

Mireya Turner

From: Robert Adelman <rob@metalogosinc.com>
Sent: Monday, November 28, 2016 6:48 PM
To: Robert Massarelli; Mireya Turner
Cc: Anthony Farrington; tinascott1@aol.com
Subject: Feedback on the draft cannabis ordinance from Benmore Valley Road HOA
Attachments: BVRHOA_letter_11-28-16.pdf

Hi,

We would like the attached letter to become part of the public record, it contains feedback regarding the Planning Commission meeting of 17 November, 2016.

Please confirm receipt of this email and feel free to contact us with any questions.

Thanks in advance for the diligent work.

Regards,

Robert Adelman

November 30, 2016

Miraya Turner
Associate Planning Director
255 N. Forbes St.
Lakeport CA 95453

Dear Miraya Turner,

In response to information received regarding the proposed boundaries for outdoor cultivation of Cannabis, we hereby request that our two parcels be included within the boundaries.

Our parcels are as follows:

1. APN: 004-038-140
Address: 8842 15 N 07 Rd.
Acreage: 79 Acres
2. APN: 004-040-060
Address: 8988 15 N 07 Rd.
Acreage: 77 Acres

We request that the above parcels be included with the Cannabis Cultivation Areas so that we can retain our rights to grow future outdoor medical or commercial Cannabis on our properties.

Sincerely,

Corey Zacharisen
Debra Zacharisen

Corey & Debra Zacharisen

P.O. Box 1290

Nice CA 95464

707-274-1244

cc: B.O.S.

(No Email)

Mireya Turner

From: Barber's Country Farm <barberscountryfarm@mchsi.com>
Sent: Wednesday, November 30, 2016 10:40 AM
To: Mireya Turner
Subject: a quick note

Hello Mireya,

This is Justin Barber, we really don't want to be a pain, but at this time we feel that we have to fight for my property rights... I never thought I would have to say those words in America, but that's what is happening to us, we are losing our RIGHTS the grow a God Given Plant on my property, how can this really be happening???? I have been going to the meeting at the court house, at the last meeting I was amazed how upset some of the grape growers were... I had no idea, Heck not just up set, But out right Mad as hell, We even heard threats in the back part of the room.... All because of the lack of Knowledge of Cannabis, and because of very bad propaganda on marijuana for Years here in the county; like smoking 1 marijuana joint = 10 packs of cigarettes, that was a flyer put out by the lions club and was handed out all around the county. Heck ask some of the old timers They didn't want to see the Grapes coming into the County.

If you would Please look at the location of my farm apn# 008-042-040-000. it is at the base of My Konocti, on the west side... there were pear orchards planted all along this area, but if you look now they all have been pulled out. They were remove over 35 yrs ago because it is to cold here on the west side...Walnuts will not pollinate here because the flowers freeze and never set any fruit. The soil is a sandy loan with Lots of Large gravel, this area was beach when the lake was higher 2 million year ago... My property is well out of the way for the grape growers in the middle of the Valley... I'm sorry I am just rattling on ... ☹

I guess one of the things I heard in the meet that really hurts was when the head of the planning board asked Bob if there was a large working vineyard in the middle of A zone and they wanted to put in a Cannabis garden Could they?? ... and Bob said Yes.... They are already an existing farm,

This just doesn't make sense to me and a lot of people, since Measure N was Passed I have always grown by those laws. The State started meeting with the People of California, setting rules and laws getting ready for 2018 licensing laws. Last year we spent over \$30,000 just so we would be Compliant with Lake Counties Measure N, Article 72, and the State of California waste water discharge laws. And NOW someone in this County wants to take My rights a way... my Life away, My Home. My neighbors all accept what we are doing. I have two different doctors for neighbors one the north, and one to the south, the Doctors to the north of us, say they want to see this happen. The Doctor to the South say as long as it is Me growing they are for it because they know who we are... everyone know us as Very Hard working Honest people,

I Want you and Bob to know that we know that you both are in a hard place trying to get the board happy the Grape grows happy, and the Cannabis growers happy.

We are concerned about what a grandfather clause would mean. Hopefully the grandfather clause will allow us to grow cannabis according to the local and state laws that are coming in the future. We do not feel that it would be fair to hold restrictions on us by grandfathering us in under Measure N, Article 72.

Thank you

Justin and Laura Barber

Barber's Country Farm

From: Pfeiffer, Kevin@Waterboards [Kevin.Pfeiffer@Waterboards.ca.gov]
Sent: Thursday, March 24, 2016 8:19 AM
To: Barber's Country Farm
Subject: Notice of Applicability
Attachments: NOA_Justin_Laura_Barber.pdf

Hi Rick,

I am sure that you've received this in the mail already, but I just wanted to forward this along in an electronic copy for your records. You are officially the first cannabis farm in Lake County to be enrolled in our program! Looking forward to working with you and your family in the future.

Regards,

Kevin Pfeiffer, GIT, CPESC
Engineering Geologist
Cannabis Regulatory and Enforcement Unit
Regional Water Quality Control Board
364 Knollcrest Drive, Suite 205
Redding, CA 96002
P: (530)224-4204



Visit for tips at:
saveourwater.com
www.waterboards.ca.gov

Central Valley Regional Water Quality Control Board

21 March 2016

WDID: 5A17MJ00002

Justin and Laura Barber
4680 Clark Drive
Kelseyville, CA, 95451

NOTICE OF APPLICABILITY

WATER QUALITY ORDER R5-2015-0113

WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR DISCHARGES OF WASTE ASSOCIATED WITH MEDICINAL CANNABIS CULTIVATION ACTIVITIES

Justin and Laura Barber submitted on 17 March 2016 a Notice of Intent (NOI) for coverage under Water Quality Order R5-2015-0113 (General Order). The General Order, which was adopted by the Central Valley Water Board on 2 October 2015, provides Waste Discharge Requirements (WDRs) for discharges of waste associated with medicinal cannabis cultivation activities. The General Order and associated documents are available at the following web address:

http://www.waterboards.ca.gov/centralvalley/water_issues/cannabis/index.shtml

Based on the information provided in the NOI, the Central Valley Water Board has determined that the cannabis cultivation operation on Lake County Assessor's Parcel Number 008-042-040-000 is eligible for Tier 2 coverage under the General Order. This letter serves as formal notice that the Board has enrolled your operation under the General Order, and that the Board has assigned you Enrollee Number R5-2015-0113-0008. You should familiarize yourself with the entire General Order and its attachments, which prescribe mandatory discharge prohibitions, discharge specifications, and Best Management Practices (BMPs) for the protection of water quality.

TIER 2 DESCRIPTION AND MONITORING REQUIREMENTS

Tier 2 medicinal cannabis cultivation operations are located on less than 30% slopes, occupy and/or disturb less than 1 acre and less than 50% of the Cultivator's/Landowners parcel(s), and are not located within 200 feet of a wetland, Class I or Class II watercourse. Medicinal cannabis cultivators covered under the General Order must implement all applicable BMPs of the BMPs Manual, Attachment A to the General Order, and maintain a copy of the BMPs manual on premises where cannabis is being cultivated. Tier 2 cannabis cultivators must conduct a BMP Implementation Monitoring Inspection by **November 1st**, an Effectiveness Monitoring Inspection after **April 1st** and before **June 15th**, and submit an Annual Monitoring Report by **July 15th** of each year. Tier 2 cannabis cultivators submitting their NOI after November 1st should conduct an Implementation Monitoring Inspection as soon as possible.

Justin and Laura Barber
Kelseyville, CA 95451

- 2 -

21 March 2016

If you have any questions regarding compliance with the General Order or the Cannabis Cultivation Waste Discharge Regulatory Program please contact:

Trey Sherrell at (530) 224-4847, roy.sherrell@waterboards.ca.gov, or
Kevin Pfeiffer at (530) 224-4204, kevin.pfeiffer@waterboards.ca.gov.



(for) Pamela C. Creedon
Executive Officer

KP:reb



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Courthouse - 255 N. Forbes Street • Lakeport, California 95453 • FAX (707) 263-2225
Building & Safety Division (707) 263-2382 • Planning Division (707) 263-2221

BUILDING PERMIT APPLICATION

Assessor's Parcel # 008 - 042 - 040 000 Application # _____

Type of Permit: ☐ Electrical ☐ Re-roof ☐ Plumbing ☐ New Construction ☐ MH ☒ Other

OWNER'S LAST NAME Barber FIRST NAME Justin III
SITE ADDRESS: 4480 Clark Dr. CITY: Kelseyville
CROSS STREET: Back CONSTRUCTION COST: _____
Scope of Work: 8' Security fence

MAILING INFORMATION OF OWNER	
NAME:	<u>Justin Barber III</u>
ADDRESS:	<u>4480 Clark Dr</u>
CITY:	<u>Kelseyville</u> STATE: <u>CA</u>
ZIP:	<u>95457</u> PHONE: <u>(707) 349-2518</u>
E-MAIL:	<u>barbercountryfarm@gmail.com</u>

CONTRACTOR INFORMATION	
BUSINESS:	OWNER/BUILDER: ☒ ☐ N
CONTACT:	LICENSE #: _____
ADDRESS:	_____
CITY:	STATE: _____
ZIP:	PHONE: () _____

ENGINEER INFORMATION	
BUSINESS:	_____
CONTACT:	LICENSE: _____
ADDRESS:	_____
CITY:	STATE: _____
ZIP:	PHONE: () _____
E-MAIL:	_____

ARCHITECT INFORMATION	
NAME:	_____
LICENSE:	EXP. DATE: _____
ADDRESS:	_____
CITY:	STATE: _____
ZIP:	PHONE: () _____
E-MAIL:	_____

APPLICANT'S SIGNATURE: Justin Barber DATE: 6-1-16
DEPARTMENT AREA

PRIOR TO PLANCHECK:	AGENCY APPROVALS	DATE FAXED TO SPECIAL DIST. _____
1. SEWER DIST.: _____ Faxed App: _____ Fees Due: _____ Payment Date: _____ Initials: _____		
WATER DIST.: _____ Faxed App: _____ Fees Due: _____ Payment Date: _____ Initials: _____		
② ENVIRONMENTAL HEALTH DIV.: DATE: <u>2/20/16</u> INITIALS: <u>JTB</u> LOW FLUSH - YES- NOTES: <u>*Fence only</u>		
WELL PERMIT: <u>NO HISTORY</u> SEPTIC PERMIT: <u>6135</u> #BEDROOMS APPROVED: <u>(3) THREE</u>		
EH Approval prior to Occupancy _____		
3. PLANNING DIVISION: Planner: _____ ZONE: _____ MAX. HEIGHT: _____		
EXISTING USE: _____ PROPOSED USE: _____		
SETBACKS: FRONT: _____ ROAD C/L: _____ REAR: _____ SIDE 1: _____ SIDE 2: _____ FLOOD ZONE: _____		
DRAINAGE EASEMENTS? YES ☐ NO ☐ IS THIS A LEGAL LOT? YES ☐ NO ☐		
DOES THIS MEET CONSTRUCTION WASTE MGMT REDUCTION ACT? YES ☐ NO ☐		
(SEE REVERSE SIDE FOR REQUIREMENT GUIDELINES)		
PLANNING NOTES: _____		
4. DPW or CALTRANS:		
ENCROACHMENT PERMIT REQUIRED? ☐ YES ☐ NO ☐ CHECK EXISTING		
PERMIT #: _____		
ROAD IMPACT FEE: AMOUNT _____ INITIALS _____ RECEIPT#: _____		
5. CALFIRE: SRA - All Zone / LRA - VHFSZ / OTHER - LRA		
PRIOR TO ISSUANCE OF BUILDING PERMIT:		
A. BUILDING DIVISION: INITIALS: _____		
SQUARE FOOTAGE: _____		
SFD/MH _____ OTHER: _____		
GARAGE _____ OTHER: _____		
DECK _____		
COVERED DECK _____		
B. Lakebed Management: Fee Amount: _____ Initials: _____		
C. CA Dept. of Forestry: Fee Amount: _____ Initials: _____		
D. Local Fire District: Fee Amount: _____ Initials: _____		
E. Local School District: Fee Amount: _____ Initials: _____		

Site plan for

Barbers Country Farms 4680 Clark Dr.

APN# 008-042-040-000

Chain link fence with green privacy slates

Page 1.....scale drawing of fence

Page 2.....Well location

Page 3.....over all view of property and fence location

RECEIVED

MAR 16 2016

ENVIRONMENTAL
HEALTH

4680 Clark dr. Kelseyville, APN# 008-042-040-000

Zoned A

Ag. well is over 260' away from septic tank

Fence area

septic tank

Vegetable garden & Nursery

220'

APPROVED
LAKE COUNTY HEALTH DEPT.
Date: 2/20/16
Environmental Health Specialist

Fence only

Google

Imagery Date: 8/17/2013 38°59'11.36" N 122°49'01.63" W elev 1354 ft eye alt 2

© 2013 Google

30211

Site plan for

Barbers Country Farms 4680 Clark Dr.

APN# 008-042-040-000

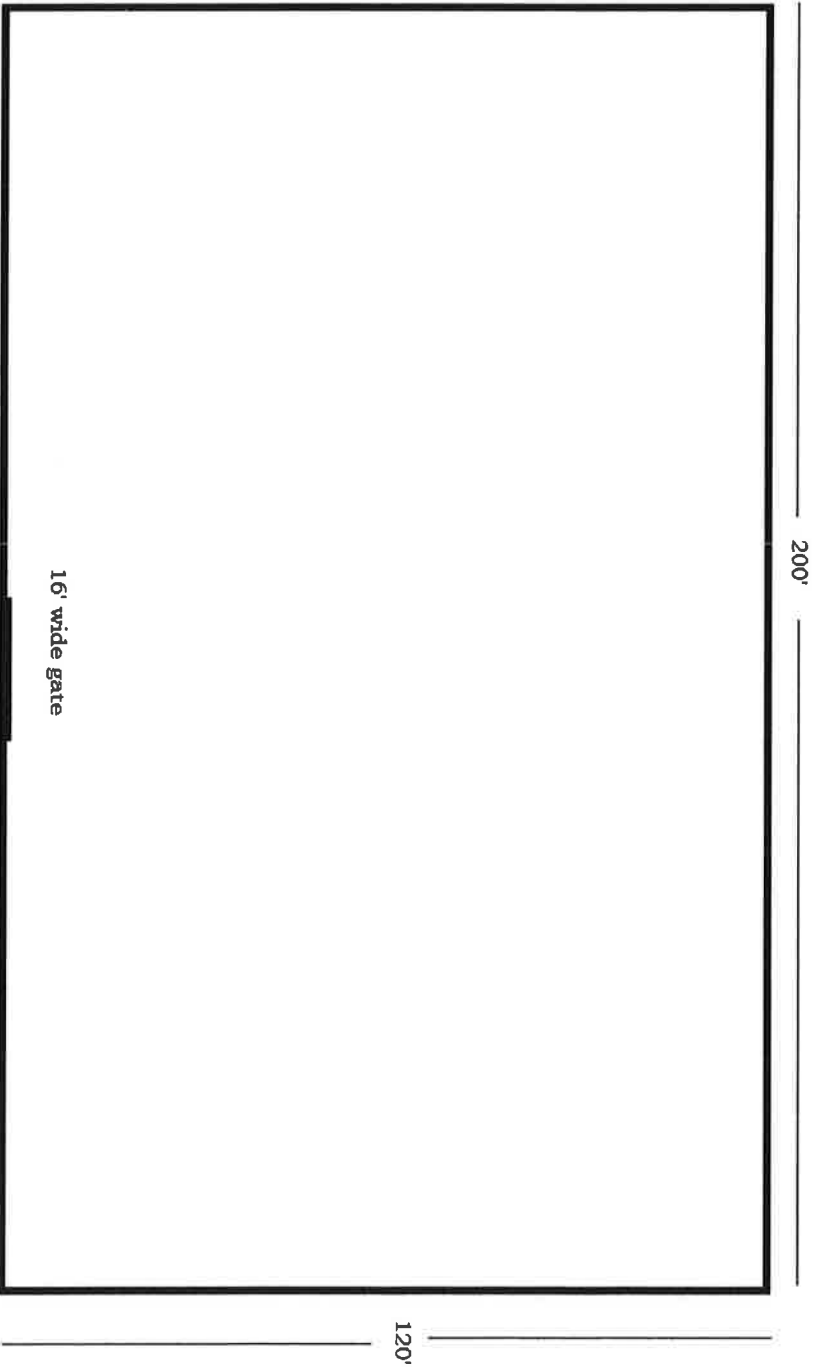
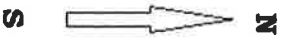
Chain link fence with green privacy slates

Page 1.....scale drawing of fence

Page 2.....Well location

Page 3.....over all view of property and fence location

8' chain link fence with green privacy slates, there will be two 8'x8' swing gates for an opening of 16'. my closest property line is over 210' feet to the south see page 2 for over all layout.



4680 Clark dr. Kelseyville, APN# 008-042-040-000

Zoned A



Ag. well is over 260' away from septic tank

Fence area

septic tank

Vegetable garden & Nursery



1993

302 ft

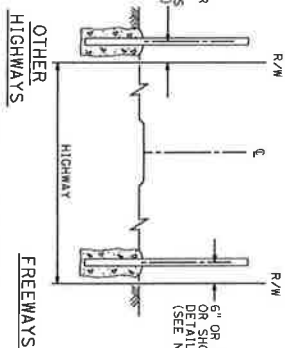
© 2016 Google

Imagery Date: 8/17/2013 38°59'11.36" N 122°49'01.63" W elev. 1354 ft eye alt. 2

Google

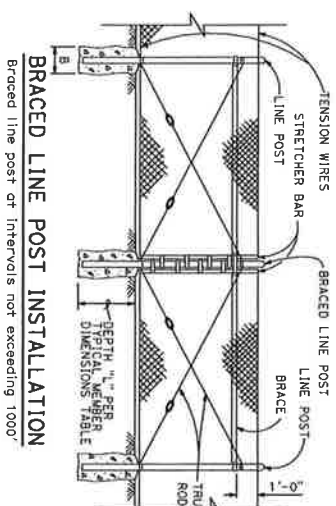
PROJECT NO.	ROUTE	POST MILE	SHEET NO.
		TOTAL SHEETS	NO. SHEETS
REGISTERED CIVIL ENGINEER JULY 15, 2016 PLANS APPROVAL DATE REGISTERED CIVIL ENGINEER JULY 15, 2016 PLANS APPROVAL DATE REGISTERED CIVIL ENGINEER JULY 15, 2016 PLANS APPROVAL DATE			

TO ACCOMPANY PLANS DATED _____

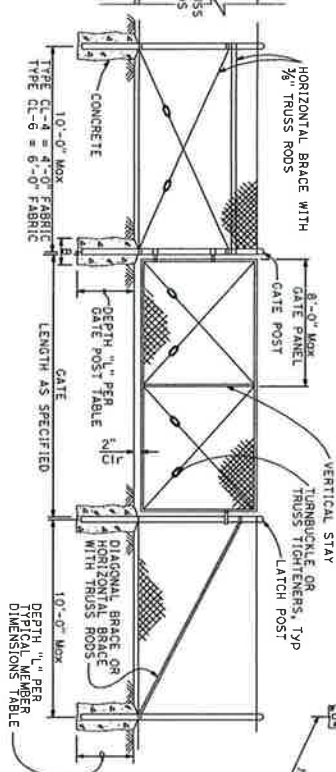


FENCE LOCATION

CHAIN LINK FENCE ON SHARP BREAK IN GRADE



BRACED LINE POST INSTALLATION



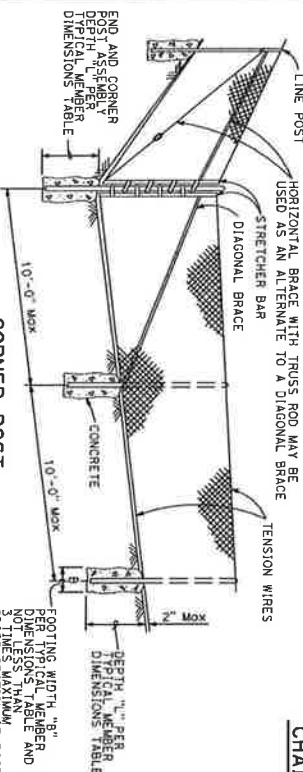
CHAIN LINK GATE INSTALLATION

TYPICAL MEMBER DIMENSIONS (See Notes)

FENCE HEIGHT (Max)	SLATTED	B (in)	L (ft)	LINE POSTS				BRACES					
				ROUND PIPE		ROLL FORMED		ROUND PIPE		ROLL FORMED			
				SECTION	WEIGHT (lb/ft)	SECTION	WEIGHT (lb/ft)	SECTION	WEIGHT (lb/ft)	SECTION	WEIGHT (lb/ft)		
3'-0"	NO	8"	2'-6"	1 1/2 Std	1.90"	2.72	1.875" x 1.625"	1.85	2 Std	2.38"	3.66	1.625" x 1.250"	1.35
6'-0"	NO	10"	2'-6"	2 Std	2.38"	3.66	1.875" x 1.625"	2.40	2 Std	2.38"	3.66	1.625" x 1.250"	1.35
8'-0"	NO	12"	3'-0"	2 1/2 Std	2.88"	5.80	3.250" x 2.500"	4.50	2 Std	2.38"	3.66	1.625" x 1.250"	1.35
10'-0"	NO	14"	3'-6"	3 Std	3.50"	7.58	3.250" x 2.500"	4.50	2 1/2 Std	2.88"	5.80	1.625" x 1.250"	1.35
5'-0"	YES	12"	3'-0"	3 1/2 Std	4.00"	9.12	N/A	-	2 Std	2.38"	3.66	N/A	-
6'-0"	YES	14"	3'-0"	4 Std	4.50"	10.80	N/A	-	2 Std	2.38"	3.66	N/A	-
8'-0"	YES	18"	3'-6"	5 Std	5.56"	14.60	N/A	-	2 Std	2.38"	3.66	N/A	-
10'-0"	YES	20"	4'-0"	6 Std	6.63"	19.00	N/A	-	2 1/2 Std	2.88"	5.80	N/A	-

- NOTES:**
- The table to the right shows minimum sized posts and braces complying with the specifications. Larger or heavier post and brace sizes may be used upon approval.
 - Sections shown in the tables must also comply with the strength requirements and other provisions of the specifications.
 - Other sections which comply with the strength requirements and other provisions of the specifications shall be uniform on any one project.
 - Options exercised shall be uniform on any one project.
 - Offset to be 2'-0" of monument locations, measured at right angles to R/W lines. Top to achieve offset to be at least 20'-0" long.
 - See Revised Standard Plan RSP A85B for Brace, Stretcher Bar, and Truss Tightener Details.

CORNER POST



RSP A85 DATED JULY 15, 2016 SUPERSEDES RSP A85 DATED JULY 18, 2014 AND STANDARD PLAN A85 DATED MAY 20, 2011 - PAGE 112 OF THE STANDARD PLANS BOOK DATED 2010.

REVISED STANDARD PLAN RSP A85

CHAIN LINK FENCE

NO SCALE

Mireya Turner

From: Cliff Ruzicka <CliffR@ruzicka-engineering.com>
Sent: Wednesday, December 14, 2016 3:24 PM
To: Robert Massarelli
Cc: Anthony Farrington; TinaScott1@aol.com; Jim Steele; Jim Comstock; Jeff Smith; Rob Brown; Simon4District1@gmail.com; Carol Huchingson; Mireya Turner; Brian Martin; Michalyn DelValle
Subject: RE: Proposed Aero Acres Cannabis Business Park, Lakeport, CA. Job File 16-8269
Attachments: 16-8269 General Development Plan-12-14-16.pdf; Vicinity Map-11X17.pdf

Hello Planning Director Massarelli,

Attached please find a Preliminary Development Plan and a Vicinity Map for the proposed Aero Acres Cannabis Business Park. The Preliminary Development Plan shows the existing improvements and a proposed identification of uses at the project site. The Vicinity Map shows the project site bounded by vineyards, Lampson Field, and a vacant field. The closest residence is 600 feet away. Giovanni's new restaurant is 700 feet away.

With the vacant 75,500 square feet Work Right Building (vacant for more than 15 years) and the adjacent vacant property, which was zoned Planned Development Commercial more than 35 years ago, the project site would be greater than 20 acres in size.

We request that you reconsider the Draft Cannabis Ordinance to allow a diverse number of Cannabis business activities at this location including outdoor and indoor growing as I have previously proposed. This is one of the places in the County of Lake where the County can meet the goals and objectives such as:

1. "To create a regulatory climate that encourages the medical cannabis business to come out of the shadows and become legitimate businesses."
2. "Maximize economic opportunities and benefits for the County."

We request that Planned Development Commercial (PDC) properties, that are a minimum size of 20 acres, be allowed to be developed into a Cannabis Hub. The Cannabis Hub would allow outdoor growing, indoor growing, greenhouse growing, processing, manufacturing, testing, marketing and transportation in accordance with the model I had previously submitted.

It is our goal to attract the best people in the cannabis industry to our Business Park as well as local growers. We are having conversations with responsible growers and with the biotech company Meta Logos, Inc. for space to rent.

We would like to thank you for your foresight and diligent work towards preparing Lake County for growth while maintaining the integrity of the friendly feel that we all love and enjoy here.

Clifford Ruzicka
Civil Engineer

Ruzicka Associates
PO Box 1189
2495 Parallel Drive
Lakeport, CA 95453
(707) 263-6155 Fax: (707) 263-0768 Cell: (707) 349-2268
cliffR@ruzicka-engineering.com
www.ruzicka-engineering.com

Mireya Turner

From: hiscare@aol.com
Sent: Thursday, December 15, 2016 8:06 AM
To: Mireya Turner
Subject: Fwd: Undeliverable: Fwd: Letter for Planning Commission from Brosnan and Leppert
Attachments: Attachment

-----Original Message-----

From: postmaster <postmaster@lakecountyca.gov>
To: hiscare <hiscare@aol.com>
Sent: Wed, Dec 14, 2016 4:02 pm
Subject: Undeliverable: Fwd: Letter for Planning Commission from Brosnan and Leppert

Delivery has failed to these recipients or groups:

mireya.turner@lakecounty.com

The e-mail address you entered couldn't be found. Please check the recipient's e-mail address and try to resend the message. If the problem continues, please contact your helpdesk.

Diagnostic information for administrators:

Generating server: lakecountyca.gov

mireya.turner@lakecounty.com

#550 5.1.1 RESOLVER.ADR.RecipNotFound; not found ##

Original message headers:

Received: from ironport-inside-listener.co.lake.ca.us (192.168.1.198) by
EX0.co.lake.ca.us (10.0.128.11) with Microsoft SMTP Server id 14.3.319.2;
Wed, 14 Dec 2016 16:02:35 -0800

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result:

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[172.27.1.227]) by omr-a018e.mx.aol.com (Outbound Mail Relay) with ESMTTP id
B460838000E0 for <mireya.turner@lakecounty.com>; Wed, 14 Dec 2016 19:02:26
-0500 (EST)

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22ED038000081 for <mireya.turner@lakecounty.com>; Wed, 14 Dec 2016 19:02:26
-0500 (EST)

Received: from 108.218.111.131 by webprd-a82.mail.aol.com (10.72.104.212) with

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Date: Wed, 14 Dec 2016 19:02:26 -0500
From: <hiscare@aol.com>
To: <mireya.turner@lakecounty.com>
Message-ID: <158ffc98238-52f4-31bb@webprd-a82.mail.aol.com>
In-Reply-To: <6D5D3599-761A-41E9-B3FA-261BCA85B1D4@me.com>
References: <6D5D3599-761A-41E9-B3FA-261BCA85B1D4@me.com>
Subject: Fwd: Letter for Planning Commission from Brosnan and Leppert
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X-MB-Message-Source: WebUI
X-MB-Message-Type: User
X-Mailer: JAS STD
X-Originating-IP: [108.218.111.131]
x-aol-global-disposition: G
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=mx.aol.com;
s=20150623; t=1481760146;
bh=Chavz3mgXwDvWSgWrhtYpf8vEvnhII+rwNsdYDxJ7zU=;
h=From:To:Subject:Message-Id:Date:MIME-Version:Content-Type;
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x-aol-sid: 3039aclb01e35851dd9216e3
Return-Path: hiscare@aol.com

Attached Message

From: hiscare@aol.com
To: mireya.turner@lakecounty.com
Subject: Fwd: Letter for Planning Commission from Brosnan and Leppert
Date: Wed, 14 Dec 2016 19:02:26 -0500

Bob Macerelli and Mireya Turner

Hi Bob and Mireya below you will find the letter we are submitting on behalf of ourselves and our farms. Located in lake county ca.

-----Original Message-----

From: DAVID LEPPERT <davidleppert@me.com>
To: John Brosnan <HISCARE@AOL.COM>
Sent: Thu, Dec 1, 2016 12:58 pm
Subject: Letter for Planning Commission from Brosnan and Leppert

12/1/2016

To: Lake County Building Planning Commission

Re: 2017 Marijuana Land Use Overlay

We are two property owners that purchased Agricultural land after Measure N passed with the understanding that we were making a long-term investment that would be mutually beneficial with Lake County. We invested significantly in the purchase and development of the properties in early 2015. Our aim was to establish a farm that would meet county standards (Measure N) and position us for licensing in California going forward.

It appears that neither of our properties are included in the new overlay and there appears to be no valid reason for that. The properties are not considered prime AG land by any standard and at 40 and 20 acres, the small grow area on each property has no impact whatsoever on neighboring properties.

We are writing to respectfully request that you include these two properties in the new overlay.

Thank you.

John Brosnan 11739 Old Spruce Grove Rd, Lower Lake, CA 95457 40+ acres

David Leppert 12007 Old Spruce Grove Rd, Lower Lake, CA 95457 20+ acres 480-363-7015

Mireya Turner

From: Max Rudsten <max@northpacificdev.com>
Sent: Friday, December 23, 2016 8:54 AM
To: Mireya Turner
Cc: Richard
Subject: Re: FW: Lake County Cannabis Policy Development update

Hi Mireya,

It was great meeting you yesterday. Thank you for adding us to the email list.

Again, our parcel in question is #101-055-24.

Approx Acres 64.225
Jurisdiction County
Base Zoning District SPLIT
Full Zoning - 1 A-WW-SC
Full Zoning - 2 CR-DR
General Plan - 1 A
General Plan - 2 Cr
Supervisor Dist 2

Our hope and intention was to use this parcel to commercially cultivate medical cannabis and were looking to apply for largest cultivation license available given our parcel's size, seclusion, and zone.

Those licenses include *Type 3 MC, Type 3 NM, Type 3B MC, and Type 3B NM*. We couldn't find any discernible difference between "MC" and "NM". Do you have that offhand?

As seasoned cultivators, we are looking forward to working with you and the county to come up with a law that makes sense for all stakeholders. To the extent we can be helpful in answering any questions regarding the industry and cannabis cultivation in general, consider this dialogue open!

Please also let us know if there's anything else you need from us to ensure our parcel is part of the BOS conversation. Again, it was wonderful meeting you and we look forward to continuing this dialogue.

Cheers!

Max Rudsten



On Thu, Dec 22, 2016 at 3:13 PM, Mireya Turner <Mireya.Turner@lakecountyca.gov> wrote:

Hello,

You have been added to the Lake County Cannabis Policy Development interest email group.

Below is the last email sent out to the group.

Benmore Valley Road Home Owners Association
Benmore Valley Road
Lakeport, CA 95453
November 28, 2016
rob@benmorevalleyranch.com

County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA 95453

ATTN: Mireya Turner, Associate Planner, Bob Massarelli, Director

The Benmore Valley Road Homeowners Association (BVRHOA) is an organized group of land owners on the Benmore Valley Road, making up over 1400 acres of land zoned A and RL. Included in the land is the Benmore Valley Ranch. We are writing to express our concerns, and make specific requests, regarding the draft Cannabis Cultivation Ordinance submitted to the Planning Commission for review on 17 November, 2016.

The Benmore Valley is a unique place: a hidden treasure, representing the unmatched beauty and potential of Lake County, a remote, dead-end, mountaintop valley, its own watershed, with nothing above, and no neighbors to speak of. We have a rich history in agriculture and hospitality, which dates back to its namesake, Benjamin Moore, a cattle rustler, and beyond to the Native Americans (there are several archeological sites, including a year-round village). Currently, the Benmore Valley Ranch is a diversified environment including cattle grazing and husbandry, vineyards, orchards, families raising children, and retreat operations.

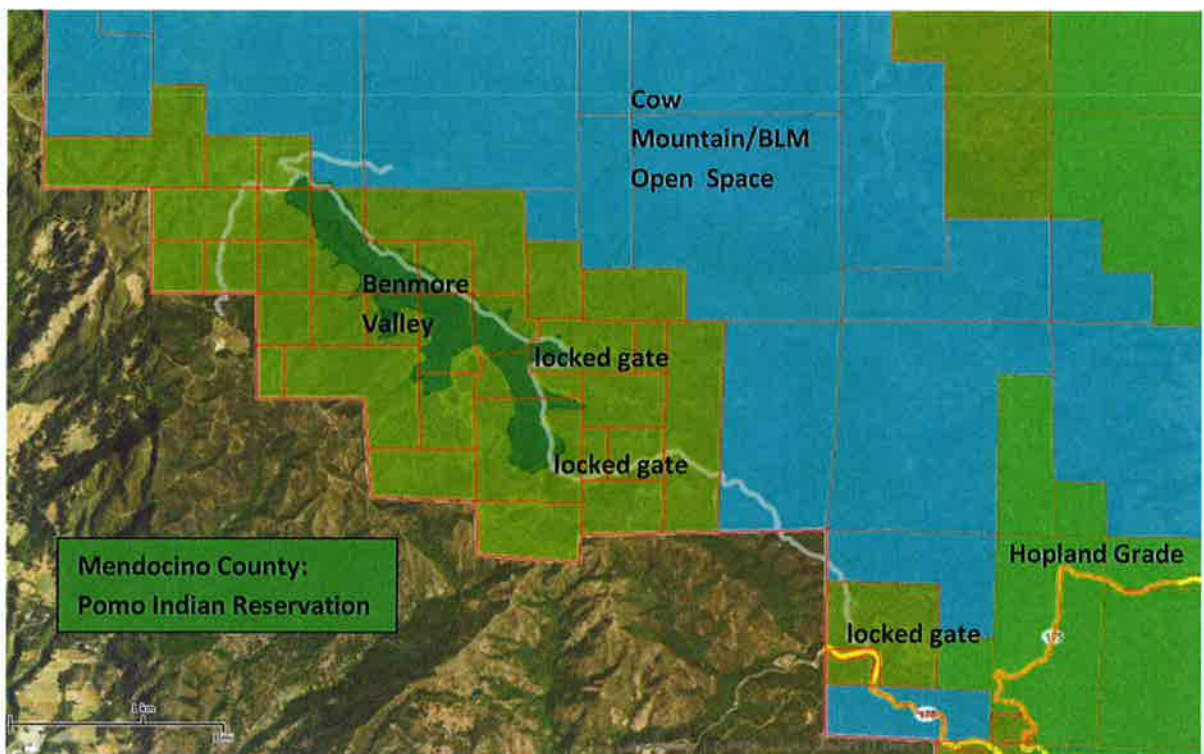
In the last decade special attention has been paid to restoring the land back to its natural state, including voluntarily adding deed restrictions (forest and agricultural preserves) to ensure that an amazing piece of Lake County's natural history remains unmolested for generations to come. The work included removing over 100 acres of commercial vineyard (where they previous owners sprayed Roundup at the top of the watershed, ultimately draining down to Scotts Creek). Current operations are clean, with respect for the land, and to those in the watersheds below. The riparian corridor down the center of the valley has been restored and infrastructure for rotational pastures constructed with the help of an NRCS grant. We take our responsibility as stewards of the land seriously and honor a rich agricultural and cultural history.

As proposed, the draft ordinance is unacceptable to the extent that cannabis cultivation is not permitted on land governed by the A or RL zoning ordinances. The issue has nothing to do with cannabis cultivation, but speaks to property rights. The law needs to be consistent with the General Plan for Lake County and the A and RL zoning ordinances, which explicitly allow for cultivation of "typical" crops without a zoning variance. The current draft is not clear on what would be permitted, but, any outright

ban on cultivation or a requirement for a variance on A/RL land would significantly reduce land values in the county and have negative impact on the property tax base, thus reducing standard of living for all residents. In that case, the BVRHOA would explore options to restore our property rights.

The Benmore Valley is an ideal location for cannabis cultivation - a dead end valley, adjacent to open space, behind 3 locked gates, with no neighbors, extensive housing, multiple wells, and 5 reservoirs with appropriative water rights. See the vicinity map below for the location of the BVRHOA land, gate locations, and proximity to open space preserve. A few years ago when Article 72 was being considered, in a public hearing, Supervisor Rob Brown pointed to the Benmore Valley on a map and suggested it as an ideal spot for cannabis cultivation in Lake County. We request that, at the very least, the current Cannabis Cultivation Map overlay be modified to include the BVRHOA land.

Benmore Valley Vicinity Map



One of the reasons discussed for keeping the area of cultivation close to town is that law enforcement would like to limit the amount of travel for monitoring compliance. This is an understandable concern, considering the remoteness and difficult access to much of the county. We would like to point out that the BVRHOA land is a 15-minute drive up Hopland Grade from Lakeport then a 2 mile improved all-

weather road to the site; much closer than other approved areas in the proposed map out toward the east of the county.

Adopting this policy may cause more problems than it will solve for law enforcement; instead of traveling farther to check permitted sites, much of the county that is outside the designated cultivation area will be "business as usual" with illegal grows, requiring law enforcement to visit these remote areas, regardless, and under less favorable conditions. Historically, the social problems and crime associated with cannabis have been exacerbated when closer to populated areas, thus cultivation in parts of the county with lower population density make sense. Considering the long history of cannabis cultivation in Lake County, criminalizing much of the county through a politicized, arbitrary map of prohibition will create more problems than it solves, while, simultaneously reaping less of the economic benefit.

Another issue discussed by the Planning Commission at the hearing on November 17th was concern over the ability to handle the administrative load of processing the number of permits anticipated. Issuing permits will make substantial income available to be put toward more resources for the task at hand. We believe that fear of administrative overload, based on projections of number of applications, is misplaced and should not be a driving factor in setting policy around property rights and long term economic development. Given the difficulties and expense of the permitting process, it's likely Lake County will see less applications than projected. Many counties hire a "Cannabis Czar" to oversee the integration of the local ordinance, overall economic development, and the State of California licensing process. Perhaps Lake County should consider such a tactic, or, look to neighboring counties, like Sonoma County, who are successfully implementing workable solutions.

The argument that excluding prime agricultural land from permitted area for cannabis cultivation will help maintain Lake County's agricultural heritage does not make sense. One only has to ride down Perini Road to observe the changes in the County due to the extensive development of vineyards. Vineyards cover hundreds of acres, require extensive grading, and use immense volumes of water to operate. In contrast a cannabis garden is less than 1 acre, use very little water, and does not disturb the natural landscape with grading, erosion, or disruption the viewshed. One problem with this approach is that the definition of "prime" land is fluid with respect to crops changing over time and commodity prices.

There has been confusion since a published map dated 2014 shows portions the BVRHOA agricultural land (zoned A) classified as "Farmland of Local Importance" and prohibition of cannabis cultivation proposed. We do not agree with this designation. Under the proposed rules, 240 acres of commercial vineyard using herbicides, such as Roundup, at the top of the watershed, leeching into the aquifers that supply drinking water to Lakeport, is permitted, while 1/4 acre of legal organic cannabis is not.

Extensive study and on-site analysis by organic farming experts have helped us develop a farm plan for highest and best use of the land, including a multi-day visit and resulting farm report drafted by Amigo Bob Cantisano, the preeminent organic farming consultant in California, a founder of the Ecofarm Conference, the largest organic farming conference in the world, and co-founder of California Certified

Organic Farmers (CCOF). He has had pivotal influence on many of the commercial vineyards in Napa implementing organic farming practices, dating back to the 1980s. Mr. Cantisano is scheduled to visit the Benmore Valley in February 2017. Upon request, we would like to invite planning staff to the site for the consultation, or, share the existing farm report.

Cannabis is a rapidly growing industry with much competition statewide for the benefits to local economies. Lake County is uniquely positioned to capitalize on this opportunity, with a carefully crafted ordinance that welcomes the industry without prejudice, while safeguarding the local natural and agricultural history. The time has come to look forward to three-piece suits and institutional venture capital bringing tax revenue and local jobs, rather than looking behind at sketchy illegal operations that bring crime and environmental degradation. We welcome the opportunity to take an active role in shaping the future of the beautiful place we call home.

We would like to schedule a meeting with staff to discuss our concerns and work together toward an ordinance that will create a foundation for economic development, respect property rights, and, most of all, respect the land. If there is a committee of stakeholders for review of the working draft before the meeting on 15 December, we'd like to take part.

Sincerely,

Benmore Valley Road Home Owners Association.

Robert Adelman for Benmore Valley Ranch, LLC

Stephen Cowan

Jessica Cowan

Paul DenBeste

Jim Ruzicka

Mark Ruzicka