



May 3, 2021

# HOOPA VALLEY TRIBAL COUNCIL

## Hoopa Valley Tribe

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[www.hoopa-nsn.gov](http://www.hoopa-nsn.gov)



Chairman Byron Nelson, Jr.

**Via electronic mail at [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us)**

Humboldt County Planning Commission

3015 H Street

Eureka, CA 95501

### **Re: Opposition to CUP for Old Goat Farms, LLC; PLN-11033-CUP**

Dear Planning Commission:

The Hoopa Valley Tribe is writing to submit its opposition to the Conditional Use Permit (CUP) application of Old Goat farms, LLC for an existing 30,000 square foot cannabis cultivation operation. The Hoopa Valley Tribe (HVT) opposes the cannabis cultivation operation for numerous reasons, including the ongoing threats of criminality posed by the operation, the adverse environmental effects of the operation (including substantial reduction in the flow of Pine Creek onto the Hoopa Valley Reservation), and the effects on Tribal cultural resources.

As shown by the parcel map attached as Exhibit A, the parcel in question is immediately adjacent to the Hoopa Valley Reservation and within the aboriginal territory of the Hoopa Valley Tribe. It is within the area of Tribal Cultural Affiliation as defined by Regulation 55.4.5.1.5, which specifically provides that: "the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, ..." The Hoopa Valley Tribe requests that, prior to any consideration of approval of the CUP, a site visit with the Hoopa Valley THPO or her designee be conducted of the existing cultivation site for the purpose of avoiding, minimizing and mitigating impacts posed to tribal cultural resources by the cannabis operation.

Exhibit B, a November 6, 2019 article from Redheaded Blackbelt, "*Cannabis Robberies Northwest of Hoopa Caused by Organized Criminal Gang, Claim Farmers*," shows that the HVT's concern regarding criminality and potential gang activity being brought onto the reservation by the large cannabis operation is well founded. Exhibit B shows that an incendiary device was detonated at the time of the cannabis robberies. Chris Martin, the manager at that time of Old Goat Farms, LLC, is quoted as having stated: "Setting shit on fire especially right now... Fire is a scary thing right now. They could have set the whole rez on fire. There is no care for life. No care for community. There's nothing." The HVT has serious concerns regarding the potential for harm both from the operation itself and from the criminal gangs which have already brought criminal activity to the edge of the reservation with the previous robberies and assaults on the cannabis operation in question.

The HVT has been purchasing property in our aboriginal territory, where this operation is located, for many years. As shown by Exhibit C, after having sold in 2006 for \$5,803,000, this property was sold in 2014 for \$100,000. The Hoopa Valley Tribe was never made aware that the property was for sale and questions whether the transaction was a legitimate arms length transaction, or a self dealing transaction for the apparent purpose of reducing property taxes and requests that the Planning Commission look into that issue.

Humboldt County is experiencing abnormally dry conditions at this time, making the risk of fire potentially devastating. Regulation 55.4.5.10 Restriction of Water Use under Special Circumstance provides: "The County reserves the right to reduce the extent of any commercial cannabis activity, including but not limited to the area of cultivation, allowed under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed where the commercial cannabis activity is located, will not support water withdrawals without substantially adversely affecting existing fish and wildlife resources."

Hoopa Valley Tribe also objects to the environmental impacts of the existing cannabis operation and requests an assessment of the flow capabilities of the "permitted well" referenced in the notice of public hearing. The notice states that estimated annual water usage is 219,347 gallons and that the irrigation water is sourced from a permitted well. The HVT has noticed a substantial reduction in the flow of Pine Creek in the area of this property. HVT requests that the Tribe be provided with any well testing information showing that the permitted well is sufficient to provide the necessary irrigation water from a water table which does not affect the levels of Pine Creek and does not diminish its flow onto the Hoopa Valley Reservation. Alternatively, absent demonstration of the adequacy of the permitted well, HVT requests that the County reduce the extent of the commercial cannabis area of cultivation. The existing project does not have diversionary water rights and appears to be substantially adversely affecting existing fish and wildlife resources of the HVT.

In conclusion, the HVT opposes the grant of the requested CUP for the reasons set forth herein. Please contact the HVT THPO or Land Management with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Byron Nelson, Jr.", with a stylized flourish at the end.

Byron Nelson, Jr., Chairman  
Hoopa Valley Tribe

PUBLIC NOTICE

HUMBOLDT COUNTY PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING

FWD:  
Planning

ENTERED

APR 26 REC'D

BY: EM

On **Thursday, May 6, 2021 at 6:00 p.m.**, or as soon thereafter as the matter can be heard, the Humboldt County Planning Commission will hold a public hearing to consider the matter listed below.

**NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting will be held virtually.**

**HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:**

Listen or Watch the live stream of the Planning Commission Meeting in three ways:

1. <https://zoom.us/j/9763777152> Password: 200525
2. Call in via telephone at 346 248-7799, enter meeting id 976 3777 7152 Password: 200525
3. A live stream of the meeting can be found by using the following link:  
<https://humboldt.legistar.com> or by watching Access Humboldt on cable channel 10

**PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:**

Participate in the public comment period of the meeting in the following two ways:

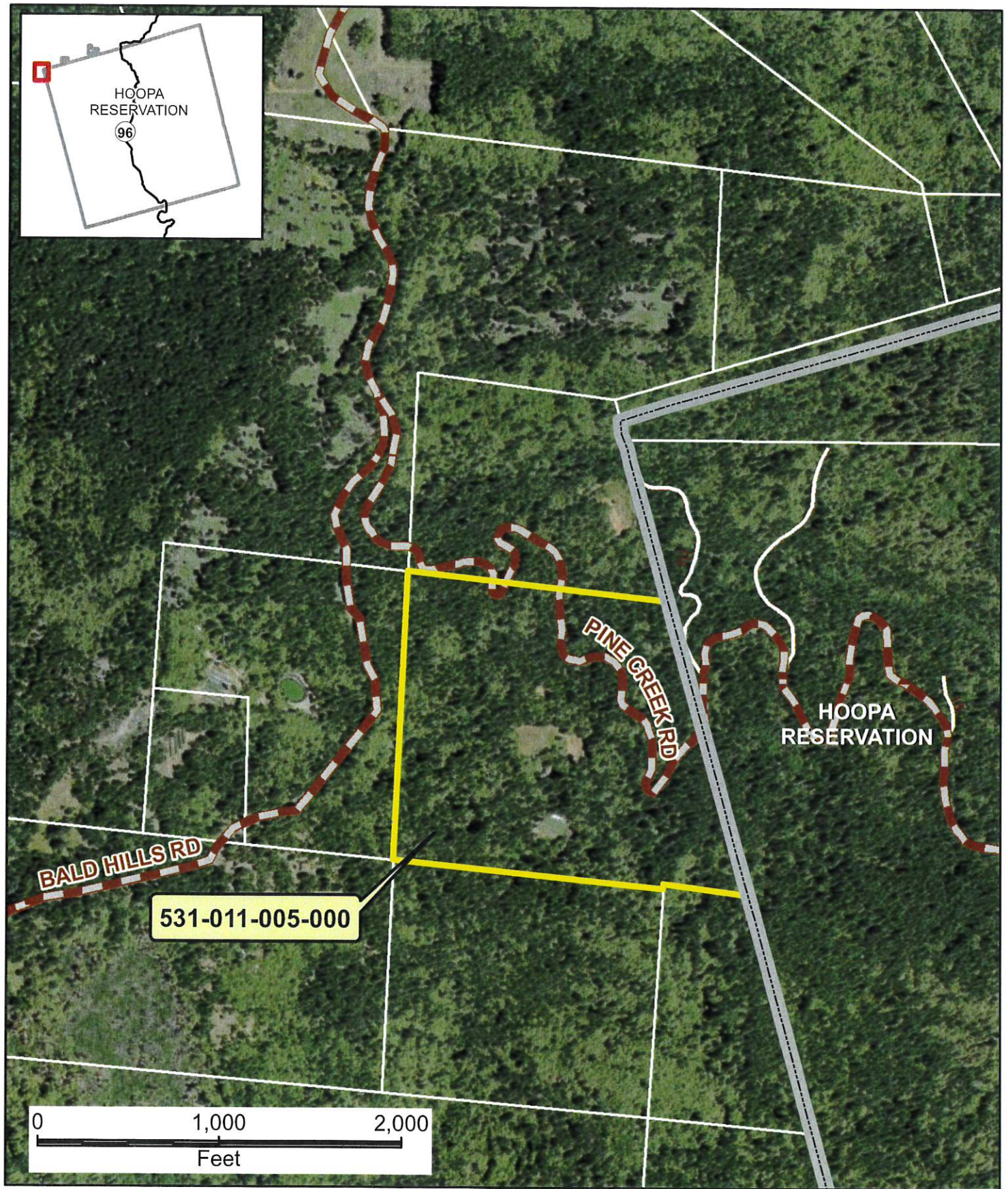
1. **Via Computer as an attendee:** To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. **If you encounter any issues, please use the call-in option below.**
2. **Via phone call using cellphone or landline:** When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner starts to discuss the item you wish to comment on, **Press \*9 to raise your hand.** When you are called upon to speak, you will be prompted to unmute your mic, press \*6 to unmute.

**PUBLIC COMMENT PRIOR TO THE MEETING:**

Submit public comments via email to [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us) and provide the Project title, Record or Case number and date of the hearing. To provide comment to the Planning Commission with the hearing packets, comments must be received by **Wednesday, April 28, 2021**. All public comments must be received by to **Monday, May 3, 2021** to be provided to the Planning Commission for consideration. The Agenda is posted on the Friday prior to the meeting. After the agenda is posted comments received after **Wednesday, April 28, 2021** can be found at the "Attachments" section of the "[Meeting Details](#)" link next to the posted Agenda at: <https://humboldt.legistar.com>. Only public comment and supplemental information submitted in the manner prescribed above will be included with the administrative record.

**Please note that each Zoom meeting has a unique meeting ID and password. Any item on this agenda that is continued to a future date will use the meeting ID and password applicable to the date the agenda item is to be heard again. Agendas are posted on the Friday before the meeting at <https://humboldt.legistar.com>**

**Old Goat farms, LLC;** Weitchpec Area; Record Number: PLN-11033-CUP (filed 8/25/2016); APN 531-011-005. A Conditional Use Permit (CUP-16-132) for an existing 30,000 square foot (SF) cannabis cultivation operation of which 22,000 SF is full-sun outdoor and 8,000 is mixed light in four (4) 2,000 SF deprivation greenhouses. Ancillary propagation occurs in a 1,680 SF greenhouse. Irrigation water is sourced from a permitted well. Existing available water storage is 23,450 gallons in nine (9) hard tanks and 13,800 gallons in three (3) hard tanks is proposed for a total of 37,250 gallons. Estimated annual water usage is 219,347 gallons (6.9 gal/SF). Drying and bucking occurs onsite and all other processing will occur off site at a licensed processing or manufacturing facility. Power is provided by a EPA Tier 4 diesel generator. The Humboldt County Planning Commission will consider an Addendum to a previously adopted Mitigated negative Declaration. The project is located in Humboldt County, in the Weitchpec area, on both sides of Pine Creek Road (formerly French Camp Rd), approximately 0.61 miles east from the intersection of Bald Hills Road and Pine Creek Road, on the property known as 15112 Pine Creek Road, Weitchpec. Specific questions regarding the proposed project may be directed to Cliff Johnson, Supervising Planner, at (707) 445-7541 or [cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us).





# HOOPA VALLEY TRIBAL RESERVATION

Map of parcel adjacent to  
Reservation boundary

APN: 531-011-005



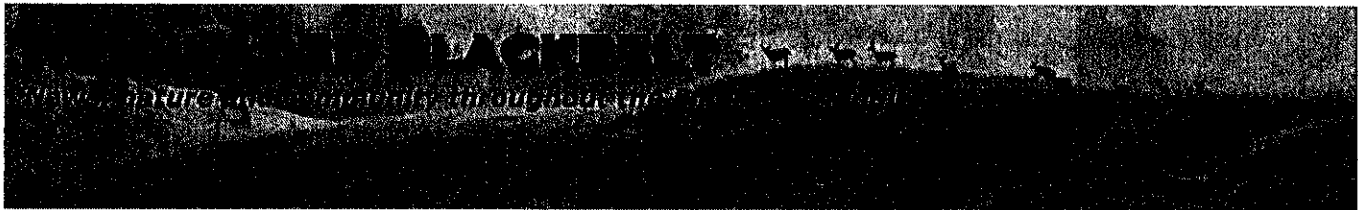
Sheet No.  
1 of 1

 Reservation Boundary  
 Humboldt Parcels

Prepared For:  
OTAHVT

4/30/2021 -0924 Hrs  
Encroachment  
JCampbell - Hoopa Forestry  
NAD 1983 UTM Zone 10N

Ex. A

[HOME](#)[NEWS STREAM](#)[ABOUT REDHEADED BLACKBELT](#)[OUR NEIGHBORHOODS](#)[SPORTS](#)[HUMBOLDT LAST WEEK RADIO](#)[EMERALD TRIANGLE CLASSIFIED ADS](#)

## CANNABIS ROBBERIES NORTHWEST OF HOOPA CAUSED BY ORGANIZED CRIMINAL GANG, CLAIM FARMERS

[November 6, 2019](#) | [Kym Kemp](#) | [166 comments](#)



Cannabis farmers in northeastern Humboldt believe that a well organized and heavily armed criminal gang is targeting them and may have done so for years.

The Humboldt County Sheriff's Office has begun placing a team in the area in order to respond quickly to criminal activity, a lieutenant told us.

Many of the robberies went unreported, one farmer told us. However, law enforcement has been notified about a few that farmers believe may have

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trailer, the security guard's car, and a rental car were badly damaged in the fire.

According to Lt. Mike Fridley, the reason the Humboldt County Sheriff's deputies were able to get to the incident so quickly was because they had a team already in the area to be ready in case of another robbery. "We had complaints and we are taking this seriously," he told us.

In an earlier interview, Lt. Greg Musson of the Humboldt County Sheriff's Office told us, "'Nobody was shot that we know...All the good guys and gals were accounted for. We don't know if any bad guys were hurt."

Although Musson said that as far as he knew, no drones were involved, other farmers in the area have told us off the record that multiple drones have been seen flying over private property as well as men wearing tactical gear scoping out trails. "I don't know where they are getting all their tactical gear," one told us. "Some of what we [saw] is stuff you could only get if you were law enforcement."

Martin said that one of the phones taken in the robbery was traced to seven or eight totes of the stolen marijuana by the Sheriff's Department. He wasn't clear on how that happened but he said that it was wonderful to get even that amount returned. "[Law enforcement] brought it back," Martin said in amazement. "I was kind of like 'Wow! We had a really bad day but this is cool.'"

But he said he also felt like the deputy who returned it was unhappy. "I thought he felt he was wasting his time," Martin explained. "He could have been helping society, but instead he was bringing back dope to dope growers."

He added, "I get it...The pot growers have been fighting the police for a long time and now [we] are

clear out the place. They didn't want to do any work." Without even the protection of their clothes, he told us, the robbers forced the victims to load a number of vehicles, including two that belonged on the property, with stolen cannabis and other items.

An odd juxtaposition with the violence of having guns pointed at them while they were forced to do work unclothed was the encouraging words of the young armed robber who had a gun trained on him a good part of the time. "He was the only one that didn't have a mask on," Martin told us. "He was so young, he had peach fuzz...While we loaded all the trucks and everything, he kept saying things like 'Hey, man, you are doing a good job.'"

Martin marveled, "He's cheering me on while he has a gun on me!"

But without his glasses and with the menacing response to any attempts to look at his captors, Martin said he doesn't really have any descriptions. "I spent four hours with the guy and I couldn't tell you what he looked like," he explained.

Between the robbers with guns and those driving away with stolen items, Martin believes there were a large number of individuals involved. "There had to be at least 15 people," he said. "There were six people with guns that were crowd control. They were older by the sound of their voice...and then that young kid." Then there were more than those though, he told us.

The robbers took not only the vehicles, but firearms and other items of value and what Martin described as about half of all the cannabis on the farm. (Some hadn't yet been harvested.)

One of the two vehicles taken was later found abandoned in a waterway. But another, a bright blue

vaccination appointments go unfilled, officials look to meet residents where they are

- \$100,000 in Grants Awarded Locally From Coast Central
- Criminal Complaint Reveals Willits Man is Suspected of First-Degree Murder in the Shooting Death of Two Men and Also of Torturing Chickens
- Survey: Humboldt County Residents Want To Walk & Bike More, Drive Less
- Casi Un Tercio De Los Residentes Elegibles Del Condado Completamente Vacunados HOY, 29 De Abril De 2021
- Nearly a Third of Eligible County Residents Fully Vaccinated
- Woman Arrested With Five '20 sacks', Says HCSO
- HCSO Conducts Search Warrant of 17-Year-Old in Connection With Overdose Death

2001 Dodge Ram 2500 with a white tailgate, is still missing.

As disturbing as the first robbery was, the second robbery—early Halloween morning—was much more violent. Martin wasn't there but he spoke to people who were and he is intimately involved in the farm's operations. Below is his account of what happened. In some aspects it conflicts with earlier accounts. Please be aware that this is his account and while we believe it to be accurate, we have only been able to corroborate parts.

Martin said the farm had hired Omni Security Services. Early on Halloween morning, the armed guard was in a fifth wheeler with two of the owners of the property, there were a group of people in the home, and a third group of people in a cabin. Martin was away for the night.

Even though the initial robbery had made everyone nervous, the Farm had decided to hire security and finish the harvest. "The first time [the robbers] never touched us," Martin explained. "And the other half of the farm was still standing...This year could not be a complete loss. Everyone involved decided to finish."

"We were like 90% done [with harvest]," Martin told us. "Everything was into totes."

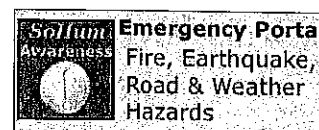
A little after midnight on Halloween, a number of armed robbers (a smaller group than the initial robbery) broke into the main house. "They came straight to the bedroom where everyone was at," he said he was told. "They tried tying the workers up to a pole...They were so messed up on drugs that their hands shaking so badly that they couldn't tie anyone up. So they locked them into a container...When they were locking people in the container, they asked them if there was anyone else here."



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After being told there were people in the trailer, the robbers went there next, Martin said. Besides the security guard who was on a break from patrol, Martin described there being “two older gentlemen”—one about 70 years old.

The robbers started banging on the door and “yelling to come out,” Martin said. “And then from what one of the owners told me, [the robbers] had shotguns and were just shooting into the trailer... After they started shooting, that’s when security guard started [firing back].”

The robbers then upped the level of violence even further, Martin claimed. “They threw like an incendiary device,” he said. “They were prepared! Who has one of those in their back pocket?”

He paused and added, “Setting shit on fire especially right now...Fire is a scary thing right now. They could have set the whole rez on fire. There is no care for life. No care for community. There’s nothing.”

At this point one of the owners fled the building. “The older gentleman jumped through a closed plate glass door and landed at the feet of the robbers but managed to run up...to the top of the hill to the cabin where the workers lived.” These workers had just woken up, Martin explained. “They were just watching everything unfold.”

At least one of the workers had a cell phone that the owner used to call law enforcement for help. A scratchy transmission of the beginning of the dispatcher sending law enforcement can be heard below. (Note: 1144 means deceased.)

00:00

00:00

Martin said that law enforcement and fire engines arrived in the remote area remarkably quickly. The

been the victims of the gang. (One robbery in 2017 that was reported and identified by multiple people as likely to have been committed by the gang is here.)

Several growers tell us they believe a property in northeastern Humboldt that has been violently robbed twice in the last month is a victim of the gang.

Chris Martin, the manager of Old Goat Farms, told us the permitted cannabis grow he manages on French Camp Road northwest of Hoopa was initially invaded by armed robbers on October 10 and then more recently on Halloween Day.

"They came at seven in the morning," said Martin who was at the property when it was robbed the first time. "The generator got shut off, so, thinking we were out of gas, I ran out of the house to [find] six people with guns."

Almost all of them wore some form of face covering, he told us.

One of the first things, the robbers did was make it difficult for him to see any identifying characteristics on them. "They took my glasses and broke them," he said. He explained if he looked in one of their directions, they would act menacing so he tried to avoid anything that might make them angry.

He added that the armed robbers made everyone lay on the ground. When they told everyone to get down, Martin said he thought, "Dying is not worth the weed." He explained that he believed that the men were "not here to hurt us; they are just here for the weed." He decided to cooperate to make sure no one was injured.

"At gunpoint, they made us take off all of our clothes," he explained. Then, he said, "They made us

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asking for help. But we are paying taxes. I'm not asking for [law enforcement] to sit on the property and patrol but [the robbers] tried to kill people... You play by the rules; you expect to be under the umbrella."

Martin and other growers we spoke to feel that there is an armed and organized gang operating in the area.

One grower said that he believes the group has been operating for at least four years. That grower said, "This thing is much bigger than a couple of ripoffs. It warrants an FBI investigation done."

Martin agrees that the situation in the area is dire. He said it is just a matter of time before someone is killed or badly injured. "It's real. [the robbers] are not messing around," he said.

#### **Earlier Chapters:**


- Armed Robbery With Shots Fired at Permitted Cannabis Farm
- Reported Shootout Early on Halloween Between Thieves and a Security Guard at a Permitted Grow

*Note: the initial story has been updated with information from the Humboldt County Sheriff's Office's Lt. Mike Fridley.*




Hoopa, CA and in ZIP code 95546. This property has a lot size of 54.00 acres.

Home Details for 15112 Pine Creek Rd

Property Information

Property Type / Style




- Property Type: Single Family Home

Lot Information

- Lot Size: 54.00 acres

See All

Price History for 15112 Pine Creek Rd

Date	Price	Event	Source
06/07/2017	\$775,000	Sold	Agent Provided 
04/10/2014	\$100,000	Sold	Agent Provided 
08/18/2006	\$5,803,000	Sold	Agent Provided 

Property Taxes and Assessment

Year	2020
Tax	\$8,808