community.

Thank you for the opportunity to comment.

Joyce King, McKinleyville  
707-267-5409

PS I expect the heightened fire risks posed by increasing the number of large enterprises like this in remote areas would strain already overburdened local fire-fighting and rescue units – especially with the steep upward trend in seasonal back-country fires in California.

**From:** [Shanti Zarcufsky](#)  
**To:** [Planning Clerk](#)  
**Subject:** Agenda Item G-2 Adesa  
**Date:** Tuesday, September 1, 2020 10:17:23 PM

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Dear Planning Commission,

Hi! My name is Shanti Zarcufsky. I live in Eureka and am writing you on behalf of my support for the Adesa Project. I have known Laura for many years, as a neighbor, a contributing and influential member of the community and as a friend. Laura gives so much to the county, being a huge supporter of local businesses and keeping her money local. She is also a contributing member of her local community in Maple Creek, being a member of the school board. I know that she will continue to give back through Adesa once her proposed plan is approved. Laura has made a very conscious and well thought out plan, meeting all of the county requirements and beyond, for her neighbors and Maple Creek-the place she loves to call home.

I ask that the planning commission approves the Adesa Project. Please let Laura Borusas thrive as a business owner in Humboldt County, where she will do everything to make the place she loves even better.

Thank you,

Shanti Zarcufsky

Sent from my iPhone

Wednesday, September 2, 2020

Re: Agenda Item G-2

To Whom It May Concern,

My name is Sita Zarcufsky, and I am a community member living in Humboldt County. I write to support the proposed Adesa project.

I have tuned in the last two sessions and have concerns that certain members of this commission are allowing their personal feelings to affect decisions that can, and will, largely benefit our local community.

We are currently living in an unprecedented global pandemic and I think it's imperative to remind the committee that across our country, a record number of people are unemployed, our economy is tanking, small businesses are dying, and very little is being done to save small businesses and entrepreneurs. This is a time in which we should all welcome anyone to come forth with job opportunities and a business plan that contributes to saving our economy.

It's undeniable that cannabis agriculture has been the county's saving grace through past recessions. Humboldt is so well-known for its "canna-culture," the county itself created a position last year to purposely curate us as the "wine country" of canna-tourism. Then I tune into our planning committee and hear purely biased feelings preventing the fruition of such businesses. How can we pursue tourism dollars in an industry we're refusing to allow to thrive?

What is before us is a young, female entrepreneur who has spent countless dollars and years dedicated to jumping through every hoop the county has put in front of her. She is clearly diligent in her efforts to make her business entirely law-abiding and legitimate. In a previous session, it seemed as though someone was trying to liken cannabis cultivators as lazy criminals. An individual who devotes that much time and money to simply obtaining a license is neither lazy nor criminal. Ms. Borusas clearly has pure intentions to adhere to the continually evolving rules and regulations of the cannabis industry. To maliciously continue denying permits to honest entrepreneurs taking the already longer and more expensive route is only going to push growers to forego the process to licensing and fall into the black market, with zero accountability, regulation, and certainly no revenue being generated for our county.

Lastly, I would like to address the hypocrisy of some members of the committee. Apprehension was stated due to the desire to keep the beloved swimming hole at the bridge preserved. Thirteen years ago, I used to live across the river from that swimming hole, and currently, that swimming hole exists on my brother's property. Any day of the week during the warmer months, that road is crowded by reckless drivers and illegally parked vehicles. It's those trespassers traveling on unfamiliar rural roads that put Maple Creek residents, pets, and wildlife at risk. Their noise pollution can be annoyingly heard at homes within several miles range. They leave their trash on the river banks. My brother has personally cleaned dirty diapers, used needles, broken glass, empty cans, and plastic bags off his own property. This past weekend, I brought my kids and my nephew to enjoy my brother's swimming hole, and after finally finding a lone spot amongst the crowd, we essentially got sat upon by a large, obnoxious group, consisting of all ages, playing loud music, using profanities in front of their children and mine, drinking, filling the air with cigarette smoke and then flicking their butts into the sand. I would certainly say that is FAR more of an environmental concern to Maple Creek and the Mad River than a strictly regulated and

well maintained grow, and yet, some of you happily admitted to partaking with the rest of the crowds down there.

And so, there seems to be no legitimate reason to continue to deny the licensing for the applicant. As a resident of Humboldt County, I am grateful we have an ideal environment for our county's cash crop and for the dedicated farmers who are willing to rise with the roosters and put in long, honest, hard days of work to keep our economy largely unscathed by the issues plaguing the rest of the country. I urge all of you to do what is best for Humboldt County: put your personal feelings towards cannabis aside and come together to support the dream of this hard-working female entrepreneur.

Thank you for your time,

Sita Zarcufsky  
Humboldt Community Member  
Eureka, CA

**From:** [Mad River](#)  
**To:** [Planning Clerk](#)  
**Subject:** PLN-11923 Adesa - opposed  
**Date:** Wednesday, September 2, 2020 10:12:00 AM  
**Attachments:** [CEQA letter%209.28.2018.Humboldt copy.pdf](#)  
[CDFW=EIR.docx](#)  
[HBMWD = EIR.docx](#)  
[MRE Estates CEQA 2 copy.pdf](#)  
[Other grows .docx](#)  
[MR Estates Cum Impacts.pdf](#)  
[KFD & HC Gen Plan.docx](#)  
[Diesel .1.docx](#)  
[PGE not evaluated.docx](#)  
[Golden eagles .1.docx](#)  
[Adesa, et al TRAFFIC.docx](#)  
[Deva.docx](#)  
[Solar Arrays.docx](#)  
[SOD.docx](#)  
[Criminality.docx](#)  
[PC Opportunity.docx](#)

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Friends of the Mad River requests that the planning commission deny this project.

Here's where the County joined HBMWD and CDFW in calling for EIR.  
See attachments CEQA letter09.28.2018.Humboldtcopy.pdf,  
CDFW=EIR.docx, HBMWD = EIR.docx.

Mad River Estates proposed next door also calls  
for EIR. See attachment MRE Estates CEQA  
2copy.pdf.

Other Grows in the area contribute cumulatively to  
habitat fragmentation and conversion of  
communities from rural to manufacturing.

The applicant's concerns (Ms. Borusas' letter) regarding the  
havoc wreaked by TPZ operations surrounding the project are  
valid, and should trigger a thorough cumulative impacts  
evaluation of the combined effects of adding this and multiple  
other industrial Cannabis operations to those from TPZ  
harvesting, which is very seasonal, as opposed to this  
24/7/365 operation.

PGE extension is not the separate project characterized by  
Planning, it is a reasonably foreseeable proposed mitigation  
for the diesel generators, and a definitive component of the  
neighboring Mad River Estates project. Its growth-inducing

impacts are manifest.

Diesel generators will be employed once the greenhouses with automated curtains are constructed, well before the 3 & 6 year thresholds for 50-80% renewables.

The Coglaiti's points about rejuvenating the valley are also poignant and valid. I doubt anyone would object to full sun cultivation, with solar PV-powered low wattage lights and light dep, that mimic the terroir agriculture of vineyards and other crops world-wide. This regime, of course, would limit production to nature's own capacity to grow plants, rather than artificially forcing 3 full cycles of production.

Ms Borusas' heartfelt comments are also compelling, but it is important to note who the owner is: AMT,LLC. Presumably, AMT is the source of financing for all the consultants that were necessary to minimize and explain away all the impacts from this operation.

Vehicular impacts of logging trucks are restricted to the dry months, as opposed to Adesa's year-round operation (plus other projects if approved).

Mad R Estates is an even bigger diesel grow and lists other projects. This is the project where Keith Slauson discovered a second Golden Eagle nest close by. See attachments MR Estates cum impacts.pdf, Other grows.docx.

Here's where the General plan may be violated regarding FIRE. See attachment, KFD & HC Gen Plan.docx.

Clearing up the Diesel generator issue. See attachment, Diesel.1.docx.

PGE, Foreseeable expansion & Growth Induction. See attachment, PGE not evaluated.docx.

Eagles, see attachment, Golden Eagles.1.docx.

Vanpools plus, see attachment Adesa et al  
Traffic.docx.

Who is Deva? See attachment Deva.docx.

No Solar impacts worth mentioning? See  
attachment, Solar Arrays.docx.

NO mention of Sudden Oak Death (SOD), see  
attachment SOD.docx.

Unarmed & Remote=vulnerable, see attachment,  
Criminality.docx.

PCs have unprecedented opportunity, see  
attachment, PC Opportunity.docx.

## **TRAFFIC**

### **Vanpools are optional, GHG evaluations are not**

Optional employee carpools, or individual transports, may increase the VMT's in excess of that disclosed in the Staff Report, which only considered vanpools, contributing further, along with water and diesel deliveries, to the unevaluated GHG emissions. (IS/MND, pg 6)

"...[a]nalysis should include the project's energy use for all project phases and components, including transportation-related energy."

[http://files.resources.ca.gov/ceqa/docs/2018\\_CEQA\\_FINAL\\_TEXT\\_122818.pdf](http://files.resources.ca.gov/ceqa/docs/2018_CEQA_FINAL_TEXT_122818.pdf) pg 30

### **Inevitable, Unprecedented Increased Traffic Hazards**

These access roads to the Project see little traffic year-round, but hardly any in the winter. That would change dramatically were this, and pending projects approved, especially if/when other projects in the area are permitted, since all 3 access roads (Fickle Hill, Kneeland, or Mountain View), converge on Maple Creek Road, (except directly onto Maple Creek Rd out of Korbel from 299).

Traffic along these roads can be treacherous. Twelve of the segments in the project's road report measured from 17-19 feet, (the standard road is 24 feet), and the one widest measures 23 ft. (64 SR) Logging trucks and drivers unfamiliar with these winding roads along with diesel and



propane trucks make for risky confrontations. (see Highway Patrol at pg 110 SR)

***Wet winter travel can be vectors for SOD.***

Employees, diesel and water deliveries, unlike logging trucks, will drive these roads every day all year long.

The final IS/DMND should be revised to include an analysis of all Project impacts, including Project components included in the LSAA, and propose mitigation where appropriate (**Recommendation 1**). CDFW  
7/31/2020

**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

September 28, 2018

Sent via email to  
scoriell@shn-engr.com

SHN Engineering & Geologists  
Attn.: Stein Coriell  
812 W. Wabash Ave.  
Eureka, CA 95501

RE: Permit Application No. APPS# 11923 APN: 315-211-004 & 315-145-002 CUP-16-452  
11924 APN: 315-146-018 & 315-222-003 CUP-16-453

Dear Mr. Coriell:

The County has reviewed the draft CEQA Initial Study prepared for the Adesa Organic LLC and Deva Amrita LLC projects. Unfortunately, there is not enough information available to determine if all potential impacts have been disclosed and mitigated to the extent feasible. The initial study will require substantial revision in order to adequately assess whether or not there are potentially significant impacts associated with the construction and operation of the project. The County will work with our consultant to update the initial study; however, further information must be submitted in order to update the Initial Study and to determine if potentially significant impacts exist.

The California Department of Fish and Wildlife has requested that an Environmental Impact Report (EIR) be prepared for an adjacent project due to concerns that the project and adjacent projects in the cumulative have the potential to change the environment, thus adversely affecting the habitat of State and Federally listed species. The bar for requiring an EIR is whether a fair argument of a potentially significant impact exists. The argument has been presented by CDFW on an adjacent property based on potential cumulative impacts.

The following information must be submitted to enable completion of the environmental document for your proposed projects:

1. The Biological Impacts analysis does not consider cumulative impacts associated with these projects and other proposed projects in the vicinity. The Natural Resources Assessment received by the County from your consultant on February 26, 2018 must be updated to include more information about potential special status species. For instance the document identifies on pages 22 and 23 that there are 33 special status plant species and 38 special status animal species that have the potential to exist on site, but does not identify what they are or whether a survey has been done to determine whether they exist. This lack of information makes it impossible to determine if the project will have an impact on these species. The Natural Resources Assessment does not address many of the species that were identified (including physical presence, scat, or tracks) by CDFW staff on their site visits on May 7 and May 30, 2018 for an adjacent project. Granted this adjacent area

also has frontage on the Mad River, and the subject sites do not; however, the presence of a Bald Eagle and a Golden Eagle were identified during the CDFW site visit.

- a. Golden Eagles and Bald Eagles are protected under the Bald and Golden Eagle Protection Act. The submitted Natural Resources Assessment does not include an assessment of these species. Please submit an amended survey that assesses the presence of these species, including identification of potential foraging habitat. Given that this project is within the vicinity of a known Golden Eagle Nest, and possibly in the habitat area of a Bald Eagle, these facts alone may be sufficient to find that an EIR is required.
  - b. A great deal more information is needed to adequately disclose the species which could be impacted and a discussion of the potential sources of impacts (construction, loss of habitat through new development, and operational (human activity and use of onsite roads.)). Please submit additional information for each of the species that have potential to exist on the site.
  - c. The use of generators and mixed light is a significant concern with respect to its impact on wildlife habitat.
2. Additional information to address Air Quality and Greenhouse Gases is required. The County must have additional information to show how dust generation on a gravel road in an Air Basin that is in non-attainment for PM10 is not a significant unavoidable impact. No modeling has been done for greenhouse gases or air quality impacts.

The responses to items 1 and 2, above should also consider the cumulative impacts of the three similarly large applications proposed in proximity to this site. Under the circumstances this is the most significant consideration of the entire CEQA analysis. Unless the Initial Study can be adequately modified to present adequate evidence on the record that there is not the potential for a significant adverse impact, the only conclusion the County can reach is that an EIR must be prepared.

Please do not hesitate to contact me at [eschatz1@co.humboldt.ca.us](mailto:eschatz1@co.humboldt.ca.us) or 707-268-3759 if you have any questions about this letter.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Schatz". The signature is fluid and cursive, with the first name and last name clearly legible.

Elizabeth Schatz  
Senior Planner

cc: Adesa Applicant  
Deva Amrita Applicant  
Greg Williston, SHN

Cannabis grows are known to be unarmed, and because of this remote location far from law enforcement, Adesa, like others similarly situated, are vulnerable to criminal activities. A single security guard on duty during daytime hours is hardly a deterrent, and electronic security devices are not foolproof.

“The drying facility and greenhouses will have a security officer present during all business hours.”<sup>8SR</sup>

Deva Amitra LLC shares the metrics for water collection, storage and usage; diesel use; and prime ag soils with Adesa LLC, but there is no discussion of Deva in the SR.  
60-62SR

## **DIESEL POWER GENERATION**

CDFW and the public are confused by Cliff Johnson's "clarification" that phasing will proceed from full sun and hoop greenhouses, and that the proposed 690 Kw solar PV array is mitigation for the diesel generators.

However, it is clear from the Staff report that diesel generated power is an integral part of the plan, transitioning within three years to 50% renewable and in six to 80%.  
(27SR)

"The applicant shall ensure a minimum of 80% of project electrical energy is generated by renewable sources. This shall be accomplished through the use of solar arrays on-site with generator for backup." (27SR)

"The Project proposes phasing for several features including greenhouse construction (i.e. hoop houses initially with hand-pulled shading progressing to automated systems), starting with permeable greenhouse floors then transitioning to two-acres of concrete, and energy use *initially diesel generators transitioning to a photovoltaic [PV] array.*" 106SR

"Mitigation is proposed to ensure that the project develops adequate solar generation capacity that reduces diesel consumption to primarily times when solar generation is unreliable (i.e. extended periods of overcast or cloudy weather)." (IS/MND 41)

"However, even if diesel is used to completely meet project

needs, later analysis shows that this is a less than significant impact to air quality.” (IS/MND 21)<sup>[SEP]</sup>

“An estimated supplemental light use is anticipated to be approximately 1,500 hours per year. The applicant plans to use a combination of solar and diesel generator use for supplemental lighting and HVAC power. With a project that will be developed in phases, it is difficult to estimate the generator fuel usage. Even if solely diesel generation was used to meet the project energy needs, the projected fuel use is less than 135,859 gallons (Diesel Service and Supply 2019).” 23 IS/MND

All the electronic equipment will need electricity: mixed lighting, 14 air conditioners (“Fourteen stand-alone air conditioning units would be placed along the east side of the structure.”<sup>4SR</sup>), fertilizer irrigation systems, pumps, light deprivation curtains, heaters, dehumidifiers, security and communications systems, etc.

### **How Many Generators?**

There is further confusion regarding how many generators are planned: two 500KW diesel generators (4&116SR) or “The project proposes to generate power through a combination of solar PV panels and five diesel generators: four 725-kw and one 150-kw.” (SR pg 38 & 46). “Power is proposed to be provided by a combination of solar power and diesel generators.” 10SR

### **How much diesel is stored?**

The Staff Report catalogues diesel use, storage, and an every two week delivery schedule (pp 6, 37 & 61 SR),



although again there is confusion regarding the amount of diesel stored on site, because on page 60 of the SR, the total stored is 15000 gal not 10,000, with 5,000 attributed to Deva Amitra (with NO discussion of Deva in the SR).

“The Adesa Organic, LLC project will use up to approximately 135,859 gallons of diesel annually. A total of up to 10,000 gallons of diesel fuel storage will be installed for the Adesa Organic, LLC project, in two separate 5,000-gallon above-ground tanks.” 8SR

**“Golden eagles tend to avoid nesting in areas with a lot of human activity.”**

[\(https://centerofthewest.org/2016/06/20/golden-bald-eagles-different/\)](https://centerofthewest.org/2016/06/20/golden-bald-eagles-different/)

Alternative Golden Eagle nest sites, like the one identified by Keith Slauson near Mad River Estates next to Adesa, reflect “core areas of Golden Eagle territory,” and are likely to be used. (“Conservation Significance of Alternative Nest Sites of Golden Eagles” Global Ecology and Conservation, Jan., 2015)

These Eagles, rare in this habitat, range over 10 square miles, with a nest curtilage of over two.

Pairs were spotted during March, April and May 2020 surveys. They are the only Goldens in the area.

There is no way to avoid threatening their lives from the planned activities proposed here.

“Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts...The individual effects may be changes resulting from a single project or a number of separate projects. For the above reasons, the District (HBMWD) requests the Planning Commission require full environmental review of CUP 16-452 and the Special permit application SP 18-074 for Cannabis cultivation sites.” 10/17/18 HBMWD

## **General Plan Violation**

There is no indication that any fire department, Kneeland or Maple Creek FPD, has specifically acknowledged providing adequate coverage for fire protection, as required by the HC General plan, **“Required Findings for Conditional Use Permits and Special Permits.”**

The proposed development must be consistent with the General Plan. However, the proposed development is not in conformance with the following policy of the General Plan:

**Community Infrastructure and Services Element standard IS-S5, *Other Development Outside of Fire District Boundaries***, “requires new industrial, commercial, and residential development located outside of fire district boundaries to obtain written acknowledgement of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.”

## **Confused Responsibility**

“Portions of the project site are within a Wildland Fire Rating Zone of “High,” and portions of the project site are within a Wildland Fire Rating Zone of “Moderate,” indicating that the area is at moderate to high risk of wildland fire (Humboldt County GIS 2018). The subject properties are located in the Kneeland Volunteer Fire Response Area, but are in State Responsibility Area (SRA) lands, which means the site is an area of legal responsibility for fire protection by CALFIRE.” 54& 97SR

CalFire is not the responsible agency, it is within the “sphere,” but not the District of Kneeland FPD ( [http://humboldtlafo.org/wp-content/uploads/Kneeland-FPD-and-Sphere\\_7-17-13.pdf](http://humboldtlafo.org/wp-content/uploads/Kneeland-FPD-and-Sphere_7-17-13.pdf)).

In any case, it is clear that CalFire opposes this project for obvious reasons.

### **High Risk Areas With Prolonged & Inadequate Response**

The biggest risk of Adesa is fire (habitat fragmentation is guaranteed). CalFire’s heliport at Kneeland is 6 miles away and is only fully operational 5 months out of the year, and then without ground support. Kneeland VFD is over 30 minutes away and not equipped to handle large or complex fires with their 12-person team. CalFire warns: “Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.”

That’s why CalFire opposes Adesa: “CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development.” (SR 89-91)

Currently, multiple fires in the state have exhausted fire protection services. There is no assurance that a fire in the

Maple Creek area would be an isolated event, but this inevitability is never considered.

“In out of district areas, response times can exceed 30 minutes (KFPD 2018).” 80 IS/MND

“The fire hazard severity zone for the project is classified as “Very High.”” 58SR

Diesel fuel is highly flammable, and propane tanks explode in a fire, risking fire personnel and everybody else.



NorthPoint Consulting Group, Inc.  
P.O. Box 44  
Eureka, CA 95502  
(707) 798-6438

December 31, 2018

Humboldt County Planning Department  
3015 "H" Street  
Eureka, CA 95501

RE: Mad River Estates Cumulative Impacts Analysis from Cannabis Cultivation

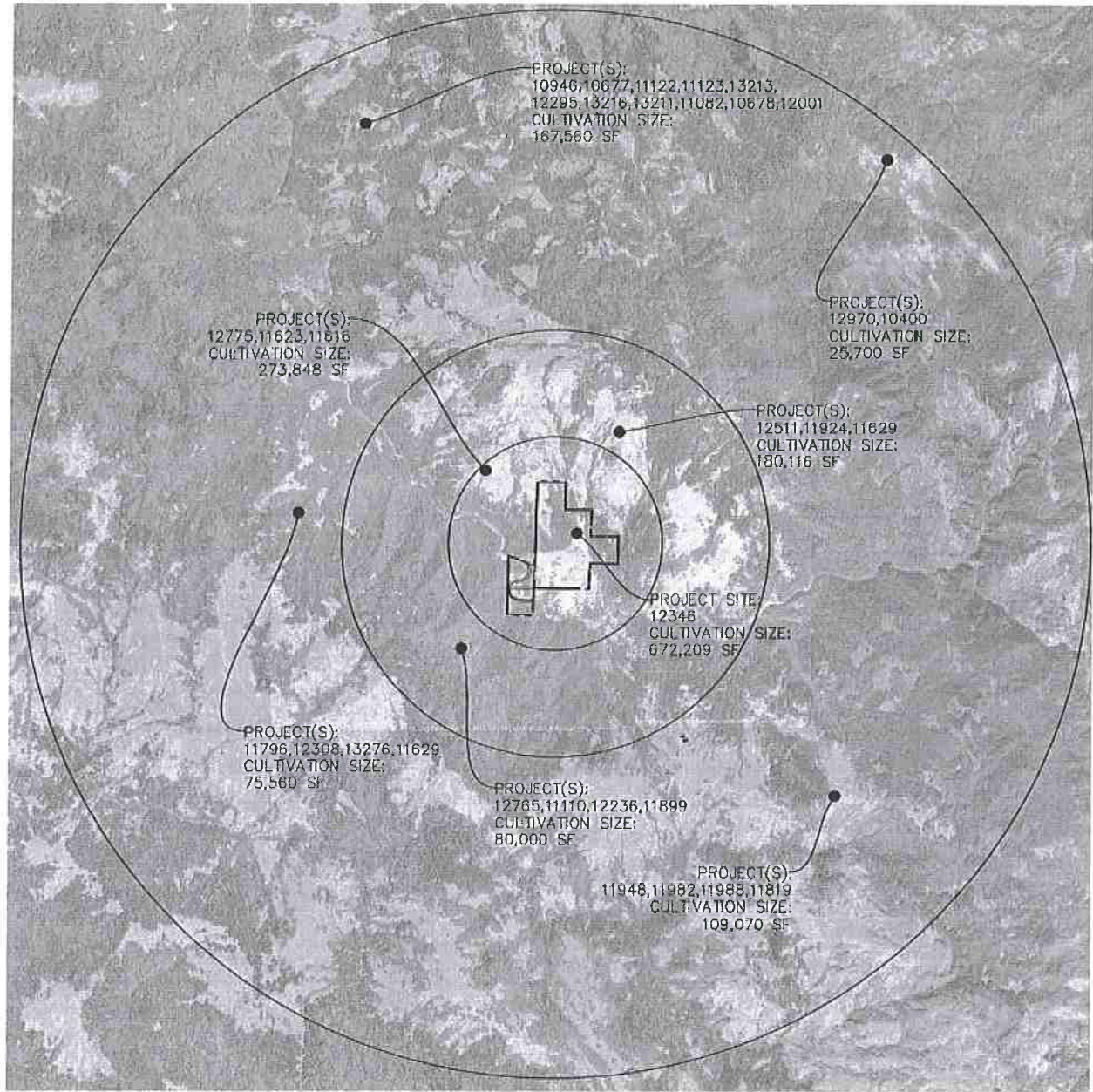
APN: 315-214-011-000

## Background

This memorandum was prepared as a cumulative impact study conducted for the Mad River Estates (MRE) project site located on Maple Creek Road near Big Bend on the Mad River. To assess the impacts of cannabis cultivation on the Mad River watershed, Humboldt GIS was used to search surrounding parcels within a five-mile radius for cannabis cultivation. The objective of this search was to discover how densely populated the Mad River basin was, concerning cannabis cultivation. The search required the input of Accessor Parcel Numbers into the OnTrack system, to see if active projects occurred at the parcel. Active projects were then accounted for and the distance from the MRE project site was measured. Regions of densely populated cultivation were grouped, and total cultivation areas were summed using the project descriptions provided. Additional information for this study included Mad River watershed basin characteristics, such as drainage area and percentage of developed land, which were readily available from USGS (accessed: <https://streamstats.usgs.gov/ss/>).

## Results

The following map shows 1-mile, 2-mile and 5-mile radii from the project site (Figure F.1). Within each zone, different cultivation groups were observed. Labels were placed to represent the centroid of each group and account for the cultivation size each project description had stated. The project area for MRE's site has been updated to include the entire project footprint, approximately 14.6 acres. There are currently two other cultivation groups along Maple Creek road, located north of the Mad River. Three groups were observed south of Mad river, and two additional groups were located near the five-mile radius to the north of MRE's project location.



**Figure F.1:** The project site in the middle is surrounded by 1-mile, 2-mile, and 5-mile radii. Cultivation groups are labeled with cultivation size, according to project descriptions from OnTrack.

The table below is the product of searching Humboldt GIS and using APN's to search through OnTrack for cannabis cultivation projects in the vicinity. Applicants, key parcel numbers, and cultivation project sizes from Table F.1 were used to create the map above.



**Table F.1:** Cultivation areas were totaled and used to assess the impact of cultivation near Mad River.

<b>Project Number</b>	<b>Applicant</b>	<b>Key Parcel Number</b>	<b>Proposed Cultivation (SF)</b>
12346	Mad River Estates, LLC	315-214-011-000	672,209
12511	Wilson Ranch	315-211-002-000	87,120
11924	Deva Amrita, LLC	315-146-018-000	9,754
11629	Yoel Bilsky	315-221-018-000	43,560
11923	Deva Amrita, LLC	315-211-004-000	83,242
12775	Eco Green Grow   Rudy Ellenbogen	314-231-001-000	61,275
11623	Yoel Bilsky	315-221-018-000	43,560
11616	Yoel Bilsky	315-221-018-000	169,013
11948	Hum Grown Inc	223-311-003-000	1,950
12765	DNJ LLC	314-224-003-000	35,000
11110	Linvell Williamson	314-224-004-000	20,000
12236	Veriditas Farms, Inc.	314-223-007-000	10,000
11899	Angie Jeong	314-223-006-000	15,000
11796	Humbee, LLC	314-222-004-000	10,000
12308	Kneeland Buttes, LLC	314-213-026-000	12,000
13276	Eli West	314-213-030-000	10,000
11982	North Coast Agricultural Supply	317-011-009-000	10,000
11988	North Coast Agricultural Supply	317-011-002-000	10,000
11819	Crossland Management, LLC	317-023-010-000	87,120
12970	Humboldt AF Cannabis, James Alves	315-105-012-000	22,000
10400	Erik Englyng	315-101-014-000	3,700
10946	Allison Shore	314-203-008-000	9,600
10677	Vajra Gita Grounds LLC	314-153-004-000	22,000
11122	Indra Valley Strategic Marketing Group LLC	314-201-001-000	21,500
11123	Indra Valley Strategic Marketing Group LLC	314-153-005-000	22,000
13213	Beverly Titus	314-193-007-000	5,000
12295	Calinola Inc.	314-193-004-000	13,460
13216	Ramona Faire	314-193-002-000	5,000
13211	Kneeland Organics	314-193-002-000	5,000
11082	Randy Scott Harris @ Humboldt Medicinals	314-193-009-000	22,000
10678	Yoel Bilsky	314-193-008-000	22,000
12001	Kaylie Saxon	314-143-003-000	20,000
<b>Total</b>			<b>1,584,062</b>

The results from USGS StreamStats indicate that the Mad River Basin has an area of approximately 495

square miles. Of this total basin area, approximately 18.8 square miles (3.8%), is developed, and only 2 square miles (0.4%) is considered impervious area (StreamStats, 2018).

## Conclusion

The results from the OnTrack search and additional mapping show that at most, 1% of land area within the 1-mile radius will be impacted by cannabis cultivation. And as the radius reaches 5-miles, only 0.045% is affected. This shows that as the scope of cannabis cultivation along the Mad River gets larger, the impacted area gets smaller. StreamStats data shows that the majority of the Mad River watershed is untouched by urbanization (3.8%), and with the addition of Cannabis cultivation from the project location and surrounding areas within 5-miles, the urban development would only increase by approximately one hundredth of a percentage point (3.81%).



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

April 19, 2019

Praj White P.E., Senior Project Manager  
NorthPoint Consulting Group, Inc.  
P.O. Box 44  
Eureka, CA 95501

RE: Permit Application No. 12346 APN: 315-231-007 CUP-16-636

Dear Mr. White:

We have received and reviewed the updated Initial Study for the Mad River Estates project submitted by your office on March 29, 2019, and the "Addendum to the Biological Assessment for Proposed Cannabis Operations on Mad River Estates" prepared by Keith Slauson, PhD of Slauson Wildlife on October 23, 2018. As we have discussed, this site has the potential to have significant adverse impacts on biological resources, including listed species. The County has been clear that a Negative Declaration would only be an acceptable CEQA document if it could be demonstrated that all potential impacts could be mitigated to a less than significant level. Based upon the information provided in the Initial Study and the technical information supporting the Initial Study there is the potential for significant effects to biological resources.

The addendum to the Biological Assessment for the project includes the following statements related to these species of concern:

- a. Northern Spotted Owls: *"Based on the sporadic detections of spotted owls in the Cowan Creek area and proximity of this area to two nearby known Activity Centers, it appears most likely that the owls were likely foraging from the nearest Activity Center, either HM0660 or HM0662. However, this determination cannot be made using the 2018 surveys and second year protocol surveys are recommended in the spring-summer of 2019 to verify the status of owls present in the Cowan Creek area as not representing a new Activity Center."* The additional survey must be completed to assess the potential impact on Northern Spotted Owl, if a determination is to be made that the project would not have a significant effect on the species. Without this additional data the conclusion can only be that the project may have a potentially significant effect on a listed species.
- b. Grasshopper Sparrows: *"I recommend conducting grasshopper sparrow surveys and spot-mapping territories again in 2019 to determine the occupancy status of all potential nesting habitat in the project area to improve our understanding of all occupied nesting habitat."* The report indicated a total of 12 acres of occupied suitable nesting habitat and 63 acres of unoccupied potentially suitable nesting habitat identified in 2018. The survey data to determine the potential impact on Grasshopper Sparrows has not yet been completed, so it is not possible to determine that the project would not have a significant effect on this species of concern.
- c. Golden Eagles: *"During subsequent scanning for potential nest structures from the lower observation rock I identified one candidate nest structure in a live Douglas fir with a potential roosting eagle. This potential nest tree is central to all detection from 2017-18. The tree is on the adjacent land owner's property and is in an inaccessible location making it impossible to access the base of the tree. Thus, the next site cannot be confirmed by a visit to the base to collect visual and physical evidence or from a closer view/photograph due to location."*
- d. Additional Consideration: *"I recommend conducting...continued protocol nesting status surveys for Golden eagle, Northern spotted owl, and grasshopper sparrows in 2019. New information from 2019 surveys can be used to revise these recommendations to further reduce, eliminate, and mitigate for any further impacts to these species."* (p9)

The report states: "Twenty-five of the 52 species of concern evaluated were found to have the potential to be impacted by the proposed project based on their presence in or adjacent to the proposed project area or the presence of suitable habitat with uncertain occupancy status. Each of these 25 species were found to be potentially impacted from one or more of the 5 effects of the proposed project: habitat loss, habitat fragmentation and/or degradation, light pollution, noise and human disturbance, and sedimentation or other watercourse impacts." The report also states: "The greatest potential impact to terrestrial wildlife species is from the loss, fragmentation, and degradation of grassland habitat used for foraging for the golden eagles and Peregrine falcons and nesting by the migratory grasshopper sparrows present in the proposed project area." The report goes on to propose avoidance and mitigation measures, some of which were incorporated into the Initial Study, yet the information in the Initial Study still clearly demonstrates the impacts have not been fully identified or mitigated.

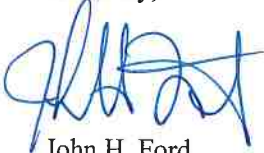
As shown in previous letters from the County regarding this project dated July 18, 2018, December 10, 2018, February 6, 2019, and April 12, 2019, enclosed, Planning staff is committed to working with you on this project, and we have continued to express concerns that the information submitted does not demonstrate that there will not be significant effects on biological resources.

This letter is not intended to be exhaustive relative to comments we have on the Initial Study, it is intended to reflect that the surveys referenced above must be completed before a determination could possibly be made that a Mitigated Negative Declaration is appropriate. We are also concerned that there are many inconsistencies within the document.

Based on this the MND/IS will not be circulated for public review. As reflected in the 2019 CEQA Guidelines (15063 ((a)4) "*The lead agency may use any arrangement or combination of arrangements described in Section 15084(d) to prepare an initial study. The initial study sent out for public review must reflect the independent judgement of the Lead Agency.*" The current initial study does not reflect the independent judgement of the County of Humboldt.

This is a formal determination that there is a fair argument on the basis of substantial evidence that the project may have a significant effect on the environment, and that an Environmental Impact Report (EIR) must be prepared. This determination can be appealed to the County Board of Supervisors within ten (10) working days of this letter in accordance with Board of Supervisors Resolution No. 99-115, attached.

Sincerely,



John H. Ford,  
Director

Attachments: July 18, 2018, December 10, 2018, February 6, 2019, and April 12, 2019 letters  
Board of Supervisors Resolution No. 99-115

cc: Applicant, Mad River Estates, LLC  
Owner, Wilderness Ranch, LLC  
Cliff Johnson, Supervising Planner  
Elizabeth Schatz, Senior Planner  
Brad Johnson, Harrison Temblador Hungerford & Johnson





**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

---

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

July 17, 2018

Sent via email to  
praj@northpointeureka.com

Northpoint Consulting Group, Inc.  
Attn.: Praj White  
PO Box 125  
Bayside, CA 95524

RE: Permit Application No. APPS# 12346 APN: 315-233-003, et al.  
CUP-16-636 et al

Dear Mr. White:

The County has reviewed the June 15, 2018 submittal of the draft CEQA Initial Study prepared for the Mad River Estates, LLC project. This Initial Study does not adequately identify the potential natural resources which exist on site that could be affected by the project or identify the potential impacts associated with the project. Without establishing an adequate baseline and description of potential impacts it is impossible to define the level of significance of potential impacts or identify effective mitigation measures. Thus the document fails the basic tenants of CEQA to disclose potential impacts and to mitigate to the extent feasible. This is not a document ready for public review and there is too much information missing for County staff to undertake revisions.

As you are aware, the California Department of Fish and Wildlife has requested that an EIR be prepared for this project due to concerns that the project (and projects in the cumulative) has/have the potential to change the environment thus adversely affecting the habitat of State and Federally listed species. The bar for requiring an EIR is whether a fair argument of a potentially significant impact exists. The argument has been presented by CDFW, but this document does nothing to present evidence on the record that there is not the potential of a significant impact or that a potentially significant impact has been identified and can be mitigated to a less than significant level.

This document will require substantial revision in order to adequately assess whether or not there are potentially significant impacts associated with the construction and operation of the project. In terms of the general approach to the drafting of the IS/MND, the following need to be addressed in each section:

1. The resources affected must be adequately defined followed by a description of how the proposed project has the potential to affect those resources. For instance the document identifies on page 35 that there are 26 special- status plant species and 47 special-status wildlife species that have the potential to exist on site, but does not identify what they are or whether a survey has been done to determine whether they exist. This information may exist, but it needs to be summarized in the Initial Study, and the Initial Study needs to discuss where these species exist in relation to the project. At that point an assessment can be made of what the potential impact of the project is, and correspondingly mitigation can be developed. This lack of information extends to the mitigation which requires preconstruction surveys. But this is not adequate mitigation. This requirement would only identify whether the species exist, but there is no species specific mitigation included.
2. The findings relative to level of significance must be supported by the facts. Most of the sections have a finding, but the actual impact is never defined. Without defining the impact, it is impossible

to design effective mitigation measures capable to reducing potentially significant impacts to a less than significant level.

3. Mitigation Measures must be specific to the identified impact with a corresponding discussion of the level of significance prior to the mitigation and the resulting level when the mitigation is implemented.

In addition the following are general comments specific to the areas of greatest concern:

4. The project description is not sufficient
  - a. It is vague and hard to follow. The size of the area of cultivation is not explicitly stated in an easy to read location
  - b. There are other improvements which will be needed to roads and other improvements which need to be listed as part of the project description. The size of the existing and proposed road network on site needs to be identified as this is part of the project footprint.
  - c. The project description does not include potential RRR sites,
  - d. See additional comments in attached comments.
5. The environmental setting is insufficient because it does not clearly establish the existing baseline conditions of the project;
6. Agriculture does not grasp the issues associated with the Williamson Act or TPZ.
  - a. The conflict with the Williamson Act Contract has been fleshed out in the discussions with the Williamson Act Committee. The resolution of how the project will continue to provide for grazing on the site needs to be explained.
  - b. New Cannabis Cultivation activity is not allowed on TPZ zoned land. The Initial Study describes portions of the project which will be on TPZ. These will not and cannot be approved. These sections and potentially the project need to be revised to address this.
  - c. The Greenhouses will be located on prime farmland and thus cannot have floors (temporary or otherwise). This component of the project will need to be revised.
7. Air Quality and Greenhouse Gases is inadequate. How is dust generation on a gravel road in an Air Basin that is in non-attainment for PM10 not a significant unavoidable impact? No modeling has been done for greenhouse gases or air quality impacts. A comparison to development of Single family residences is not an adequate analysis.
8. The Biological Impacts analysis does not consider the existing conditions and the how project would result in change to these conditions; there is no discussion of the adjacent BLM lands to the west of the project site; are these lands subject to a management plan? Would the project potentially conflict with the management plan?
  - a. The Golden Eagle Nest Survey, was received July 17, 2018. Per the attached correspondence from California Department of Fish and Wildlife, the presence of a Bald Eagle (*Haliaeetus leucocephalus*), was found as part of May 7, 2018 and May 30, 2018 site visits. As with Golden Eagles, Bald Eagles are also protected under the Bald and Golden Eagle Protection Act. The submitted survey does not include an assessment of this species. Please submit an amended survey that assess the presence of this species, including identification of potential foraging habitat. Given that this project is within the immediate vicinity of a known Golden Eagle Nest, and apparently in the habitat area of a Bald Eagle, these facts along may be sufficient to find that an EIR is required.
  - b. As noted above, a great deal more information is needed to adequately disclose the species which could be impacted and a discussion of the potential sources of impacts (construction, loss of habitat through new development, and operational (human activity and use of onsite roads.))
  - c. The use of generators and mixed light is a significant concern with respect to its impact on wildlife habitat.

9. Hydrology is not clear as to the sources of water and the volume to be used from each source.
10. The section on Cumulative impacts does not consider the issue at hand which is there are four other similarly large applications proposed in proximity to this site and even if it can be demonstrated that this site alone does not pose a significant adverse impact, what is the impact when combined with the other similarly large projects? Under the circumstances this is the most significant consideration of the entire document.

Unless this document can be adequately modified to present adequate evidence on the record that there is not the potential for a significant adverse impact, the only conclusion the County can reach is that an EIR must be prepared.

Attached are marked up copies of the initial study, the comments contained within also need to be addressed.

Please do not hesitate to contact me if you have any questions about this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Nielsen".

Michelle Nielsen  
Senior Planner

Attachments



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

December 10, 2018

Praj White P.E., Senior Project Manager  
NorthPoint Consulting Group, Inc.  
P.O. Box 44  
Eureka, CA 95501

RE: Permit Application No. 12346 APN: 315-231-007 CUP-16-636

Dear Praj:

Thank you for meeting with County staff on Friday, November 30, 2018 to discuss the Mad River Estates project application. Although we discussed the possibility of processing the application under the County's 2.0 Ordinance, you explained that it would not allow development to be consolidated, because the area outside of the prime agricultural land is greater than 15% slope, and the ordinance does not allow cultivation in those areas.

It is County staff's understanding that you are working on the following:

1. Quantifying the potential impact to biological species on the site, specifically the Golden Eagle and Grasshopper Sparrow to determine potential significance of the project on the species. For example, the level of impact the development would have on the Golden Eagle foraging near the nest.
2. Redesigning the greenhouses to result in less grading and fewer retaining walls to preserve prime agricultural soils.
3. Potentially removing the nursery and processing to an off-site location.
4. Possibly clustering the proposed development farther away from known sensitive species on site.
5. Providing mitigation for air quality impacts for any increase in PM<sub>10</sub> that could potentially result from the project.

The following item is required as well:

6. An addendum to the Cultural Resources Investigation to show all areas where potential development will take place. After the meeting while further reviewing the Cultural Resources Investigation, it was discovered that the Investigation does not cover the entire site. The revised plot plan shows proposed greenhouses in an area that was not surveyed.

If you have questions about this letter, please contact me at 707-268-3759 or [eschatz1@co.humboldt.ca.us](mailto:eschatz1@co.humboldt.ca.us).

Sincerely,

Elizabeth Schatz  
Senior Planner





**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

February 6, 2019

Praj White P.E., Senior Project Manager  
NorthPoint Consulting Group, Inc.  
P.O. Box 44  
Eureka, CA 95501

RE: Permit Application No. 12346 APN: 315-231-007 CUP-16-636

Dear Praj:

Thank you for submitting the updated Initial Study for the Mad River Estates project on January 16, 2019. With the document as it stands, it appears that significant adverse impacts to biological resources on the site cannot be adequately mitigated to a less than significant level. In accordance with Public Resources Code Section 21080(d), an Environmental Impact Report (EIR) must be prepared when there is substantial evidence in the record that the project may have a significant effect on the environment.

As you are aware, the California Department of Fish and Wildlife (CDFW) has requested that an EIR be prepared for this project due to concerns that the project has the potential to adversely impact State and Federally listed species. The draft Initial Study still does not present evidence on the record that there is not the potential for a significant impact or that potentially significant impacts can be mitigated to a less than significant level.

In order to proceed with the project, one of the following must occur:

- A. An EIR must be prepared and submitted, or
- B. Additional information must be presented to avoid or mitigate potential effects to a point where clearly no significant effect on the environment would occur.

If the applicant intends to pursue the second option, the following items also need to be addressed and updated prior to circulation of the Initial Study:

1. Update the checklist to match the updated CEQA guidelines.
2. The Air Quality section does not describe or address project impacts. For instance, the project description indicates approximately 0.64 of permanent roads on site but there is no indication of the surface of the roads. If the roads are paved, minimal dust would be generated, but gravel roads can produce substantial dust. There is also an indication that vehicles coming and going to the project site, construction activity, and burning of vegetation would increase PM<sub>10</sub>, but no measure of potential project impacts. The access routes from Eureka and Blue Lake also have areas of dirt roads that have not been addressed. Air quality impacts for any increase in PM<sub>10</sub> that could result from the project needs to be included. The proposed Mitigation Measure M-1 is not discussed in the findings or discussions.
3. Further information about sensitive species found on site as follows:

- a. Second year protocol level surveys for Northern Spotted Owl during spring and summer of 2019 to determine if an Activity Center might be located on site, as recommended by all documentation submitted.
  - b. Protocol nesting status surveys in 2019 for Golden Eagles as recommended in the Initial Study, and more information about potential impacts to Golden Eagles. The only information in the draft Initial Study uses Bald Eagle management guidelines.
  - c. More information about the Peregrine Falcon, potential impacts to that species, and proposed mitigation if appropriate.
  - d. Early season nest searching for Red-shouldered Hawk and American Kestrel in 2019 as recommended in the Initial Study.
  - e. Grasshopper Sparrow surveys and spot-mapping of territories in 2019 as recommended in the Initial Study to determine appropriate mitigation.
4. The Mitigation Measures M-2 through M-9 are not measurable, and some of them aren't actually mitigation, just an indication that further studies will be done. Mitigation Measure M-5 indicates that small trees will be removed, but elsewhere in the document, it indicates that no trees will be removed.
  5. Discuss potential loss of topsoil in Geology and Soils b).
  6. The discussion of rainwater catchment still indicates two ponds, one in the northwest and one in the southwest. There are also different versions of how many acres of greenhouses will have rainwater catchment associated with them. There is also discussion of proposed wells that do not match, some areas indicate for domestic use only, others for agricultural use. The drainage discussion indicates that drainage patterns would remain the same; however, other areas indicate that not all greenhouses would be used for rainwater catchment. All sections must be consistent.
  7. There is no real discussion about proposed impervious surfaces within the drainage and storm water runoff sections. This needs to be included with areas of new impervious surfaces compared to areas that are proposed for rainwater catchment. Are there any new impervious surfaces that will not be utilized for rainwater catchment?
  8. There are several areas in the document that indicate that the project is an existing cultivation operation. Those must be revised.
  9. In the transportation section, describe the access routes to the site from Highway 101 and 299. Does the project propose to use one access or both? The roads in this area are substantially different depending on direction taken. Indicate how many miles it is to the site by road from Eureka and Blue Lake.
  10. Please remove all references to Willow Creek throughout the document.

If you have questions about this letter, please contact me at 707-268-3759 or [eschatz1@co.humboldt.ca.us](mailto:eschatz1@co.humboldt.ca.us).

Sincerely,



Elizabeth Schatz  
Senior Planner



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

April 12, 2019

Praj White P.E., Senior Project Manager  
NorthPoint Consulting Group, Inc.  
P.O. Box 44  
Eureka, CA 95501

RE: Permit Application No. 12346 APN: 315-231-007 CUP-16-636

Dear Praj White:

Thank you for submitting the updated Initial Study for the Mad River Estates project on March 29, 2019. As indicated in my letter dated February 6, 2019 (enclosed), the Initial Study indicates significant adverse impacts to biological resources on the site that cannot be adequately mitigated to a less than significant level. In accordance with Public Resources Code Section 21080(d), an Environmental Impact Report (EIR) must be prepared when there is substantial evidence in the record that the project may have a significant effect on the environment.

Because the draft Initial Study still does not present evidence on the record that the project will not have a significant effect on the environment, an EIR must be prepared and submitted in order to proceed with the project. At your request, we can prepare a Request for Proposals (RFP) for qualified consultants to prepare the EIR. Should you choose not to prepare an EIR, we can schedule this project for a Planning Commission hearing with a staff recommendation of denial based on significant adverse impacts to the environment.

If you have questions about this letter, please contact me at 707-268-3759 or [eschatz1@co.humboldt.ca.us](mailto:eschatz1@co.humboldt.ca.us).

Sincerely,

Elizabeth Schatz  
Senior Planner

Attachment: February 6, 2019 letter

cc: Applicant, Mad River Estates, LLC  
Owner, Wilderness Ranch, LLC  
John Ford, Director of Planning and Building  
Cliff Johnson, Supervising Planner

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of December 14, 1999

RESOLUTION NO. 99 - 115

RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF HUMBOLDT  
MODIFYING PROCEDURES FOR APPEALS OF LEAD  
DEPARTMENTAL DETERMINATIONS MADE PURSUANT TO  
THE CALIFORNIA ENVIRONMENTAL QUALIFY ACT (CEQA)

WHEREAS, the County by Resolution No. 77-29 adopted local environmental guidelines for implementing the California Environmental Quality Act (CEQA); and

WHEREAS, Chapter 5, Sections 501-505 of Resolution No. 77-29, sets forth a procedure for appeals of CEQA determinations by the Lead County Department, including the establishment of a seven member Environmental Appeals Board; and

WHEREAS, changes to the County organizational structure subsequent to the adoption of Resolution No. 77-26 has affected the composition of the membership on the Appeals Board, and the appeal fee is no longer reflective of the County Ordinance adopting a schedule of fees and charges for the Planning and Building Department; and

WHEREAS, the Board is desirous of standardizing the procedure for appeals of administrative determinations by County Staff, including the CEQA determinations made by the Planning Director, by designating that the Board of Supervisors hear all such appeals.

NOW, THEREFORE, BE IT RESOLVED by the Humboldt County Board of Supervisors of the County of Humboldt as follows:

1. Chapter 5, Sections 501 through 505 inclusive of Resolution No. 77-29 shall be replaced in full with the Environmental Appeal Procedure set forth in Attachment 1 hereto.
2. The remainder of Resolution No. 77-29 shall remain in full force and effect, except where it is determined to be in conflict with any provision of the California Environmental Quality Act (PRC Section 21000 et seq.) or the State CEQA Guidelines.

Adopted on motion by Supervisor Woolley , seconded by Supervisor Neely and the following vote:

AYES: Supervisors Dixon, Woolley, Neely, and Kirk

NOES: None

ABSTAIN: None

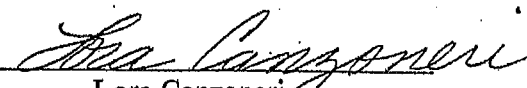
ABSENT: Supervisor Rodoni (due to the death of an immediate family member)

STATE OF CALIFORNIA )  
 ) SS.  
County of Humboldt )

I, LORA CANZONERI, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the forgoing to be a full, true and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Board of Supervisors.

LORA CANZONERI  
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By:   
Lora Canzoneri

Date: December 14, 1999

ATTACHMENT 1  
Revised Appeal Procedures for the County CEQA Guidelines

CHAPTER 5.        APPEALS AND ADMINISTRATIVE PROVISIONS.

Section 501. Appeals. Decisions and findings of the Lead Department shall be final and binding unless appealed as provided herein. Any person may appeal a decision or finding made by a Lead Department with ten (10) working days of the action. The appeal shall be in writing addressed to the Lead Department. It shall state the action appealed from and shall state the reasons the appellant believes the action of the Lead Department is incorrect or erroneous. The appeal shall be accompanied by the fee as set forth in the most recent Fee Ordinance adopted by the Board of Supervisors.

Section 502. Hearing Body. The Humboldt County Board of Supervisors shall serve as the appeals board for all CEQA determinations by the Lead Department.

Section 503. Appeal Hearing. The Board of Supervisors shall act upon appeals of Lead Department CEQA decisions filed in accordance with these provisions. To the extent feasible, a public hearing shall be held within thirty (30) days of the filing of the appeal with the Lead Department. Notice of the hearing shall be given to the applicant, appellant and other concerned parties as determined by the Director. Notice shall be given in writing and by publication in a newspaper of general circulation at least ten (10) days prior to the date of the hearing. The hearing may be continued from time to time.

Section 504. Decisions. The decision of the Board of Supervisors on the appeal shall be final. Written notice of the action of the Board of Supervisors shall be given to the applicant, appellant and all concerned parties as determined by the Director.

Section 505. Fees. Fees for appeals and services provided by County Departments to administer provisions of CEQA shall be charged in accordance with the most recent Fee Ordinance (Schedule of Fees and Charges) as adopted by the Board of Supervisors.

**APPENDIX: OTHER PROJECTS (SEE MAD R ESTATES CUMULATIVE IMPACTS FOR MORE PROJECTS)**

(There are other CUPs in this region, potentially awaiting this approval.

<https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=0126S&agencyCode=HUMBOLDT>

- 12775 –56,235 square foot (SF) The power source will be a 100kw diesel generator and propane generators.
- 11616 – a new 5 acre (217,800 square foot (SF) Power will be provided by generators
- 12346 – Four (4) Conditional Use Permits that will operate year around, seven days a week. ...
- 10946 –9,600 square feet, Five cycles harvests occur per year. Electricity is provided by generators.
- 11898 –17,780 square feet Electricity is provided from generator power.
- 11899 –10,000 square feet. Electricity is sourced from generator power.
- 11110 –22,000 sf. Power is provided by an onsite generator.

- 11982 –10,000 square feet Electricity is sourced from solar, wind, and micro-hydro power, with backup generator power.

**The crowded field of projects** is summarized in the IS/MND:

“An applicant has applied for two conditional use permits and a special permit for 56,235 square feet of commercial cannabis cultivation on a parcel to the south of the Adesa Organic LLC project. This project consists of both outdoor and mixed-light cultivation, an associated nursery, and a commercial processing facility. Project water is sourced from two existing ponds and a permitted well. *Power will be sourced from a 100kW diesel generator and propane generators* with appropriate noise attenuation.”

“There is a second proposed cannabis cultivation on a 417-acre parcel directly to the southwest of the Adesa project. This project permit application consists of four conditional use permits for a new mixed-light cultivation operation with the development of 37 greenhouses totaling four cultivated acres. Irrigation water will be sourced from rainwater catchment with 2.5-million-gallon pond and additional storage tanks. The project would employ approximately 24 full-time and up to 2 part-time employees. *Power would initially be supplied by generators*, with PG&E service being installed in the future. Up to six acres onsite will be reserved for RRR



cultivation that would consist of outdoor cultivation and require separate land use approvals.”

“These two projects all require the use of Maple Creek Road for project access and are all located between 0.5 mile and 1.5 miles of the project sites.”

“There are three additional projects further afield from the Adesa Organic, LLC project. These include an application for an existing 9,600-square-foot mixed-light operation located approximately 3 miles to the northwest, an application for 17,780 square feet of existing outdoor medical cannabis cultivation located approximately 2.2 miles to the southwest, an application for 10,000 square feet of existing outdoor cannabis cultivation located approximately 2.1 miles to the southwest, an application for 22,000 square feet of existing mixed-light cultivation located approximately 2.3 miles to the southwest, and an application for a zoning clearance certificate for 10,000 square feet of new mixed-light cultivation approximately 3.2 miles to the southeast.”(IS/MND 102-103, italics added)

“Aldo Leopold wrote an essay called the “Outlook for Farm Wildlife,” which warned of the dangers of industrialized agriculture for soil, animals, and rural communities.

Leopold saw two possibilities for American agriculture: the farm as a “place to live,” where wildlife could be accommodated, or the farm as a “food factory,” whose only goal is to produce sellable goods. The latter, he believed, generated new insecurities, economic and ecological, in place of those it was meant to abolish.” NYer 8/17, pg 18

### **OPPORTUNITY KNOCKS**

Commissioners expressed two concerns in favor of the project:

***1. How else can Humboldt’s thriving Cannabis industry be supplied without these type facilities?*** The answer may be in the proposed small farmer ordinance on your agenda, especially if generators and artificial lighting, except low wattage from solar PV, are excluded.

***2. The applicant has spent years and money, how can this Commission deny them now?*** This project, for all its laudable attributes, is in the wrong location and despite the time and money, deficient in significant areas. Additionally, it threatens to open the floodgates to many others, transforming a rural habitat-rich area into a Cannabis manufacturing zone, despite being off the grid

miles along country roads, away from grid power, fire protection and reliable communication.

Investment-backed expectations should not supersede the Public Trust. The Planning Dept. needs clear direction from the Commission, not the other way around. The County has complete authority to deny this project under land use law, regardless of apparent investments made by the applicant.

## **PGE connection unevaluated**

Audubon asserted that growth-inducing impacts from interconnecting to PGE have not been adequately addressed.

PLANNING's response: "The commenter asserts that the extension of the electrical grid to the subject property would "be a growth inducing factor." Any decision by an electrical utility in the future, which is purely speculative at this point, is a completely separate project from the proposal presently under consideration."

However, the record shows reliance by Adesa, and the neighboring project, Mad River Estates, on PGE as a potential mitigation for the diesel generators:

"If the project is ever interconnected to the local grid the electrical energy would be provided by Pacific Gas and Electric Company." (IS/MND, Pg 42), and "Power would initially be supplied by generators, with PG&E service being installed in the future." (IS/MND pg 102)

"Alternatively, the project could interconnect into the local grid and obtain electrical energy from a local utility providing power generated from up to 80% renewable sources." (27SR)

And right next door on the Mad River Estates proposed project:

"There is a second proposed cannabis cultivation on a 417-acre parcel directly to the southwest of the Adesa project. *Power would initially be supplied by generators,*

*with PG&E service being installed in the future.*

However, the Staff Report provides no information to evaluate the feasibility or consequences of such a connection in this very rural area.

Additionally, the potential for Adesa to double in size, a prospect facilitated by the unlimited power of PGE, is reasonably foreseeable: “The project site, which will consist of one legal parcel of 443 acres after recording of a Notice of Merger, would potentially be eligible for up to 4 acres of new cultivation under this provision however the applicant has chosen to request approval of half of what is potentially permissible.” (sic). SR3 The second pond option reinforces this expectation.

The Staff Report makes no mention of Sudden Oak Death (SOD) from the all-season increase in traffic, especially the wet season, from SOD-affected areas to this mixed forest with susceptible species and carriers. SOD is not currently in this Maple Creek area, but it has been found a couple miles downstream of this project, and on Mt. View Ranch property and elsewhere.

According to Yana Valachovic, UC Cooperative Extension: “At present we have not seen the disease in white oak and hope it stays that way. ...the disease is present in that area, (in the Maple Creek and Mad R areas from the mouth of Goodman Prairie Creek to the end of Maple Creek Road, upstream from Jack Shaw Rd, both sides of the Mad R), but I can’t exactly be certain where. There are no funds for a formal tracking program, but the disease is in that drainage and is generally in small pockets around where you ask.” (8/24/2020)

Ground-based solar arrays create impacts to wildlife from mirror and other effects, and wildlife corridors, and from ground disturbances like trenching, yet there is no discussion of any influence on the environment from the 10-12,000 sq ft array, and the 500 sq ft battery shed in proximity to wetland buffer areas. (see map. IS/MND pg 168

Batteries come in all styles, including those known to spontaneously combust (eg Li ion), or explode from hydrogen gas escapement during recharging, and leak sulfuric acid, contaminating the soil and ground with lead (lead acid).

“Proposed Photovoltaic System and Battery Sheds: An approximately 10,000-12,000-square-foot photovoltaic (PV) system is proposed with an associated 500-square-foot battery shed on the hillside to the north of the greenhouses. The PV system would be located near the proposed cultivation area. The PV system is proposed to consist of an array of low, ground-mounted panels.” [L] [SEP] 4SR

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### **“Electrical Service**

The solar PV systems will have a maximum power output of 690 kW. Rooftop solar is also proposed on the agricultural storage building.” 8SR

Dear Planning Commissioners,

I write you today to please consider my project for its capacity to meet and exceed County standards for the ordinance under which I applied. It was extremely disheartening to read the letter from Friends of the Mad River and CDFW which had so much incorrect information and statements about my project. I do not understand how so much hard work and pouring over details that went into designing this project can be unraveled so quickly by simply ignoring, misinterpreting and misrepresenting the facts. I know the sheer breadth of documents we presented may be a lot for anyone outside the Planning Department to *want* to analyze and fact check in comparison to the opposition statements, but I feel like you have to do the right thing and do just that.

Noah, speaking on hearsay and not evidentiary information is extremely damaging, and definitely inappropriate in this official position. I understand you want to preserve the environment, but it seems like impermissible confirmation bias to be on the board of a group (EPIC) actively trying to find some issue with my project and also be one of the agents determining my fate. It seems like a conflict of interest to me.

As for the Golden Eagles: CDFW failed to disclose that they believed the nest was active, although knowing so, for the first two site visits and first two years of correspondence between us. In 2018, when the Planning Department was scheduling me for a Planning Commission hearing we get the surprise news that CDFW has a concern with the Golden Eagle nest in the Mad River Valley which they had known was active and was located on another applicant's property. That same year I hired Sandra Hunt von Arb, a raptor specialist who predominantly works for logging companies and CDFW, and closely with Andrew Orahoske who was my CDFW field agent at the time, and is one of the premier raptor experts in Northern California to begin her site visits. Not only that, she was the biologist who first documented that nest site in the early 2000's. She immediately dismissed my location as having any chance of impact because of its elevation distance from the nest and for lack of old growth trees and steep banks that eagles prefer for breeding. After doing site surveys in 2018, she began protocol surveys in 2019 which must be done during breeding season. She confirmed her hypothesis because all data showed the eagle foraged immediately surrounding the nest and in the low basin of the river valley. In 2020 we completed protocol raptor surveys with Gretchen O'Brien, another leader in raptors of the North Coast, and she again confirmed the eagles always stay south of Maple Creek Road predominantly in the low basin of the river valley surrounding the nest site. I was surprised that CDFW didn't mention this because it was the only concern, they ever raised with me, and we felt like the protocol surveys adequately addressed these concerns proving that the eagle nest was outside of the minimum setback of 1 mile for our project.

Ronnie, in terms of seeing a golden eagle: rarely do people see them. I live here and I still have never seen it. Up until the early 00's raptor biologists had to hike to Trinity to look down into Humboldt to see the one Bald Eagle nest we thought we had. Since then many nests have been found all over the county and it seems like information, technology, access to GPS devices has shown there are more eagles than BIOLOGISTS, not laymen, thought there were. Golden Eagles,



although obviously rare here, are one of the most populous eagle species on the planet. Simply because you have not had an interaction with one, does not mean my project poses an impact on one. Yes, they are special and unique, that's why we studied this specific nest, with bated breath, to see what their actual flight patterns look like, and luckily, we are outside the setback for conducting our project. Please consider the empirical data when making your decision.

As for the shuttle, it's called a mandatory shuttle for a reason. Of course, we are trying to enforce it. Would you rather we not have one, simply because you don't believe that people want to do the right thing?

Lastly, your comments about making friends and influencing people are also incredibly telling. I know you may not recognize my name, I know I may not rub elbows with the Good Ol' Boys Club, I'm sorry I was not born 10 years sooner to do an illegal grow and now be asking for forgiveness, but I am not here to make friends or influence you. That would be highly unethical. I am simply asking you to act in the quasi-judiciary role to which you have agreed to, and judge the project based on its ability to meet and exceed County Ordinance and mitigate any potential impacts.

I ask that you, the Planning Commission, remember that I am in fact not nearly the largest grow that has come before you (look at the multiple 6+ acre grows in Honeydew for example). My project has met and exceeded the standards provided under the CCMLUO.

I have already agreed to the mitigations provided, meaning 80% renewables right from the onset of my project. Not only that, but we have engineered a stand alone structure to house the exact generator we chose to mitigate sound escaping to only 3 decibels over the 55 db standard. We are not taking shots in the dark here, everything and I mean everything has been specifically chosen, studied, and engineered for this specific project. The neighbors won't hear anything, as we have assured through science and engineering that they won't. I agreed to the entirety of the projects presented in my LSAA which the vast majority were not even near my cultivation site –willing to spend 100's of thousands of dollars in the process just so CDFW knows I want to be a good steward for this land. All the while, none of my culverts were failing and simply need to be upsized, even in the 75" of rain we got in 2016.

I am a good person, trying to do the right thing. I bought a property in the correct zoning, AE which expressly permits intensive agriculture. I am using rain catchment for my water supply, with all appropriate bullfrog/overflow protocols described to you in the environmental document. Building a project to suit the ordinance, working with all the agencies that have come on site to address any viable concerns, growing the square footage as allowed for my acreage- which again, I am using less than 1% of.

Please do the right thing and approve my Negative Mitigated Declaration.  
Thank you,

Laura Borusas

**From:** [Mad River](#)  
**To:** [Planning Clerk](#); [Wilson, Mike](#); [Madrone, Steve](#); [Fennell, Estelle](#)  
**Subject:** PLN-11923 Adesa - opposed  
**Date:** Wednesday, September 2, 2020 1:51:49 PM

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Additional comments from Friends of the Mad River on PLN-11923 in light of Humboldt County Board of Supervisors hearing and deliberations on appeal of Honeydew Ranch LLC on 9/1/2020.

Planning Commissioners:

Please review the relevant appeal documents and listen to the public hearing from September 1, 2020 before the Humboldt County Board of Supervisors concerning the Appeal of the Planning Commission actions to Approve The Honeydew Ranch, LLC, Conditional Use Permit and Special Permit to Allow continued cultivation of 16,175 square feet of mixed light cannabis cultivation and a 14,000-square-foot wholesale nursery and Adoption of a Mitigated Negative Declaration that evaluated a maximum of **6 acres of mixed light commercial cannabis cultivation** and the wholesale nursery on Assessor Parcel Number (APN): 107-272-005.

**By this comment, Friends of the Mad River is hereby incorporating by reference the entire administrative record from the Honeydew Ranch LLC appeal into the administrative record for PLN-11923 CUP Adesa.**

The primary issues concerning new industrial greenhouse development using diesel generators in a rural, biological diverse ecosystem are much the same in Honeydew Ranch LLC and the Adesa project. The Mad River area around Hunter Ranch, Big Bend Ranch, Wilson Ranch, and the Adesa/Mad River Estates Project area is also in an area prone to wildfire, and without sufficient firefighting capacity. Adesa and Mad River Estates will introduce new sources of fire ignition to this rural, undeveloped area, counter to clear direction from Calfire. This type of industrial scale development simply does not belong in these rural areas, and its runs totally counter to the law and intent of the cannabis ordinances passed by the Board of Supervisors.

As we have previously stated and for many of the same reasons and concerns expressed by the Humboldt County Supervisors during the Honeydew Ranch LLC appeal hearing, we respectfully ask the you deny PLN-11923 Adesa CUP.

-Friends of the Mad River

**From:** [Cynthia Kuttner](#)  
**To:** [Planning Clerk](#)  
**Subject:** Adesa Cannabis Grow  
**Date:** Tuesday, September 1, 2020 3:18:40 PM

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I write to you today because the land cannot speak for herself. If you want industrial grows please use already industrialized property. Please do not add to the destruction of natural lands which are suffering from human impact all over the world. We need, the earth needs, clean abundant water, healthy forest systems, and the fauna and flora who depend on that healthy system. Don't be the ones to further destroy our planet. Maple Creek is one of our more pristine valleys! Do the right thing: put nature's health before profit.

Most sincerely, Cindy Kuttner,  
1740 Buttermilk Lane, Arcata, California

Sent from my iPad

**From:** [harrieth6@gmail.com](mailto:harrieth6@gmail.com)  
**To:** [Planning Clerk](#)  
**Subject:** Agenda item 2. Adesa Organic, LLC, Conditional Use Permits, Application Number 11923, Case Number PLN-11923-CUP  
**Date:** Thursday, September 3, 2020 7:54:50 AM

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Dear Planning Commissioners:

I recommend that you not approve a conditional use for permit for this project. Allowing a cannabis farm of this size that includes components such as large diesel tanks and generators, the habitat destruction and fragmentation of highly diverse wildlife areas such as riparian and oak woodland, super-sized ponds that will attract invasive species, and the daily hauling-in of workers, is not appropriate for this remote, sparsely populated ranching community. It sets a dangerous precedent for the proliferation of industrial cannabis farms and processing plants in the other wild and isolated areas of our county; many are already proposed. If we must host large, intensive cannabis developments, they should be located closer to where the needed infrastructure and labor force already exists.

I believe that the county should instead focus on streamlining the legalization of small farms as per the proposed *Cannabis Ordinance Amendments for Small Cultivators*, the agenda item to be considered just prior to the Adesa development. We have an abundance of folks with superb cannabis cultivation expertise in our hills who are able to grow the crop with minimal impacts. Such farms already exist and are appropriate for the more isolated parts of our county. Please help them legalize their operations by passing this ordinance. Let's strive to keep industrial agriculture out of our lovely, biologically diverse and "carbon-sinking" back country.

I will recommend the referral of this project to our County Board of Supervisors for their consideration if the permit is approved.

Sincerely, Harriet Hill, 1695 Timothy Road, McKinleyville, CA 95519

**From:** [Lorraine Miller-Wolf](#)  
**To:** [Planning Clerk](#)  
**Subject:** opposed to this project!  
**Date:** Tuesday, September 1, 2020 11:58:55 AM

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Hello,

I have been a Humboldt County resident since 1974 and have seen our area go through many changes, some positive and some negative. I am adamantly opposed to permitting the large industrial cannabis grow that is being proposed for the Maple Creek area. This project would fall under the negative changes to our area. I want to encourage you to NOT allow this project to be approved for the sake of the environment and wildlife in that area.

Thank you.

Regards,

Lorraine B. Miller-Wolf

1363 Clipper Lane

Bayside, CA 95524

707 498-9441

**From:** [Susan .Penn](#)  
**To:** [Planning Clerk](#)  
**Subject:** Adesa Organic CUP  
**Date:** Thursday, September 3, 2020 9:21:09 AM

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My name is Susan Penn, and I live in Eureka. I am writing in regards to Agenda item 2, Adesa Organic, LLC, Conditional Use permit, to express my opposition to the proposal. A facility of that size and natural is totally inappropriate for the Maple Creek area. The increased traffic, the possible pollution of waterways, and its proximity to valuable natural resources all speak against it. Small organic farmers currently make their living there. More local farms make sense, but not an industrial facility of this type. You have other, better options before you. Please do not grant this permit.

Thank you.  
Susan Penn

**From:** [Karen Rice](#)  
**To:** [Planning Clerk](#)  
**Subject:** Agenda item 2, Adesa Organic  
**Date:** Thursday, September 3, 2020 9:34:30 AM

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I have been a Kneeland Resident since 1985 and I'm writing with grave reservations about this projected development. I'm alarmed by the increased number of decisions made for money in the pockets of a few at the long termed expense of the environment. My husband and I have seen a decline in wildlife over the past thirty years that could be partially due to the increased number of grows. With wildfires becoming the new normal, this is not the time to impact creek and river flow and add to the carbon emissions. The Kneeland roads are not equipped to handle the extra traffic nor do residents want any more traffic. Already there have been numerous complaints on Next door Kneeland about an increase in reckless drivers. Please do not approve this project.

Karen Rice  
Barry Road



# NORTHCOAST REGIONAL LAND TRUST

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*Retired Cultural Resources  
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### EXECUTIVE DIRECTOR

Dan Ehresman

September 2, 2020

Cliff Johnson, Supervising Planner

Humboldt County Planning and Building Department

3015 H Street, Eureka CA. 95501

[cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us)

**Subject: Adesa Organics, LLC Conditional Use Permit PLN-11923-CUP**

Dear Cliff Johnson,

I am writing on behalf of Northcoast Regional Land Trust (NRLT) to provide formal public comment under the California Environmental Quality Act (CEQA) on Project No. PLN-11923-CUP, a proposed cannabis operation ("Project") to be located at 23550 Maple Creek Road, Korb, Maple Creek area. NRLT staff first learned of the proposed Project during the week of August 24, 2020, when a concerned member of the public brought it to our attention because of the Project's adjacency to a property known as the Hunter Ranch, on which NRLT holds a conservation easement (recorded in 2018 as Instrument No. 2018-017789).

NRLT's Board of Directors discussed the Project on August 28, at which time several board members expressed a number of concerns. The first concern relates to the fact that NRLT received no formal notice of the Project; given that NRLT holds a conservation easement on adjacent property, we would have liked to have received notice of the Project. We will be sending a separate letter to the Humboldt County Planning Department formally requesting notice of projects on or immediately adjacent to NRLT-conserved properties in Humboldt County.

Given the very limited amount of time to review the Project, NRLT has not been able to conduct a thorough analysis; however, based on NRLT's initial review, there are several concerns that we believe should be addressed prior to a decision to issue a Negative Declaration or Mitigated Negative Declaration from the Humboldt County Planning Commission. As mentioned above, the Project is in close proximity to the Hunter Ranch, on which NRLT holds a conservation easement intended to preserve the Hunter Ranch's true oak woodland ecosystem, among other conservation values. NRLT is concerned that the proposed Project does not take into consideration the potential for the proposed operations to introduce Sudden Oak Death (SOD) into oak woodlands in or near the Project area and to spread it onto the immediately adjacent Hunter Ranch.

Based on recent timber cruise data, there are an estimated 350,000 California black oak trees on the Hunter Ranch, with black oak being a typical host for, and therefore victim of, SOD. SOD has been detected near Big Bend Ranch along Maple Creek Road,



707.822.2242 | P.O. Box 398 Bayside, CA 95524 | [www.ncrlt.org](http://www.ncrlt.org)



which is the primary access road to the Project area and to the Hunter Ranch. We are concerned that increased vehicle traffic (whether from workers or fuel deliveries) could spread SOD onto the Project area and thereby potentially affect the conservation attributes being protected by the Hunter Ranch conservation easement. Additionally, given the significant scale of the proposed cannabis operation and the operation's likely reliance on imported soil and soil amendments, we have significant concern that the importation of soil and/or amendments from incompletely composted green waste may act as a pathway for the introduction of SOD onto the Project area.

NRLT is also concerned about the increased risk of accidental wildland fire due to the added number of people, increased vehicle trips, diesel fuel transport, construction equipment, etc. on the Project site. While the addition of an approximately 4,000,000-gallon pond certainly would increase the water resources available onsite and to CALFIRE to fight wildland fire, it does not appear that the Project addresses what could be considered a significant increase in potential ignition sources that could lead to an accidental wildland fire endangering both the Hunter Ranch and the conservation values described in the conservation easement.

NRLT further is concerned that the significant reliance on diesel generators, with an expected annual usage of about 136,000 gallons and expected fuel deliveries every two weeks, will result in increased risk of fuel spills and pose increased threat to sensitive habitats and to the Mad River, which is the source of Humboldt County's municipal water supplies for its primary population centers.

In reviewing other comments, another neighboring landowner described what he believed to be a significant mapping error between the County property lines in the GIS and maps and the lines on the ground. NRLT would like to reiterate that the applicant must ensure that all improvements shown on the application are correctly located with respect to the actual on-the-ground property lines.

Finally, as a general comment, we have serious questions as to whether it is appropriate to site an operation of this scope and scale in such a remote location on vital rural resource lands.

Thank you for your consideration.

Sincerely,



Dan Ehresman  
*Executive Director*

cc: Kurt McCray, California Department of Forestry and Fire Protection - [Kurt.McCray@fire.ca.gov](mailto:Kurt.McCray@fire.ca.gov)  
Tina Bartlett, California Department of Fish and Wildlife - [Tina.Bartlett@wildlife.ca.gov](mailto:Tina.Bartlett@wildlife.ca.gov)  
John Friedenbach, Humboldt Bay Municipal Water District - [friedenbach@hbmwd.com](mailto:friedenbach@hbmwd.com)  
John Walsh, California Wildlife Conservation Board - [John.Walsh@wildlife.ca.gov](mailto:John.Walsh@wildlife.ca.gov)

To: Humboldt County Planning Commission  
From: Bonnie Blackberry  
Date: September 3, 2020

RE: Adesa, LLC. Case Number PLN-11923-CUP.

Members of the Commission,

I am writing in opposition to Adesa LLC permit.

Permitting a 86,000 sq.ft. Mixed Light generator grow and drying facility with 15-20 employees in this rural portion of Maple Creek is crazy. Lights, fans, heaters, dehumidifiers, pumps... using up to approximately 135,859 gallons of diesel fuel annually. Holy crap.

I have concerns regarding the environmental, wildlife and community impacts associated with this proposal. Issues such as the access with greatly increased employee, fuel and supply truck transport traffic, noise, generator use, noise and pollution/fumes, with increased risk of accidents, leaks and fire. 135,859 gallons of diesel fuel to grow marijuana in the hills!

I have concerns about the amount of water needed and where it will actually come from. Growing multiple yearly mixed light crops requires more of everything. How much is enough?

I have concerns about the access and location, with what is proposed as the amount of traffic and what the actual traffic would be and the impacts of that increase.

I have a lot more concerns but I'll keep this short. This proposal needs to be rejected.

How did we get to considering it appropriate to have a 86,000 sq. ft. diesel grow anywhere in Humboldt County, especially in this location?

Respectfully,

Bonnie Blackberry  
Garberville area

