

Eric Porter

From: Mark Burch <markthewinemaker@yahoo.com>
Sent: Wednesday, February 24, 2021 5:01 PM
To: Eric Porter
Subject: [EXTERNAL] Conditions Of Approval

Dear Mr. Porter,

Our names are Mark Burch and Laurie De Leon, we are a married couple residing at 2530 Soda Bay Rd., APN 008-10-45.

We have received our letter informing us of the notice of intent to adopt a mitigated negative declaration at 2800 Manning Rd APN 08-009-03.

We are requesting access to the "Conditions of Approval" regarding this request. Due to the time frame we are requesting to receive this information as soon as possible.

Thank you,

Mark Burch & Laurie

(707)489-4544

Eric Porter

From: Mark Burch <markthewinemaker@yahoo.com>
Sent: Wednesday, February 24, 2021 5:54 PM
To: Eric Porter
Subject: Re: Automatic reply: [EXTERNAL] Conditions Of Approval

Hi Eric,

Thank you for your reply.

Laurie are looking forward to your email Friday.

It's Appreciated,

Mark & Laurie

On Wednesday, February 24, 2021, 05:01:21 PM PST, Eric Porter <eric.porter@lakecountycyca.gov> wrote:

Good day.

Due to the high volume of emails I am receiving, I will be answering emails on Monday, Wednesday and Friday.

If you need a reply sooner, please email planningcounter@lakecountycyca.gov for non-cannabis inquiries, or cannabis@lakecountycyca.gov for cannabis inquiries.

Thank you,

Eric Porter

Eric Porter

From: Eric Porter
Sent: Wednesday, March 10, 2021 9:48 PM
To: Eric Porter
Subject: Burch's address

From: Mark Burch [mailto:markthewinemaker@yahoo.com]
Sent: Wednesday, March 10, 2021 6:25 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] Re: UP 20-22, Otchkova (commercial cannabis)

Eric,
2530 Soda Bay Road
Lakeport, Ca. 95453
Mailing:
PO Box 108
Kelseyville Ca. 95451

Thank You.

Be Advised - you haven't received my response yet due to the time commitment it is requiring to gather needed information that pertains to the application.

Appreciated,
Mark

Sent from my iPhone

On Mar 10, 2021, at 2:54 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Mark,

I'm putting a list of concerned neighbors together for this file. Can you email me your address? I want to make sure you get a public hearing notice when they are sent out.

Thanks,
Eric Porter
Planner
County of Lake

Eric Porter

From: Lianne Campodonico <liannecampodonico@gmail.com>
Sent: Wednesday, February 24, 2021 12:49 PM
To: Eric Porter
Subject: [EXTERNAL] Letter for the Record re: Use Permit (UP 19-13), Variance (VR 19-02) and Initial Study (IS 19-25)
Attachments: Letter regarding Manning Property Cannibas Project.pdf

Dear Mr. Porter,

Attached is our letter for the public record that we wish to have entered into the Public Comments portion of the electronic file folder.

Thank you,

Lianne Campodonico
Campodonico Olive Farm
Lakeport CA 95453
510.612.8723

February 24, 2021

Eric Porter
Associate Planner
Community Development Department
Lake County, CA

Dear Mr. Porter,

This letter is in reference to the "Notice of Intent to Adopt a Mitigated Negative Declaration" we received on February 20th. This Notice is regarding a request for an approval of a Major Use Permit for ten A-type medium outdoor commercial cannabis cultivation licenses, a request for a variance to allow outdoor cultivation on high-value farmland and a request for an A-type self-distribution license for a neighboring property (APN: 008-009-03). The north boundary of our farm (APN: 008-101-47) is contiguous with this property.

We were well aware of the cannabis operation there in 2020, which caused enough noise, odor and traffic problems to be a disturbance for months. In addition, large trucks using a right-of-way driveway (as indicated on the map in the Initial Study 19-25 document) pull out into Soda Bay Road without stopping and then pause to look for oncoming traffic. There have been quite a few near misses. This right-of-way driveway lacks an encroachment for large trucks to make proper turns.

We understand that the County benefits a great deal from taxes paid by cannabis operations, but we don't agree that outdoor operations should be approved instead of greenhouse operations.

Our list of concerns about this proposed project include:

1. An increase in size of this operations means a bigger water requirement for the cannabis plants, which require quite a bit of water. We all share the same water table and must be aware of irrigation's burden on water supplies in times of drought, which is what we are experiencing now.
2. Would the fertilizer and pesticide soil filtration mitigation part of the project be substantial enough to satisfy requirements of the Irrigated Lands Program? Is cannabis excluded from being subject to ILP requirements? The land may be flat, but since it is in a flood zone, soil being washing away during a flooding episode may drain back into the Lake. Furthermore, we have observed water coming up high enough past the wetlands to encourage white pelicans to gather in what is now pastureland the proposed site.
3. In terms of the impacts on air quality, the project seems to be considering only structures to the northwest of the project. Our farm is to the southeast and with the prevailing winds coming from the west and northwest, we were definitely subject to the odors and sounds coming from the 2020 operation, which would only increase as the size of the footprint of this operation increases.

4. In terms of impacts on aesthetics, existing structures on the project property do not hide the operation from our view.
5. In Air Quality section, part (d) the total area of cultivation is given as 15 acres. In the Hydrology – Water Quality section, part (c) the total area of cultivation is given as 10 acres. Which is it going to be? In any case it is a substantial increase over the 2020 operation.

The approval of this size of cannabis operation on high-value agricultural land sets a precedent for potentially altering the traditional types of agriculture in the Big Valley Area. The study mentions an adjoining parcel is also waiting on approval for a large cannabis operation. The problems with large vehicle traffic and odor and noise pollution will only increase on the Soda Bay Road corridor with additional cannabis operations so close together.

In December 2020, the Lake County Board of Supervisors strengthened their position on cannabis cultivation in the County's high value ag areas. Big Valley was included in the list of Farmland Protection Zones. Inside these Farmland Protection Zones, *there is no outdoor cannabis cultivation allowed*. Because discussion of these Farmland Protection Zones seems to be outside the purview of an initial study for CEQA by the Community Development Department, we have not been given adequate information about a valid defense of granting these variances in the light of Big Valley being included in these Zones.

We understand that if the permits were for greenhouse cultivation, there would be no problem for the County to approve that request. But the County has already indicated by its definition of Farmland Protection Zones that it does not wish to see the character of Lake County ag land altered radically with a proliferation of outdoor cannabis operations.

As neighbors of the Manning property, we object to this project in its current form and ask that the variances being requested be denied by the Community Development Department and the Lake County Board of Supervisors.

Sincerely,

Rich and Lianne Campodonico
Campodonico Olive Farm
2570 Soda Bay Road
Lakeport CA 95453

Eric Porter

From: Lianne Campodonico <liannecampodonico@gmail.com>
Sent: Sunday, April 11, 2021 8:36 AM
To: Tina Scott; Jessica Pyska; Eddie Crandell; Moke Simon; Bruno Sabatier
Cc: Scott DeLeon; Eric Porter
Subject: [EXTERNAL] For Tuesday, April 13 BOS meeting re cannabis ordinance and variance requests

Supervisors Scott, Pyska, Crandell, Simon, Sabatier:

I have already written a letter to the Community Development Department in opposition to Tiffany DeWitt's request for ten outdoor commercial cannabis cultivation licenses and a variance to allow 10 acres of outdoor cultivation on high-value farmland on the Manning property at 2800 Manning Road, Lakeport. This property borders our north boundary. In asking for a variance, this applicant recognizes that such outdoor operations are not permitted under the Ordinance. There is no rationale given about why a variance should be granted.

After attending the Board of Supervisors' meeting last Tuesday, I now understand there are six, if not 25 additional applications up for consideration for growing cannabis outdoors in prime farmland. The supervisors discussed a compromise allowing a three-year transition period for these applicants to receive permission to grow outdoors for three years before covering their operations with hoop houses. This compromise is a way to resolve a problem created by the Planning Department when it allowed these applications to go forward in the first place, in violation of the original 2018 Ordinance disallowing outdoor cannabis operations in prime farmland areas. Furthermore I request that language describing hoop houses be strengthened to specify greenhouses equipped with "filtrations systems that prevent the movement of odors, pesticides and other airborne contaminants out of or into the structure." (Section 1.vi of Article 27)

Given the reality of political dynamics, what guarantee will traditional farmers in Lake County have that pressures from the cannabis growers will not result in upending this compromise, once outdoor grows are in full swing? The language in the compromise needs to reflect a strong commitment by the County to protect our long-time traditional agricultural areas in the Farmland Protection Zones. I urge you to strengthen the three-year transition language to protect Prime Farmland from outdoor cannabis grows after 2024.

Another consideration not adequately addressed by this compromise is the threat of traditional ag and cannabis growers ending up in court over long standing farming methods such as spraying used by farmers in Lake County. I ask the Board of Supervisors to indemnify farmers against such lawsuits. As a certified organic farmer myself, the onus is on me to protect my olive crop against any conventional pesticide drift. In the discussion at the Board of Supervisors' meeting last week, it was clear that the cannabis growers expect to be protected *from* the farmers, rather than vice versa.

Please support the letter and spirit of the 2018 Ordinance by requiring cannabis growers to operate indoors as soon as possible.

Thank you,

Lianne Campodonico
Lake County California Women for Agriculture Board Member

Eric Porter

From: Lianne Campodonico <liannecampodonico@gmail.com>
Sent: Monday, February 22, 2021 3:34 PM
To: Eric Porter
Subject: [EXTERNAL] Letter received re: Notice of Intent to Adopt a Mitigated Negative Declaration

Mr. Porter,

I would like to speak to someone about a neighbor's project requiring a use permit (UP 10-13) and variance (VR 10-02) for cannabis cultivation. We received a letter about this project for APN No: 008-009-03 on February 20th.

We are a neighboring parcel: APN: 008-010-47 to the location of the requested 11 licenses. We are familiar with the property in question and have been unhappy about the cannabis production which occurred there in 2020. The noise and level of skunky odor was enough to disturb us for months. In addition, large trucks using a right of way road between the boundaries of APN 008-010-32 and APN 008-010-45 have caused near accidents as they drive up onto Soda Bay Road to turn. Apparently these trucks are too large to cross the bridge over Adobe Creek and exit from Stone Drive.

Our first question is whether the request for licenses will increase the size and extent of the operation and/or make permanent what has already been occurring as a sizable cannabis operation. If that is the case, we vigorously object. It is one thing to have indoor grows occurring on prime agricultural land, but for the outdoor presence to increase on good ag land resulting in odor and noise nuisances, as well as create a greater pressure on our underground water supplies should be enough to deny the request for the use permit and variances.

We are an organic olive farm operation and have been very careful about the stewardship of our land, preserving and increasing wildlife habitat and carefully metering out our water use for irrigation, in addition to careful use of fertilizers and pesticides. We do not see such respect for Lake County land coming from the cannabis operation on the Manning property.

I tried calling the number for the Community Development Department given in the letter, but did not find a way to speak to someone in person. If possible could you please give me a call at the number below. I check messages frequently if I don't pick up.

Otherwise, I hope to hear from you soon with an email.

Thank you for your assistance.

Lianne

Lianne Campodonico
Campodonico Olive Farm
Lakeport CA 95453
510.612.8723

Eric Porter

From: Richard Henderson <rich@rcgh-inc.com>
Sent: Thursday, March 18, 2021 6:42 PM
To: Eric Porter
Subject: [EXTERNAL] Re: 2800 Manning Road

Good evening Eric –

Hadn't heard back from you, which is fine as I know your time is at a premium.

In the absence of further conversation, I wanted to share some thoughts with you (and for your file) as it pertains to the process for the tenant on my property.

I know one of the big hurdles is the land designation, "Farmland of Local Importance" or some say "High Value Farmland". For most of Big Valley, this designation might be appropriate. But our property is a bit unique, so I'm not sure that those specific labels are applicable. The land has been in our family for roughly 100 years. I inherited the land from my mother (Mary Manning) who inherited it from my grandfather (Thomas Manning). Over the years our family has considered many uses for the land. But based on the geography and soil composition, the primary use had been limited to cattle during our family's ownership.

And in fact, we still have a tenant (Rob and Sue Suenram) with cattle on the property. It's actually a very complimentary use to the cannabis. The cattle love the cover crops and the cannabis loves the manure. It seems to me that we've finally found the "highest and best use" for our particular parcel. Having cannabis on the property is not displacing "traditional ag" – it's using it as intended.

I also understand that there's concern that any decision about cannabis use on our property would set precedence for other permits/parcels in Big Valley. While I understand the concern, I think it's a bit misplaced. The County has a permit application and review process because each parcel, use and applicant is unique. Otherwise you could just approve any new use over the counter. I would hope that the planning department (and subsequently the Board of Supervisors) takes into consideration the unique aspects of our specific property (soil type, sheltered location, natural barriers on the property lines, etc) when making decisions. Just because something is approved on our site, does not mean it should/would/could be approved somewhere else in the area. It's my hope that concerns about other potential future applications don't impact this particular application.

Not only should decision makers take into consideration the unique characteristics of the property, but it's also important to consider the applicant as well. I spent several years talking to different groups about what we could do on our property to have it be a productive parcel and not just a tax/financial burden on our family. We looked at grapes, olives, hay, etc. but the most viable option based on our soil and location seemed to be cannabis.

But deciding to go that direction was just the beginning of the battle. Finding the right tenant was even harder. I'm sure you're well aware that not everyone in the cannabis business is on the up and up. That's why we feel very fortunate to have found the group that we did. They have been just as concerned about "what's best for the land" as they are what's best for them. They have been very conscientious about their every move. They have even gone out of their way to preserve the historic value of the structures on the property – like improving the inside of our big barn with the tech

that they need, but leaving the outside covered in patina and looking like it's 100 years old. They are also very careful about preserving the integrity of the land itself. Making sure that they are treating the soil with the respect that it deserves. And above and beyond how they carry themselves on the property – they also do a tremendous amount of charitable work off the property. They have just been a pleasure to work with and I think would continue to be an asset to the local community.

The last point I wanted to share is regarding the big concern about “commercial cannabis” coming to town or taking over prime land. It reminds me a lot of the early 90's when so many of our friends and family were considering transitioning from pears to grapes. That was a shock for the self-proclaimed “Pear Capital of the World”. There were many heated arguments about how people were “selling out” and going with the higher value cash crop of grapes. Honestly, I felt the same way. I spent many summers working in packing sheds owned by friends and saw firsthand how people close to our family struggled with the decision and the community pressure. But now look at Lake County. Wine has become a major contributor to the local economy – and has helped put (or at least keep) Lake County on the map. I think in 10 – 15 years we'll be able to look back and tell a similar story about cannabis.

Again, I understand that your time is at a premium. So if you have any questions or concerns that I might be able to assist with or address, please let me know. Also, once a date has been set for Board to meet, please let me know. I'd like to be a participant in that process as well.

Thank you kindly,

Rich Henderson

Richard Henderson
President
RCGH, Inc.
P: 707-478-3621
F: 707-665-9022
E: rich@rcgh-inc.com
CA License #01957540

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Monday, March 15, 2021 7:12 PM
To: Richard Henderson <rich@rcgh-inc.com>
Subject: RE: 2800 Manning Road

Hi Richard,

My time is totally booked. I am better corresponding via email.

Your tenant is going to a public hearing soon. The issue is primarily proximity to established traditional ag uses. The Planning Commission has been asked to make a recommendation to ‘grandfather in’ cannabis applications that were submitted prior to the Board of Supervisors separation requirement, which Ms. DeWitt can't meet or is not able to meet based on the site plans submitted.

Her best bet is to sit tight until the Board makes their decision. I'm hoping this will happen in April. As for EA for this site, it won't happen because of this unresolved conflict.

Take care,
Eric Porter

From: Richard Henderson [mailto:rich@rcgh-inc.com]
Sent: Monday, March 15, 2021 5:16 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] Re: 2800 Manning Road

Good Afternoon Eric -

My name is Rich Henderson and I own the property at 2800 Manning Road in Lakeport. I have a tenant on the property that is currently going through the renewal process for their early activation for commercial cannabis cultivation.

I had a few questions and was hoping to connect with you for a brief conversation. Would it be possible to get on your calendar soon? Please let me know.

Thank you,

Rich

Richard Henderson
President
RCGH, Inc.
P: 707-478-3621
F: 707-665-9022
E: rich@rcgh-inc.com
CA License #01957540

Eric Porter

From: Annette Hopkins <nettihop@mchsi.com>
Sent: Wednesday, March 10, 2021 4:20 PM
To: Eric Porter
Subject: [EXTERNAL] File Number UP 19-13: Devitt
Attachments: Manning RdCannaCraft variance request letter.docx

Hello Eric,

As you know, significant opposition exists to granting a variance to the Manning Road property in Big Valley for outdoor cannabis cultivation. The request is entirely outside the scope of what is allowed by the ordinance.

I have attached a letter of opposition and ask that it be saved into the Public Comments portion of the electronic file folder. If you do need a hard copy mailed to you, please advise and I will be happy to do so.

Annette Hopkins
Member, Lake County California Women For Agriculture

March 22, 2021

Eric Porter
Associate Planner
Community Development Department
Lake County, Ca

Dear Mr. Porter,

This document is in reference to Use Permit (UP 19-13), Variance (VR 19-02) and Initial Study (19-25), located at 2800 Manning Road, Lakeport, Ca. APN 008-009-03.

In the project description it states that there is an established agriculture use located immediately west of the proposed cultivation site. There is also established agriculture sites to the south and to the east as well. The northern site is wetlands and Clearlake. It states that the cultivation would occur on a previously disturbed site. The proposed site was not previously disturbed until the cultivation of cannabis that occurred in 2020. It states that water from an existing well would be used to mitigate the generation of dust during construction. No dust control was ever exercised during Early Activation (EA). There is an existing well, but it is not remotely adequate for this project. There is a well that was drilled during Early Activation (EA), and I question if proper permits were obtained prior to the drilling of the new well. It states that there are no hazardous materials to be considered, but throughout the application there are mitigations that specifically address hazardous materials. Post construction states there will be between 4 to 8 employees per day occupying the site. During EA for just one site, it was observed that there were 20 to 25 employees on site daily. Trips per day were estimated at 8 to 24 ADT. There was an ADT to well over 40 from employees alone, plus deliveries and other traffic needs and should require a CEQA review. Under agencies required for approval, it is absent of the Department of Fish and Game, California Department of Fish & Wildlife Service, and the Natural Resource Conservation Service (NRCS). There is a Conservation Easement WRP EASEMENT 2014-007454, and this property is subject to all agreements stipulated between the United States and Landowner's heirs, successors, agents, assigns, LESEES, and any other persons claiming under them. I am providing a copy of the WARRANT EASEMENT DEED for your review with particular attention to, but not limited to:

- The Purpose and Intent
- Part III, Section A, numbers 10,12,13, Section G
- Part IV, Section B
- Part VI, Sections, A & C

Environmental Factors Potentially Affected:

Boxes that were not checked, but should be considered are:

- Aesthetics
- Hazards & Hazardous Materials
- Population/Housing
- Public Services
- Greenhouse Gas Emissions
- Land use / Planning
- Public Services
- Utilities / Service Systems

These **ARE** factors, among others stated that as we progress through this document, will surface as Potentially Significant Impacts, and ultimately contribute to finding the project MAY have a significant effect on the environment, and an ENVIRONMENTAL EMPACT REPORT and a CEQA Review are warranted.

AESTHETICS

- a) Have a substantial adverse effect on a scenic vista?

Under a Conservation Easement, WRP EASEMENT D.N. 2014-007454, it is stated that one of the purposes of this easement is to preserve the aesthetic value of the surrounding habitat. It States under Purpose and Intent - "The purpose of this easement is to restore, protect, manage, maintain, and enhance the functional values including fish and wildlife and their habitat, water quality improvement, flood water retention, groundwater recharge, open space, aesthetics values, and environmental education. It is the intent of the NRCS to give the Landowner the opportunity to participate in the restoration and management activities on the Easement Area and grants the right to carry out such restoration to the United States. The proposed project does not honor that Purpose and Intent."

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views of the area.

From our house at 2530 Soda Bay Road, we have had a continuous light shining directly at our house and our view of Clear Lake, and it comes directly from the proposed site. It is still shining today, every day, seven days a week. Additionally, there is intermittent lighting that is in violation as well. We have taken photos of this and are happy to produce them on request.

AGRICULTURE AND FORESTRY RESOURCES

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use.

“Within areas designated as prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance as 27-121, on the current Lake County Important Farmland prepared by the State of California Department of Conservation Farmland Mapping and Monitoring Program commercial cannabis cultivation shall be limited to indoor, mixed light, and greenhouses that are equipped with filtration systems that prevents the movement of odors, pesticides, and other air borne contaminants out of or into the structure.” In December 2020, the Lake County Board of Supervisors increased this language by creating Farmland Protection Zones. The proposed site is incorporated within Big Valley, therefore is prohibited from outdoor cultivation of cannabis. The proposed project will without question, be converting Protected Prime Farm Land to Commercial usage.

AIR QUALITY

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- The proposed 16 ft gravel road that runs contiguous to the entire west side of our property was intensely impacted during EA. We can provide videos of the Dust that was generated during the entire duration of the 2020 cultivation. No water was applied to the access until the very end of the project. Not during construction, or during cultivation. The impact of Dust was overwhelming for us. Mid way through the EA a bulldozer was used to disrupt and grade the proposed 16 ft access disturbing native vegetation, creating more dust. To my knowledge no Grading Permit was secured to govern this activity. There is a major storm water drainage ditch with significant natural wildlife habitat that is contiguous to this access, and it has been encroached upon by this grading. We have a fence at our property line and a significant amount of dirt during this grading has now encroached and covered the base of our fence. Prevailing winds are dominate from north/northwest to south/southeast. We are located south/southeast and we are subject not only to the dust being generated, but the odors generated during the EA cultivation. Nothing during the EA was ever done to reduce the dust and odor issues. It is mentioned that a “Processing Facility” is equipped with filtration systems. This is the first mention of a “Processing Facility,” which raises a number of questions and we are interested on more information in regards to this facility. It is mention that fabric pots with imported soil are to be used to minimize dust particulates. During EA the plants were planted directly into the existing soil. It is stated that organic methods will be used, but the activity observed during EA does NOT support this type of activity. Under AO-3; it states that the applicant shall maintain

records of all hazardous or toxic materials used. Under ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED, THE Hazards/Hazardous materials box is not checked. Under AO-5; to provide access and adequate parking a Grading Permit for a project of this size at any location in the county would require a Grading Permit. AO-6; none of this happened during EA.

- b) Violate any air quality standard or result in a cumulative considerable net increase in an existing or projected air quality violation?

The dust from the use of the proposed 16 ft access, the generation of dust during construction, and the continuing dust and odors that will be generated post construction WILL HAVE a cumulative effect, and did have a cumulative effect during EA. Again, there is no narrative in regards to what the mentioned Processing Facility includes. Nothing about Size, Wastewater Requirements, or how the structure is to be used. Until that information is produced there is nothing that can conclusively be commented on regarding the "Processing Facility."

- c) Expose sensitive receptors to substantial pollutant concentration?

The nearest residence is located against Adobe Creek, on Manning Road, against Adobe Creek and bridge that crosses Adobe Creek, and is certainly close enough to question the 1800 ft that is suggested, and although it is located upwind normal prevailing winds, prevailing winds DO NOT generally occur at night and morning hours subjecting the property to excessive exposure. Prevailing winds carry into our direction and we are affected and were affected during EA.

- d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?

Due to the size and scale of the proposed project all of the residences located near this project will for sure be subject to dust and odors. The proposed 16 ft gravel access that runs the entire length of the west side of our property WILL be heavily affected by an enormous amount of dust as it has been experienced during the EA, as the videos we can provide you will document. Submitting an Odor Control Plan does not recognize the DUST that is being addressed in this section.

BIOLOGICAL RESOURCES

- a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The California Department of Fish and Game, the U.S. Fish and Wildlife Service, or NRCS, are not on the list of agencies that are reviewing this project, and therefore BIO1 thru BIO3 cannot be considered sufficient to conclude that that there is NOT Potentially Significant Impact to this project. We observe a tremendous population

of waterfowl including, but not limited to Pelicans, Geese, Ducks, and Herons that are regularly and frequently landing, feeding and nesting on the proposed site. The WARRANTY EASEMENT DEED specifically states in Part III Obligations of the Landowner, Section A, "PROHIBITIONS"

10. Disturbing or interfering with the nesting or brood-rearing activities of wildlife including migratory birds.

12. any activities which adversely impact or degrade wildlife cover or other habitat benefits, water quality benefits, or other wetland functions and values of the easement area.

13. any activities to be carried out on the Landowner's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the Department of Fish and Game or U.S. Fish and Wildlife Service.

The two agencies listed, as well as the NRCS, are not part of the agencies that would need to have input on this project and I will site the WPN Easement D.N.2014-007454 as further concern. The EASEMENT is more than sufficient to trigger these agencies.

- c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc) through direct removal, filling, hydrological interruption, or other means?

The WRP EASEMENT D.N. 2014-007454 Survey Mapping states under "notes" #5, – "To The United States of America to restore, protect, manage, maintain, and enhance the functional values of wetlands, and for the conservation of natural values including fish and wildlife and there habitat, water retention, groundwater recharge, open space, aesthetic values, and environmental education as recorded on 24 June, 2014." This project is in complete opposition to the design of the WRP Easement.

- d) Interfere substantially with the movement of any native fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project includes a bridge over Adobe Creek that runs parallel to the property and an endangered species, "Clearlake Hitch" migrate up Adobe Creek to Spawn. Migratory Geese have a historical presence on the site. Under "a" of this section all of BIO1 thru BIO3 are listed and should be considered as problematic and in violation of the WRP D.N. EASEMENT 2014-007454 agreement.

- e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan?

The project is in direct conflict of WPN EASEMENT D.N. 2014-007454.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan?

This project is in 100% Conflict with the WRP EASEMENT D.N. 2014-007454 and is supported by the language set forth in the WARRANTY EASEMENT DEED. In addition, Part III, Section G, Reporting, "The Landowner shall report to the NRCS any conditions or events which may adversely affect the wetland, wildlife, and other natural values of the easement area."

GEOLOGY AND SOILS

- b) Result in substantial soil erosion or loss of top soil?

The proposed 16ft graveled access is more than substantial in size and length, as well as the site itself for parking and proposed processing facility. The proposed 16 ft gravel access has already been graded and due to the length and size of the access, SUBSTANTIAL top soil has ALREADY been disturbed and lost. The grading has already disturbed natural habitat that borders the access. Due to the fact that the access borders a natural storm water drainage and crosses the drainage and that a culvert was removed from that crossing (and the removed culvert is visible from our property) it can be concluded that substantial top soil has already been disturbed and lost from drainage of storm water.

- c) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Mitigation states that the property rarely floods. I have witnessed the flooding and prolonged pooling during three separate years during the last ten years. The entire property and cultivation site is located in an A, AO Flood Zone.

- d) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system where sewers are not available for the disposal of wastewater?

Reference is made to an existing onsite septic system. The existing septic is out dated and designed to accommodate a small dwelling that if the dwelling is inspected would be found to be unfit for residency and would be red tagged as such. The septic system is not adequate to support a commercial business and influx of traffic and employees needed to support this project. During EA a portable Bathroom and shower has been brought to the site and connected to the inadequate existing septic. The entire property and cultivation site is located in an A, AO Flood Zone.

GREENHOUSE GAS EMISSIONS

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

It's stated that ADT is 8 to 24. As witnessed during EA this estimated ADT is not accurate. We witnessed more than 50 ADT during EA and the increase in size and scale of this project will substantially increase the ADT.

HAZARDS AND HAZARDOUS MATERIALS

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Since the cannabis waste has to be chipped and spread on the site, any hazardous materials applied to the cannabis will have residual within the cannabis and chipping and spreading on the site will then be exposed to any and all flood events that has been proven that will occur and therefore be carried with the receding water post event. Any hazardous material transported across the bridge over Adobe Creek would be in danger of a spill into the creek and will put an endangered species (the Clearlake Hitch) in jeopardy. Any material that could be spilled using the proposed 16 ft graveled access would be in danger of entering the storm water drainage and be carried into the lake that would endanger all species occupying the wetlands and Clear Lake itself, further endangering the Clearlake Hitch. I will site the WARRANTY EASEMENT DEED Part VI, General Provisions, Section C – Environmental Warranty – “Environmental Law” or “Environmental Laws” means any al all Federal, State, Local or municipal laws, orders, regulations, statues, ordinances, codes, guidelines, policies, or requirements of any governmental authority regulating or imposing standards of liability or standards or conduct(including common law)concerning air, water, solid waste, hazardous materials or substance, worker and community right-to-

know, hazard communication, noise, radio active material, resource protection, subdivision, inland wetlands and watercourses, health protection and similar environmental health, safety, building and land use as may now or at any time hereafter be in effect.

“Hazardous Materials” means any petroleum, petroleum products, fuel oil, waste oils, explosives, reactive materials, ignitable materials, corrosive materials, hazardous chemicals, hazardous wastes, hazardous substances, extremely hazardous substances, toxic substances, toxic chemicals, radioactive materials, infectious materials, and any other element, compound, mixture, solution, or substance which may pose a present or potential hazard to human health or the environment.

Landowner warrants that it is in compliance with, and shall remain in compliance with, all applicable Environmental Laws. Landowner warrants that there are no notices by any government authority of any violation or alleged violation of, non-compliance or alleged non-compliance with or any liability under any Environmental Law relating to the operations or conditions of the Property. Landowner further warrants that it has no actual knowledge of a release or threatened release of Hazardous Materials, as such substance and wastes are defined by applicable Federal and State Law. The project must acknowledge that there is certainly the THREAT of the release of Hazardous materials.

- a) Create a significant hazard to the public or the environment through reasonable, foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

It is proposed that “mostly” organic fertilizers and pesticides will be used. I have been in organic operations historically and when organic is the objective, it is highly regulated as such. “Mostly Organic” does not constitute Organic. Mitigation states that the cultivation site is 1000 ft from Clear Lake. However, the cultivation site is less than 100 ft from the WRP EASEMENT D.N. 2014-007454, and is much closer than 1000 ft to Adobe Creek. It is noted that above ground pots will be used for the cultivation of cannabis. The proposed site was planted on during EA and cannabis plants were planted directly into the soil, and that soil was not previously disturbed until this event.

- b) Impair implementation of or interfere with an adopted emergency response plan or emergency evacuation plan?

Because the proposed site is entirely within an A, AO flood Zone, problems in significant importance do exist. I can provide photos of a flooding event that happened on February 17th 2019. The proposed 16 ft gravel access would not be accessible for any vehicle, because it was under water, unless it was highly equipped to handle those extreme conditions. If the existing bridge over Adobe

Creek accessed through Manning road is currently not be used to access the site for large vehicles as we witnessed during EA, it must be assumed that the bridge is inadequate to handle a fire engine and additional equipment to handle an emergency. When the 16 ft access is flooded, no access would be adequate to handle such an event. Structural soundness of the bridge must be determined.

HYDROLOGY AND WATER QUALITY

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The onsite septic is again referenced. This onsite existing septic is outdated and was originally designed to accommodate a dwelling, not a commercial site. A portable bathroom/shower was brought on site and connected to this existing system during EA. We are located much further from Clear Lake than the proposed site. When we built our home in 2008, we were required to install an engineered aerated septic system. Without information to the "Processing Facility" that no information has been provided for, we don't know what possible waste or waste water would be generated, but we do know that the existing septic system alone is inadequate to have serviced the number of employees we witnessed during EA, and certainly not adequate to service the size and scale of the proposed project.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

It is stated that the cultivation site was previously disturbed by a legal medicinal marijuana cultivation that occurred during 2017 and 2018 under the former Article 72 of the Lake County Zoning Ordinance. This is ABSOLUTELY NOT TRUE. No cannabis has ever been cultivated on this site prior to the 2020 cultivation under EA. There has been reference to an existing well on the site, but no mention of the well that was drilled in 2019, and I am requesting the permits for this well be disclosed. The existing well is shallow, it often goes dry in the summer months. The new well depending in its size and depth could substantially interfere with ground water recharge and ground water management of the basin.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?

Information is not provided to determine the size of the "Processing Facility," therefore the nonpermeable surface cannot be determined.

- d) In Flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The building that is be proposed for hazardous material storage is an existing building that is always been on the property and used for agricultural farming, but not for storage of hazardous materials. A structural soundness and review of any building permit would need to be reviewed to assure it does meet Federal, State, and Local agency flood zone related requirements.

- e) The cultivation is proposed in above ground pots, and reference is made to their permeability. Pesticides and fertilizers will leach through the pots into the ground, and could have a HIGH probability of conflicting with water quality and groundwater management.

LAND USE AND PLANNING

- a) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project interferes with the intended use of Prime Farmland adopted by the State of California Department of Conservation Farmland Monitoring Program limiting the cultivation of cannabis to indoor, mixed light, and greenhouses that are equipped with filtration systems that prevents the movement of odors, pesticides, and other air borne contaminates out of or into the structure. That language is further strengthened by the Board of Supervisors in 2020 for Farmland Protection Zones in which this proposal site is incorporated. If the project was consistent with Lake County Zoning Ordinances then a Variance would Not be necessary.

NOISE

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
As we observed during EA noise levels were constant and continuing. Not only during construction, but throughout the entire operation. The proposed 16 ft access is less than 100ft from our residence. The size of vehicles that serviced the site during EA, combined with the ADT has a major impact. Activity at the site is carried with prevailing winds to our site and included Employee noise, equipment noise, and the DISCHARGE OF FIREARMS. Never has there been this level of consistent noise in our area generated from historical farming operations. Noise levels witnessed during EA were drastic and consistent.
- b) Generation of excessive ground borne vibration or ground borne noise levels?
The proposed 16 ft gravel access is less than 100 ft from our residence. The ADT observed during EA is far beyond there suggested 8 to 24 per day, and does not consider the amount of traffic generated by importing soil, and will be well beyond 50 ADT. When the larger trucks are accessing the proposed 16 ft gravel access, we feel the ground borne vibration when we are inside our home.

POPULATION AND HOUSING

- a) Induce substantial unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or infrastructure)?

During EA there was a significant increase in the population living on the property. It was observed that a minimum of three travel trailers were brought on site in addition to multiple motorhomes that were being fulltime occupied during the operations. This type of dwelling would certainly increase with the increase of size and scale of the proposed project, and reflects a substantial increase of population.

TRANSPORTATION

- a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?

There are 8 to 24 ADT proposed, but as evidenced through observation during EA there are far more ADT and estimated at above 50. Soda Bay road and Manning road is reference for access, but the proposed 16ft gravel access is the dominant access to the site. This access has been referenced many times by us and has multiple issues. The proposed gravel access does not have an adequate encroachment to Soda Bay Rd, and does not have the capacity to create an encroachment to accommodate the ADT, or the size of the vehicles necessary to service the site.

- b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision(b)(2)?

The project will produce more than 50 ADT, and during EA, the proposed 16ft gravel access was the dominant access to the site, not Soda Bay/Manning Road. The project exceeds the THRESHOLDS OF SIGNIFICANCE for a land use project.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed 16ft gravel access is accessed from Soda Bay Road. The access does not provide adequate encroachment and is extremely obscure to traffic in both directions. It is so narrow that it is impossible for any vehicle outside of a small compact to enter Soda Bay Road without crossing over the double yellow lines dividing the two directions. During EA we witnessed large commercial vehicles attempting to enter onto Soda Bay Road actually cross both lanes and enter the shoulder of the opposite lane to gain access to Soda Bay Rd, completely blocking both lanes. This is an EXTREME HAZARD and cannot be made to accommodate the ADT or the size of vehicles witnessed during EA. Impossible to mitigate.

- d) Result in inadequate emergency access?

This project is entirely in an A, AO flood Zone. During a flood event (such as the three that have occurred in the last 10 years) the proposed 16 ft gravel access is inaccessible. If the bridge that crosses Adobe Creek from Manning Road is not capable of supporting emergency response vehicles then there is no access during that time. If for any reason the bridge over Adobe Creek is not capable of being accessed, then no response would be possible during a flood event. The bridge creates extreme concern on many levels.

UTILITIES AND SERVICE SYSTEMS

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

The existing well and septic are NOT adequate to service a commercial operation. The well regularly dries up in summer months. The septic is outdated, and has only ever served a small dwelling, and is inadequate to service a commercial operation, and would not meet today's standards for wastewater disposal of grey, or brown water. The well drilled in 2019 was not existing prior to EA and is under question of proper permitting. During EA a culvert was removed from the proposed 16 ft gravel access and certainly could be affecting the drainage of storm water that previously flowed through it.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

The existing well does not have that capability. As for the well drilled in 2019 under EA, it is not known if it is capable of doing so.

- c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's demand in addition to the provider's existing commitments?

The existing septic system is not designed to service a commercial operation. It was only ever designed to accommodate a small dwelling.

- d) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?

The waste generated during EA far exceeded 400 pounds. The waste generated by the size and scale of this project could easily be projected in the 1,000's of pounds of solid waste.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

It was observed during EA that the solid waste generated would be in the 1000's of pounds not 400 to 800 pounds.

WILDFIRE

- a) Impair an adopted emergency response plan or emergency evacuation plan?

Located entirely in an A, AO, Flood Zone, and creates issues during a flood even. The proposed 16ft graveled access is entirely under water during flooding. Should there be any issues with the bridge crossing Adobe Creek from Manning road, emergency evacuation would not be possible.

MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife population to drop below self-sustained levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of California history or prehistory?
The proposed site had not been previously disturbed prior to EA. This site has the potential to further endanger the Clear Lake Hitch. It will disturb migratory Geese, ducks, as well Pelicans residing and seen often on the site. It will interfere and compromise the WRP EASEMENT D.N. 2014-007454, which is now become forever part of the history of Lake County, the State of California, and the United States of America. The project should have CEQA review, and an Environmental Impact Report.

- b) Does the project have impacts that are individually limited, but cumulatively considerable?
The project has potentially significant impacts on Agriculture, Air Quality, Biological Resources, Hydrology, Noise, Emergency Response, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use / Permitting, Population and Housing, Public Services, Tribal Cultural Resources, Utilities / Service Systems, Mandatory findings of Significance. It is evident that these factors Cumulatively will have a significant impact on the environment. We have presented more than sufficient documentation in this report to require an environment Impact Report and trigger a review under CEQA.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
The project has potentially significant impacts on Agriculture, Air Quality, Aesthetics, Green House Gas Emissions, Hazards and Hazardous Materials, Biological Resources, Cultural Resources, Tribal/ Cultural Resources, Hydrology, Noise, Population / Housing, Public Services, Land Use Permits/Planning, and Mandatory Findings of Importance. We have provided more than sufficient documentation to support this, and require an Environmental Impact Report, and trigger a CEQA review.

BULLET POINTS

- Does the 232 acres include WRP D.N. EASEMENT 2014-007454, or EXCLUDE that acreage? If it does not exclude this acreage, then there is NOT sufficient acreage to support 10 permits.
- The size and scale of this project is over-concentrated for one APN, and will have an overwhelming effect on existing residences and population.
- The project is in 100% in conflict with Land Use/ Planning set forth by the County of Lake. It is on "Prime Farmland of Importance, Farmland of Statewide Importance, Unique Farmland, depicted by the State of California Department of Conservation Farmland Mapping and Monitoring Program," and is fully incorporated within Big Valley, which the BOS has previously, and recently designated as a "Farmland Protection Zone."
- The two proposed accesses both can be considered as "non-traditional" accesses. The access from Manning Road requires the crossing of Adobe Creek over a bridge. Adobe Creek is a tributary to Clear Lake that is a known migratory tributary used by the Endangered Species, "The Clear Lake Hitch" and is in question to its capacity limits. The access from Soda Bay Road on the proposed 16 ft access is very long (I conservatively estimate at least one-half mile) and is not conducive to the proposed usage, and is INCAPABLE of providing proper and safe ingress or egress on, or off Soda Bay Road. It also will have an unacceptable impact on air quality and is referenced by the total ADT that will have to support the size and scale of the proposed project and can easily be estimated well in excess of 50 ADT.
- The existing infrastructure proposed to maintain a project of this size and scale is inadequate. The amount of wastewater will have an overwhelming impact on the environment.
- It is proposed that 4 to 8 employees would be on site, post construction. It is not feasible for this few of employees to be able to maintain a project of this size and scale.
- The site is located within an A, AO Flood Zone. This complicates every aspect of the project including, but not limited to access, hazardous materials, environmental, biological, wastewater disposal, and ground water management.
- The cumulative effect of the size and scale of the project on a single APN cannot be dismissed.

- Conservation Easement WRP D.N. 2014-007454. The easement is designed with specific language to protect the wetlands and "SURROUNDING LAND" by the United States of America. It has very specific language that prohibits the activity and use of the land from Aesthetics to the Biology for which the project is in direct conflict with. Based on the CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS-19) submitted to the County of Lake, it appears that the California Department of Fish and Game, The California Department of Fish and Wildlife Services, or the Natural Resource Conservation Service have not been notified, or consulted with. I offer that Due Diligence by the County of Lake to incorporate these agencies is warranted and necessary to insure the conservation of our very important and primary natural resource Clear Lake. I would also offer that the primary intention of Mary F Manning and John F Manning in reaching the agreement of WRP EASEMENT D.N. 2014-007454 was, and is to Conserve and Protect the Land and the surrounding land forever for the County of Lake, the State of California, and the United States of America. The work being done in the county to reclaim wetlands in Upper Lake is the right direction for the health and longevity of Clear Lake. The Wetlands in this Conservation Easement are pristine, and have been unaffected by encroachment for at least 100 years, and likely much longer, and can be further enhanced by the CONSERVATION EASEMENT set forth.

CONCLUSION

Based on the documentation we have provided for the County of Lake, we feel that FURTHER REVIEW is necessary and that this project DOES NOT QUALIFY to advance to ADOPT A MITIGATED NEGATIVE DECLARATION.

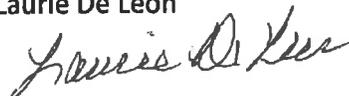
We further offer that it is NOT our INTENT to STOP the CULTIVATION OF CANNIBIS in Lake County. We understand the benefits to the County. We STAND ASSURED that this is not the proper location for a commercial operation, and have confidence that we are correct.

Land Owners, APN 008-10-45

Mark Burch



Laurie De Leon



Eric Porter

From: Terry Dereniuk <terry.lcwa@gmail.com>
Sent: Thursday, March 25, 2021 5:03 PM
To: Eric Porter
Cc: Scott DeLeon; Terry Dereniuk
Subject: [EXTERNAL] File Number UP 19-13: Devitt
Attachments: Terry Dereniuk ManningRd_CannaCraft variance request letter.pdf

Dear Mr. Porter,

I am writing to you to voice my opposition to the request for a variance to allow outdoor cannabis cultivation for the Manning Road property located in the Big Valley Farm Protection Zone.

I have attached a letter of opposition and ask that it be saved into the Public Comments portion of the electronic file folder. If you need a hard copy mailed to you, please advise and I will be happy to do so.

Sincerely,

Terry Dereniuk
Member, Board of Directors, Lake County Farm Bureau

March 25, 2021

Terry Dereniuk
2181 Bell Hill Road
Kelseyville, CA 95451

Eric Porter, Associate Planner
Lake County Community Development
255 North Forbes Street
Lakeport, CA 95453
RE: File Number UP 19-13, VR 19-02, IS 19-25: Devitt

Dear Mr. Porter:

I am sending you this letter by email to voice my objection to the above referenced file request for a variance regarding the Manning property in the Big Valley Farm Protection Zone. I would request this email and attached letter be saved into the Public Comments portion of the electronic file folder.

As a Board Member of the Lake County Farm Bureau, I know how much energy, public input, and careful consideration of all sides of the issue went into the ordinance which bans outdoor cannabis cultivation on prime farmland in Lake enacted in May, 2018.

To provide clarity, the ordinance was updated in December 2020 with the drawing of boundaries for the Farmland Protection Zones in Big Valley, Upper Lake, Scotts Valley and Red Hills. Inside these Farmland Protection Zones there is no outdoor cannabis cultivation allowed.

Tiffany Devitt, President of Wellness for CannaCraft, the license holder for the cannabis farm on Manning Road is asking Lake County to grant a variance.

While I applaud CannaCraft.com and others in the cannabis industry who are taking the steps to be legal, and appreciate the potential economic impact on Lake County, part of this process is compliance with the Lake County ordinances for cannabis cultivation. This includes compliance with the ban on outdoor cultivation in Farmland Protection Zones.

Granting this variance request opens the door for every cannabis operation to follow suit, effectively negating the Farmland Protection Zones. I urge you to deny this variance request.

Sincerely,

Terry Dereniuk

Board Member, Lake County Farm Bureau

Cc Scott DeLeon, Director, Community Development

April 11, 2021

Community Development department Planning Division

255 N. Forbes Street

Lakeport, CA 95453

Attn: Eric Porter

To Whom It May Concern:

For over 10 years the Lake County Land Trust has worked on preserving the shoreline in the Big Valley area. We have developed a Conceptual Area Protection Plan (CAPP) that was adopted by the Department of Fish and Wildlife and through that plan have been able to purchase two properties identified as crucial wetland areas, including the 30 acre Melo property on Clipper Lane which is in close proximity to a proposed cannabis development on Manning Road.

We agree with the concerns of other nearby property owners, the Lake County Farm Bureau, and the California Women in Agriculture, that the request for a variance that would allow a large outdoor cannabis operation on this prime agricultural land within the Farmland Protection Zone in Big Valley would be setting a dangerous precedent.

This project (UP 19-13 Dewitt) falls within the boundaries that the county has mapped out for "inside grows only," and it appears that the applicant is attempting to "grandfather," in the ability to grow cannabis outdoors when according to the County's Cannabis Ordinance, only cannabis grown in green houses is allowed in this area.

It appears the applicant is attempting to use the early activation permit procedure that was in place before the ordinance was approved. This procedure, however, was never intended to allow applicants to avoid the regulations of the ordinance.

Please do not set this dangerous precedent of offering variances for cannabis grows that could impact the traditional types of agriculture in the Big Valley area.

Sincerely

Val Nixon,

President, Lake County Land Trust

March 31, 2021

Community Development department Planning Division

255 N. Forbes Street

Lakeport, CA 95453

Attn: Eric Porter

To whom it May concern:

As the Conservation Committee for the Redbud Audubon Society we are expressing our opposition to the request for a variance that would allow a large outdoor cannabis operation on prime agricultural land within the Farmland Protection Zone in Big Valley. (UP 19-13 DeWitt.)

This project is located on Manning Road near Kelseyville. It appears that the applicant is attempting to "grandfather," in the ability to grow cannabis outdoors when according to the County's Cannabis Ordinance, only cannabis grown in greenhouses is allowed in this area. This property falls within the boundaries that the county has mapped out for "inside grows only" on agricultural lands.

It appears the applicant is attempting to use the early activation permit procedure that was in place before the ordinance was approved. This procedure, however, was never intended to allow applicants to avoid the regulations of the ordinance.

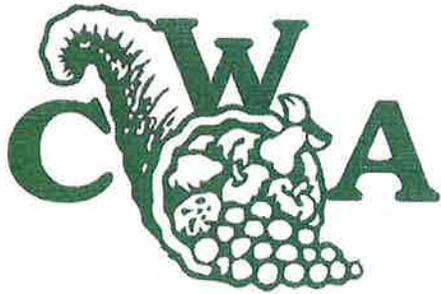
Please do not set this dangerous precedent of offering variances for cannabis grows that could impact the traditional types of agriculture in the Big Valley area.

Sincerely

Roberta Lyons

Donna Mackiewicz

Redbud Audubon Society, Inc.



California Women for Agriculture

LAKE COUNTY CHAPTER

Post Office Box 279
Finley, California 95435

March 10, 2021

To Whom It May Concern,

On behalf of the Lake County Chapter of California Women for Agriculture (LCCWA), I write to you in opposition to the approval of requested permits (UP 19-13) and variance (VR 19-02) at the property commonly referred to as the Manning Property. The permit request is for a variance for 10-15 acres of outdoor cannabis cultivation. The property in question applied for an early activation permit after the 2018 Lake County Commercial Cannabis Ordinance was passed and has grown cannabis outdoors through a loophole that was never intended to allow outdoor cannabis cultivation on prime farmland.

It is very clear where greenhouse cultivation is required and that no outdoor cannabis cultivation should be allowed anywhere in Big Valley, which is where the Manning property is located. What is the point of the 2018 Ordinance and the clear language developed by the hard work and collaboration of an ad hoc committee that was represented by Agriculture, members of the Board of Supervisors and Cannabis representatives who determined the boundaries of Farmland Protection Zones, if a variance is then given to a project that is in clear violation?

Furthermore, we are deeply concerned by the precedence such a variance might present for other operations wanting to have outdoor cannabis operations in Farmland Protection Zones.

On behalf of LCCWA, I request that the County not recommend approval of this project. If the cultivators wish to be good neighbors and members of our community, they need to act in good faith and operate within the boundaries of the 2018 Ordinance which requires cannabis cultivation to occur in greenhouses on the property in question.

Sincerely,

A handwritten signature in black ink, appearing to read 'Saisha Racine', written in a cursive style.

Saisha Racine
President
LCCWA

ROBLEDO VINEYARDS

To whom it may concern,

Here at Robledo Vineyards, we have had the opportunity to work together with Kindness Farms. They have been respectful and considerate next-door neighbors. We are happy to see them farming the land. We feel secure having them as neighbors and we have developed a great relationship. We look forward to their future endeavors.

Thank you,


Genaro Robledo

707-974-5533

Note: Kindness Farms is the operator at 008-009-03 (X below) and operated the Early Activation in 2020. Robledo Vineyards is located on APNs 008-010-34 and 35, 008-009-01 and 07. These APNs border the project to the west.

