

On Jun 8, 2021, at 11:47, John Fomasi
<johnny0324@aol.com> wrote:

Assistant Planner Ham,

I am writing this letter in opposition to the request by Green Lake Exotics for use permit UP 20-20. The requester has listed the address, 19658 East Road. As a resident of East Road I object to the issuance of this permit based on several factors. The area is made of small family farms and rural residential family properties. The area, especially East Road, is not an appropriate area for a commercial cannabis grow operation. This is my home and being surrounded by commercial cannabis operations is unfair to residents.

Additionally, this applicant started his operation in the spring of 2020. The grow was very large and can be seen from my residence. The applicant has already planted his 2021 grow and appears to be expanding. In July of 2020, a person hired by the applicant started a negligent fire that caused moderate damage to my property. The fire resulted in criminal charges. See CalFire report LNU010752

for further information. My insurance company has been unsuccessful in contacting the applicant. The claim remains open and has affected my insurance premiums.

The following is a list of additional reasons for my objection. I will detail each of my objections below.

1. Safety and Security
2. Roads and Access
3. Water/Environmental issues
4. Foul odors
5. Hours of operation
6. Potential for decreased property value
7. Legality

Safety and Security:

The cultivation of marijuana invites and attracts illegal activities. The potential for increased illegal activity is extremely high. In many cases potential thieves target the wrong location in search of marijuana and money. My home is the first residence on East Road. I fear that cultivation activity will put my family at risk. These risk include the possibility of death. In several cases thieves targeting the wrong location have harmed, seriously injured, and/or killed innocent citizens. Based on the location of my residence in proximity of the site, I believe my family is put at unnecessary risk for monetary gain of the applicant.

Roads and Access:

East Road is a private gravel road. To access the proposed site, the easement through my property has to be travelled upon. The road cannot sustain increased traffic and will only cause added cost to maintain and repair the road. Yet another costly inconvenience to me, a resident of Lake County.

The gravel road also produces excessive dust. The increased traffic will add to this problem. It already causes me to have to spend more time cleaning my home.

Water-related issues:

The state and immediate area have been severely impacted by drought. As we enter a second year of

far below average rainfall, water supplies need to be closely monitored. The county needs to take a far more cautious approach when it comes to water than it has in recent months.

The applicant estimates that 500,000 gallons of water will be needed to irrigate the grow. It's stated that no information exist that this amount of water may cause neighboring wells to dry up. Yet there is no scientific data to support that claim. The neighbor directly to the south of this property is also applying for a use permit (19-32) and estimates he will use 470,000 gallons a year to irrigate his grow. Without any scientific data, how could anyone looking into this believe this is a good idea? A full Environmental Impact Study needs to be completed so the county can make an informed decision. Cultivators should be required to have the study done during the application process. It would be detrimental to the environment, residents, and county to approve these permits and allow nearly a million gallons of water to be pumped from the ground. Who is responsible when non growing neighbors wells dry up because of this? It doesn't seem the county has thought about the repercussions of such irresponsible decisions.

The Lake County General Plan lays out strict rules regarding water issues related to new growth and construction.

Policy WR-3.2, Adequate Water Availability states the following;

*"The county **SHALL** review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects **MUST** provide evidence of water availability prior breaking ground for construction."*

Anyone not living under a rock knows that the state is in a drought crisis. Numerous articles, both local and on a state level, have recently come out through various media outlets regarding these issues. Most are directly related to marijuana cultivation. It seems the county has overlooked these issues as of late and I'm concerned the county, and cultivators, do not have the environment and residents in mind during this process.

Many area residents, including myself, depend on the strained aquifer for water to live. Allowing cultivators to excessively pump and use groundwater for monetary gain is irresponsible and environmentally unsound. Myself and area residents depend on the groundwater for ourselves and livestock. The county needs to protect its residents, however approving this permit would only put them in jeopardy of losing access to a life necessity; water.

Foul odors:

The smell of cannabis is nauseating to me and my family. The odors are offensive and cannot be controlled by cultivators. The odors from this particular cultivation site enter my home causing the inside of my residence to smell strongly of marijuana. In some cases, when I leave home my clothes smell of marijuana. It's disgusting and unfair to me, my family, and my neighbors. I cannot even have my windows open at night to cool the house down because the house would smell stronger than it already does during peak cultivation season. This causes increased energy cost for me to run air conditioning at night, which I should not have to do.

The applicant states in his application that "Cannabis cultivation, especially during the flowering stage, generates volatile compounds that some people find objectionable." I could not agree more with this statement. I absolutely find marijuana odors objectionable. The applicant goes on to state, "No significant odor impacts are anticipated from this cultivation operation." This statement is 100 percent false. They do not consider how it effects my family and have no respect for me or the neighbors in this regard. I'm forced to look at their grow everyday. Not only do I have to see it, but I have to breath in the disgusting odors with every breath I take. This is completely unacceptable and should be grounds for denial of this permit. When reading this, put yourself in my shoes. This is not the faint odor of marijuana that occasionally passes through my property. This is the strong, overbearing, potent, rotten smell that lingers for months and months.

The applicant has lied to the county in his application. In section 4.2 of his application, he

states, “The nearest neighboring residence (me), **ALSO CANNABIS CULTIVATORS**, are a minimum of 250 feet away from the cultivation compound.”

The applicant knows who I am. He knows where we live (drives by my residence everyday). He can clearly see my entire 10 acre property. There is no mistaking the fact that I do not cultivate cannabis. This is deception by the applicant to rouse the county into approving his application. There is no mistaking the fact he lied in this application. Is lying acceptable to the county when reviewing these applications? It seems the applicant tried to pull the wool over the eyes of the county thinking I would never read this application. This issue needs to be addressed and dealt with. How could the county trust this applicant after making a blatant lie in his application? What else has the applicant lied about in his application?

I will be filing complaints related to noxious, foul, and offensive odors this summer with the county.

The nauseating odors caused by cannabis cultivation make my property less enjoyable. I have to spend more time away from home during peak cultivation season. I feel monetary gain by another is an unfair reason to prevent residents of this county from enjoying their own property.

Hours of operation:

The applicant has listed the proposed business hours of the operation as 7am to 5pm 7 days a week, including holidays. I am assigned to work nights and the noise from vehicles traveling through my property causes me to wake up prematurely. This causes significant safety concerns for myself.

While I do not expect neighbors to refrain from driving the road at any time, I feel a business operation is completely unnecessary. This is my home. The road travels through my property. How is it fair that the applicant can operate a business that uses a private persons property? I understand he has the right to access his property, but why can a business use my property to have cars in and out? If this was happening on your property would you think it was a good idea?

Furthermore, the weekend hours will add to the traffic on my property taking away from the enjoyment of my own property.

Potential for decreased property value:

If approved, the water issues could potentially become a reason I would not be able to sell my home if I wished to do so. No one would buy a house with no water. Additionally, families, especially those with children, would be less inclined to purchase a home surrounded by cannabis grows. Safety, security, water, odors and traffic are all reasons property values of surrounding residences could decrease.

Legality:

While marijuana cultivation is allowed by the state, it still remains illegal federally. Federal law supersedes state law.

Controlled Substances Act. Found at Title 21, Section 811 of the United States Code (U.S.C.), the law makes illegal to use, possess, grow and sell marijuana. It does not recognize medical marijuana.

In the letter provided by the county it states, “The applicant must meet all applicable local, state and **Federal** requirements for cannabis cultivation.”

This, and any other grow in the county, clearly doesn’t meet federal requirements and are therefore illegal and cannot be lawfully permitted.

In closing, I urge the county to deny the issuance of this permit. With crippling drought that has no end in sight, there’s no reason any reasonable person should see this as a positive for the county. The applicant was deceptive in his application and should not be trusted by the county.

As a private resident of Lake County who would be directly, negatively impacted by this project I feel the county has an obligation to protect its citizens. The area is not meant for commercial cultivation, and will have negative impacts on myself, surrounding families, and residents. This is unfair and I again urge you to deny this permit application.

Please address my concerns as soon as possible.

Respectfully submitted,

John R. Fomasi

19302 East Road
Lower Lake, CA 95457

Mary Claybon

From: John Fomasi <johnny0324@aol.com>
Sent: Thursday, March 16, 2023 11:28 AM
To: Lake County CannabisCEQA
Cc: Moke Simon; John.Hess@lakecountyca.gov
Subject: [EXTERNAL] UP 20-20 IS 20-23 APN No: 012-049-19

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I am writing in opposition of UP 20-20, IS 20-23 located at 19658 East Road in Lower Lake (APN No: 012-049-19).

This is yet another expansion to an already large existing marijuana cultivation site. Since this marijuana grow has come to existence, the overall enjoyment of my primary residence has been greatly diminished and has ruined my perception of Lake County's leaders.

It seems the county has adopted a, "Can't see it from my house" mentality when reviewing these applications.

I purchased my property in 2018. I was so excited to have a rural property where I could live and someday possibly raise a family. I used to watch blacktail deer, wild turkey's, and quail from my kitchen window on the property of 19658 East Road. That all changed a few years back when the property sold and the grow operation started.

Now I look at marijuana plants and a large wood structure with a plastic tarp draped over it that flaps in the wind all night long. When the tarp isn't flapping, fans can be heard humming during the harvest season ruining the sounds of rural living.

This grow site has already taken the enjoyment of my own property from me and now the proposed expansion seems to suggest I will be living next to a more industrial looking operation. That's what I will see from my kitchen window, or while out and about on my own property.

The grow operation produces the strong offensive odors of marijuana onto my property that cannot be controlled by anyone other than Mother Nature. The odors permeate clothing which can be likened to having skunk living under your home. I often time leave home and once I reach fresh air you immediately notice the odor of marijuana about your person. It is unfair and causes me undo stress.

I cannot open my windows at night to cool the house during the growing season due to the strong odors of marijuana. This has directly affected my energy bill as I have to run my AC unit more often causing wear on the unit and a hit to my bank account.

I've had to purchase multiple air purifiers to help with the smell inside my home, but they do very little to help the situation.

With this proposed expansion, Its proposed that more water storage has been requested. The proposal calls for 11,000 more gallons of storage. 11,000 gallons..... Consider this for a moment. We have have a better year for rainfall, but we are far from out of the woods. Further straining aquifers in an already fragile ecosystem in unconscionable. And when my well goes dry because of it, the county, and persons potentially approving this proposed expansion, will be held

personally responsible. At some point we have to look at the whole picture and think is this a good idea..... Absolutely not!

The proposed expansion calls for paved parking lots, ADA compliant bathrooms, "secure" administration facilities, and "security" office. This is my neighborhood. It's rural. Why would we need or want a business operation here? We don't. The county has allowed people to move in and take advantage of a broken system at the expense of the enjoyment and tranquility of non growing tax paying Lake County citizens.

The fact that they need a security office next door to my home should raise more eyebrows then just my own. Would I raise a family here knowing that my neighbor needs a security office to protect his business next door to my house? Absolutely not. The county would further be destroying its relationship with its citizens by knowingly subjecting residences to possible crime. Such crime that you next door neighbor feels it necessary to have security.

In my professional career I have been directly involved in homicide investigations that were directly related to marijuana cultivation. More than one of those investigations included instances where the suspects arrived at the wrong neighboring property and murdered innocent citizens who had nothing to do with the marijuana industry. This is the risk County officials take to make easy money. It's sickening and makes me wonder how one can sleep at night. But when you can't see it from your house, it's not a concern to you and your family, right?

The owners of this operation have caused a negligent fire that caused damage to my property and contributed to my homeowners insurance policy being non renewed. I have since had to fight to maintain hazard insurance and now have to pay about \$5000 MORE a year as a result of THEIR negligence.

The owners dogs routinely are loose and recently went onto another neighbors property and attacked a pet pot belly pig. The attack resulted in the pig loosing an ear.

The traffic on East Road has SIGNIFICANTLY increased since this property became a grow site. The constant traffic on the road has caused excessive dust. This has increased our time spent cleaning our home and air quality is poor, especially during harvest season.

Additionally, the county has failed to notify all neighbors in the area, including neighbors with adjoining properties. If the county wants to try be transparent and get the pulse of the community, you would take initiative to notify neighbors that don't live on East Road, but still share a property line. Neighbors were surprised to learn of this and wondered why the county wouldn't notify them about the proposed expansion on a property that borders theirs.

The county has continually failed to protect and serve all its citizens. It's apparent to the majority of us that the county really only cares about making money from growers. That's fine, but let's not allow that to happen next to family homes in rural settings. You're risking people's lives and diminishing enjoyment of rural living by continually looking the other way to make money for the county.

I urge you to consider us, the neighbors who are also residents of Lake County. Think to yourself, "If this was my home would I put my family in jeopardy to make money for a government entity?"

I bet your position would be different if you were in my shoes.

Please deny this expansion.

Thank you for your time,

John Fomasi
19302 East Rd.
Lower Lake, Ca 95457

Mary Claybon

From: Kerry <zachandkerryd@yahoo.com>
Sent: Tuesday, March 7, 2023 7:20 AM
To: Lake County CannabisCEQA
Subject: [EXTERNAL] concerns about project in our backyard that we were not notified about

Good morning, I just had the attached letter shown to me by a neighbor asking if we received it. Well we did not! This is regarding the parcel at apn 012-049-19, which we share a property line with. First I am very concerned as to why we were not notified of this project application, as required.

Second we are VERY concerned about this project expansion. This is a huge expansion and we feel it is a sever threat to our personal safety as well as our water supply.

We have had interactions with the owner of the existing pot farm, when his "guard dogs" came on our property and tried to attack my husband, myself and our dogs as we were sitting on our porch. These are not guard dogs, but very aggressive attack dogs that are not properly trained or contained. The 3 charged us in full attack mode and were only scared off because my husband had a gun for a warning shot.

These dogs have escaped their property numerous time since, even injuring neighbors. We have had to add more fencing on our property just to sit on our deck. I still can't even walk around the rest of our property as there dogs will come out and charge. If these people can't even properly handle the smaller set up they have now, how can they even be considered responsible enough to grow to such a larger set up. We recently purchase this home as our forever home and had no idea what a nightmare we would have in not being able to walk around our own property due to uncontrolled dogs nextdoor. We knew about the wildlife and were prepared for that, however these dogs trained to attack.

Our other very serious concern is that we are all on wells out here, before we purchased this home, after much investigation into the ground water of Lake County, and this area had fewer concerns then others in the county. We had no idea that our neighbor would be utilizing the ground water to water a huge pot operation. We are very familiar with pot grows, and are not opposed to them at all, however as you know, they take a huge amount of water and responsibility. We are concerned that they will be using far more water than should be taken from the ground water, not to mention the pesticides they will be using very close to our pets and livestock.

We would appreciate being notified to the legal requirements of anything further that goes on at the property next door and are horrified that we were not properly notified about this, being that we share the fence line with them. Had our neighbor not notified us we would have had no clue. Also how else can we appeal or complain to try and stop this process?? We put everything we had into the purchase of this home as our forever home and can't believe a project of this size would even be considered so close to other homes with all the fire dangers that are also a consideration. If they were responsible and handled their smaller operation professionally, we would have no problem with the expansion, however they are not.

Thank you for your time
Zach and Kerry Duvall