

ITEM 1

9:05 AM

DECEMBER 15, 2016

Overlay Specific Chronological

Mireya Turner

From: crabillj <crabillj@mindspring.com>
Sent: Sunday, October 02, 2016 7:59 AM
To: Mireya Turner
Subject: cannabis in Lake County

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I do not want any growing near me. I am at the top of Keck Road [off Martin].

Calvin D. Crabill
1300 Keck Road
Lakeport

OCTOBER 13, 2016

Subject: Marijuana growing boundaries

RECEIVED

REGARDING COMMERCIAL MARIJUANA GROW MAPS AND BOUNDARIES

Sept 30 2016

OCT 03 2016

To Planning Dept

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

My name is Beverly Rabidoux. My husband Louis and I live on Hendricks Rd. in Scotts Valley in Lakeport. We have a beautiful 360 acre farm. We raise hay, organic walnuts, cattle and pears. We DO NOT WANT our land in these maps for **COMMERCIAL marijuana growing** growers. We are here to live peacefully and farm and live our lives. We do not begrudge some one growing a few marijuana plants for **medical marijuana**. We do Not want huge marijuana grows for profit.

Here are reasons why we do NOT want **commercial growers of marijuana** to invade our land.

1. Marijuana is still illegal and very high for profit plant drug. It brings crime undocumented cash money and lawlessness.
2. The people that are growers are NOT from here in Lake County. They do NOT CARE about us at ALL!! They will send this marijuana out of state to make huge amounts of money profits. This does bring crime and BAD people. And some of the people do the harder drugs. Guns crime and just BAD dealings.
3. It STINKS like hell!! Our neighbor a few years ago was growing marijuana over 20 acres away. We smelled it so bad we even smelled it in our home. After complaining to him he quit. We are on 100 acres on our bottom land piece he on on 20 acres and we could still smell it very strongly in our house and see it from our home.
4. Use of Water. The marijuana growers will suck the water right out of the aquifers. There is no way to regulate them. We have excellent wells here in Scotts Valley. These folks if allowed in prime ag land to have these big commercial grows will abuse the water by taking so much of it. Our wells could go dry. Marijuana needs A LOT of water. Way more than the e grapes do. Vineyards bring money to our economy jobs and tourists attraction for our fine wines of Lake County. The wine growing is a good thing. Let's not be known as the Marijuana growing capitol crime ridden Lake County.
5. Pesticides and Fertilizer they use. There is no way to regulate them. They use all sorts of fertilizer and pesticides. County cannot enforce this!! You cannot even enforce now what goes on just with regular complaints. The marijuana uses a lot of fertilizer and pesticides.
6. Nuisance. The nuisance it brings is unpredictable and tremendous. The smell of it alone carry's for miles and is a real nuisance. Also the type of business attracts people that are dealing illegal activities guns money and crime. These are going to be big commercial grows. Just look at what they have done decimating the national forest lands and the BLM lands. They set up booby

Mireya Turner

From: Roger Lipman <roger.lipman@gmail.com>
Sent: Wednesday, October 05, 2016 11:15 AM
To: Mireya Turner
Cc: LAke County Farm Bureau Office
Subject: Cannibis

Living in the Lower Lake area (Morgan Valley) I'm concerned that the regulations will not be enforced as strongly as in other areas. When the Rocky fire was out the fire marshal came buy and said that our grapes were the only ligitimate crop in the area. That's sad. We have to suffer the "skunk" odor of the neighbors crop and they are by and large quite trashy in the use of the rented property they occupy. I guess that the crop, if legalized, could be fine but they must adhere to all the constraints for which ligitimate farmers are subjected. One are which is very annoying is that their crop demands so much water that they hire water delivery truck which destroy the secondary non paved county roads which make transit very difficult. Should they not be accountable for that damage or be made to re-mediate the damage?

Please give all of us who are not users or growers some consideration when crafting the rules.

Roger Lipman
19582 Oak Haven Road, Lower Lake

Mireya Turner

From: Tamara Thorn <loveandheal.thyself@gmail.com>
Sent: Friday, November 18, 2016 3:41 PM
To: Mireya Turner
Subject: Outdoor Cultivation Area for Consideration

Greetings and blessings Mireya and Robert,

Allow me to begin by saying that I'm very thankful for the planning department for opening up this process to the public and I feel you are doing a great job that is most difficult.

My request and concern, of course, has to do with my own farm on the outskirts of Middletown. I live off Highway 29, back in the mountains. I do not own the property touching the highway. I'm 2 properties away from it with 2 gates. I'm sending an attachment with a question mark circling the area of concern. I would greatly appreciate if you would consider this area for outdoor cultivation.

Due to its location, many of the concerns expressed by the community are mitigated on my property. My garden would have very few, if any, nuisance (sound, smell, sight, etc) concerns and the environmental impact that I have is actually beneficial to the land and ecology due to the eco-RESTORATIVE (wet season water collection, organic gardening, food forest development, etc.) methods that I use for agricultural activities and site development. There is a lot of serpentine rock in this area, which is notorious for impeding agricultural growth. However, due to my methods and commitment to RESTORATIVE growing methods, I am actually able to build soil that allows flora to thrive in serpentine areas. I CAN grow here in a sustainable and restorative way.

The main reasons I bought this property were for the opportunity to have eco-friendly water management practices and its security due to isolation. Please allow me to continue to be a contributing member of this community. I have much to offer to the community in the way of contributing to tax revenue and education of sustainable gardening methods.

As I stated yesterday during the meeting, I have no desire to live anywhere near the cluster of other cultivators due to theft, fires, bugs, and pesticide use from other farms. I am very conscientious about my impact on my environment (land, ecology and people) and do not believe that "clustering" certain types of agriculture all in the same area is good for any level of positive environmental impact. I would be willing to pay a higher price for my permit and personally escort the sheriff on my property to do checks.

I would love the opportunity to work with our county and be a great asset here.

Thank you for your time and consideration,
Tamara Thorn

Mireya Turner

From: Ted Rokicki <ted@gooseyloosey.com>
Sent: Friday, November 18, 2016 3:01 PM
To: Mireya Turner
Cc: dana@danadanadana.com
Subject: Outdoor Cannabis Cultivation Zone Overlay

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Ms. Turner,

Thank you very much for responding to my inquiry about the current status of parcel # 013-013-48; I'm sorry that I missed your call. I understand that we are still in the planning stage, and that you have to be very careful about stating or even implying that any given parcel will ultimately be included in any particular zone. For the record: my partner Dana F. Smith and I agree that we would like our parcel to be included in the outdoor cannabis cultivation zone. I attended yesterday's (11-17-16) workshop at the courthouse and it did indeed appear that our parcel was included in the current version of the proposed outdoor cultivation zone, but I was frustrated by the fact that even though the map on the wall was very large, I wasn't able to determine beyond doubt where the proposed boundaries fell in relation to our parcel. People at the meeting had printed versions of the large map, so I assume that you could e-mail me the map and the other materials from the presentation that I saw in the hands of others at the meeting. Please note that I am sending a copy of this e-mail to my land partner (we are tenants in common) Dana F. Smith, whose computer skills and equipment are far better than mine. Please send her a copy of the files you send to me; between the two of us, we should be able to figure out where we stand at the moment. I repeat that we both understand that these are preliminary drafts that are subject to change, and that neither you nor the county are making any claims or commitments about how this process will ultimately play out. Thanks very much.

Sincerely,

Ted Rokicki
P.O. Box 721
Lower Lake, CA 95457

(415) 310-5026

Mireya Turner

From: Richmond <richmonddesigns@me.com>
Sent: Friday, November 18, 2016 9:06 AM
To: Mireya Turner
Subject: Request to add our properties (area) to the 'OUTDOOR CANNABIS CULTIVATION AREAS.'

Good morning Mireya,

Johnn Kelly & Heather Conlin request that our properties be INCLUDED within the 'OUTDOOR CANNABIS CULTIVATION AREAS,' in Lake County, CA.

Parcel Number: 013-060-300-000
Location: 20875 Jerusalem Grade, Lower Lake CA 95457

Parcel Number: 013-060-310-000
Location: 21015 Jerusalem Grade, Lower Lake CA, 95457

Thank you and please let me know if you have any questions (707) 987-8577.

Sincerely,

Johnn Richmond Kelly
Heather L Conlin

On Nov 18, 2016, at 8:48 AM, Mireya Turner <Mireya.Turner@lakecountyca.gov> wrote:

Hi John,
Sorry, I don't. If you give me an address, I would be happy to guestimate with you. Just know that the map is still a very conceptual rough draft. The zones won't be set until the Board of Supervisors adopts the ordinance sometime next year. A better idea would be for you to send me an email requesting the area you would like to see included in the zone.

Cordially,
Mireya G. Turner
Associate Planner
Community Development Department
County of Lake
255 North Forbes Street
Lakeport, CA 95453

November 18, 2016

To: Robert Massarelli, Planning Director

From: Melaney Chamberlain

RE: Proposed cannabis cultivation map

Dear Mr. Massarelli;

I respectfully request your consideration for the cannabis cultivation map to include the Bartlett Springs Road/Bartlett springs mountain area.

We are a part of a small mountain community who live quite peacefully among our neighbors. We have great pride in our land, garden organically, have established well with great yield, and have great appreciation for the off grid lifestyle.

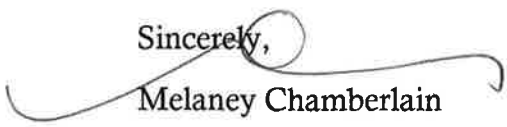
Including the Bartlett Springs Road/Mountain area will not only benefit the members of the community by allowing us to remain and continue to be good stewards of our lands, but will add much needed additional tax revenues to Lake County.

Given that the current map includes High Valley Road, which is so close to the top of the mountain, and accessible from Bartlett Springs Road, it seems to make good sense to include Bartlett Springs Rd/Mountain area as well.

The times are changing. Cannabis has been legalized. I sincerely hope that Lake County will be able to benefit, as a whole, from the new law before us, and include those who take this opportunity quite seriously.

I appreciate your consideration for this very important matter.

Sincerely,



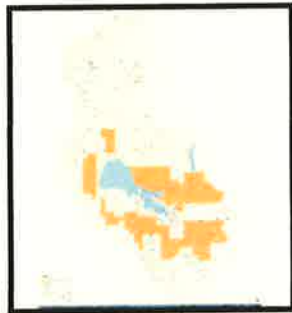
Melaney Chamberlain

FROM CONCERNED PROPERTY OWNER
TAX PAYER, ON BARTLETT SPRINGS RD.
CORIDER. I THINK WE SHOULD BE
INCLUDED ON YOUR PLANNING
MAP GROWE AREAS.
IT IS A MAIN ROAD THROUGH
THE AREA.

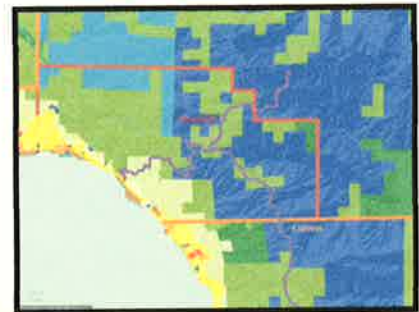
Tom Hansen 11/19/16
707-349-0904

Dear Mr. Massarelli;

Thank you for taking the time to review our proposal and for all of your hard work in creating fair and reasonable cannabis regulation in our wonderful Lake County. We are all so excited to see a revitalization of our entire county and are so hopeful for the future. You have truly poured your heart into this very difficult process and are leading the way through uncharted waters in commendable fashion. Thank you.



Current Cultivation Map



Proposed Cultivation Map

I am writing today to ask for your kind consideration in expanding the Cannabis Cultivation Map to include our very important north shore region by bridging the gap between the Lucerne cultivation zone, and the Upper Lake cultivation area. This will not only contribute greatly to the county tax base by adding prime, low impact, cultivation areas with easy access, it will also create a more fair and equal distribution of lands by including more property in the currently under represented north county. Furthermore, it will contribute positively by helping to prevent illegal activities on public lands as well as help mitigate the threat of forest fires blowing into our north lakeshore towns, as well as, help protect against fires spreading up into our prized national forest lands.

Our proposed region consists of many large acre RL land holdings in the foothill mountains above the north shore towns of Nice and Lucerne in an ideal cannabis cultivation region in terms of both cannabis quality as well as its low impact on neighbors and the environment. Most properties poses exceptional growing sties due to vast ridge-top sun exposure, higher elevations, cooler summer temperatures, and micro climates of the region. Since these private properties are far from other traditional agricultural crops or populated residential areas, there are limited conflicts of interest, and reduced contamination from pests, disease or chemicals, allowing for healthy organic cannabis medicine. Water is not an issue due to the abundance of private springs and very high producing water wells in the area. Potential environmental problems such as deforestation, erosion, and contamination of water are also minimal due to this region being largely away from the lake and flowing streams, and possessing mostly gently sloped ridge-top topography, large meadows, and extensive firebreaks already established by the 1996 Forks Fire.

This region is also within easy reach of county inspectors and other authorities, due to its close proximity to the county seat of Lakeport, taking less than 45 minutes to drive along one of lake counties well maintained emergency evacuation routes; Bartlett Springs Road. Many of us commute daily along the approximately twenty minute drive to Highway 20 for

work or to bring our kids to school. In fact, to give some reference, most properties are actually within 3 miles of highway 20 as the crow flies. When compared to other lands already included in the existing cultivation map, this region has much shorter drive times and will be much easier to reach than those other properties in the east and south part of the county. Furthermore, there are some parcels already included in the existing Lucerne cultivation area along High Valley Road, that will actually require inspectors to travel along Bartlett Springs Rd right through the region we are proposing to add. Finally, if you look at the current cultivation map it disproportionately favors the east and south county and unfairly excludes much of the north lake lands. By including our proposed region, it will help to balance the map.

By allowing this to be a cannabis region and encourage a more present and populated community, there is actually a unique opportunity to help preserve our public lands. Because this region encompasses Bartlett Springs Road, a major artery into the heart of our cherished Mendocino National Forest, and because we occasionally encounter unusual traffic, we have become the eyes and ears for our neighbors vacant lands as well as for our national forests. We have been the lookouts for illegal trash dumping, poaching of animals, mobile meth labs, drug and alcohol use, transients moving onto public and private property, suspicious illegal marijuana activity, and reckless fires. As we like to say up on the mountain, we help law enforcement "keep the riff-raff out". By including us in the outdoor cannabis cultivation map, we can welcome more people into our neighborhood watch, work more closely with various authorities, and further protect our private and public lands by having a greater presence and more vigilant eyes. We are the gatekeepers to the national forest.

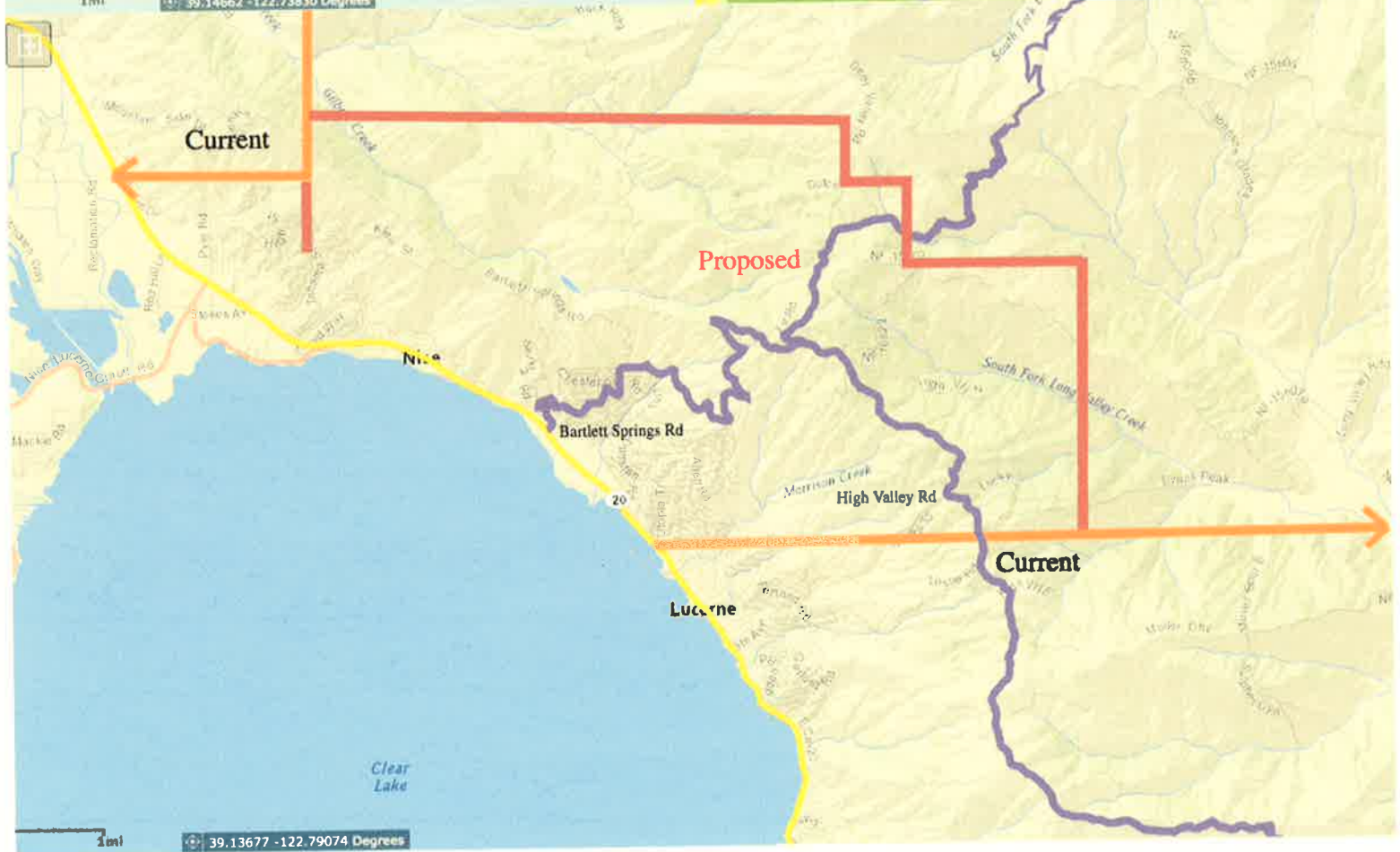
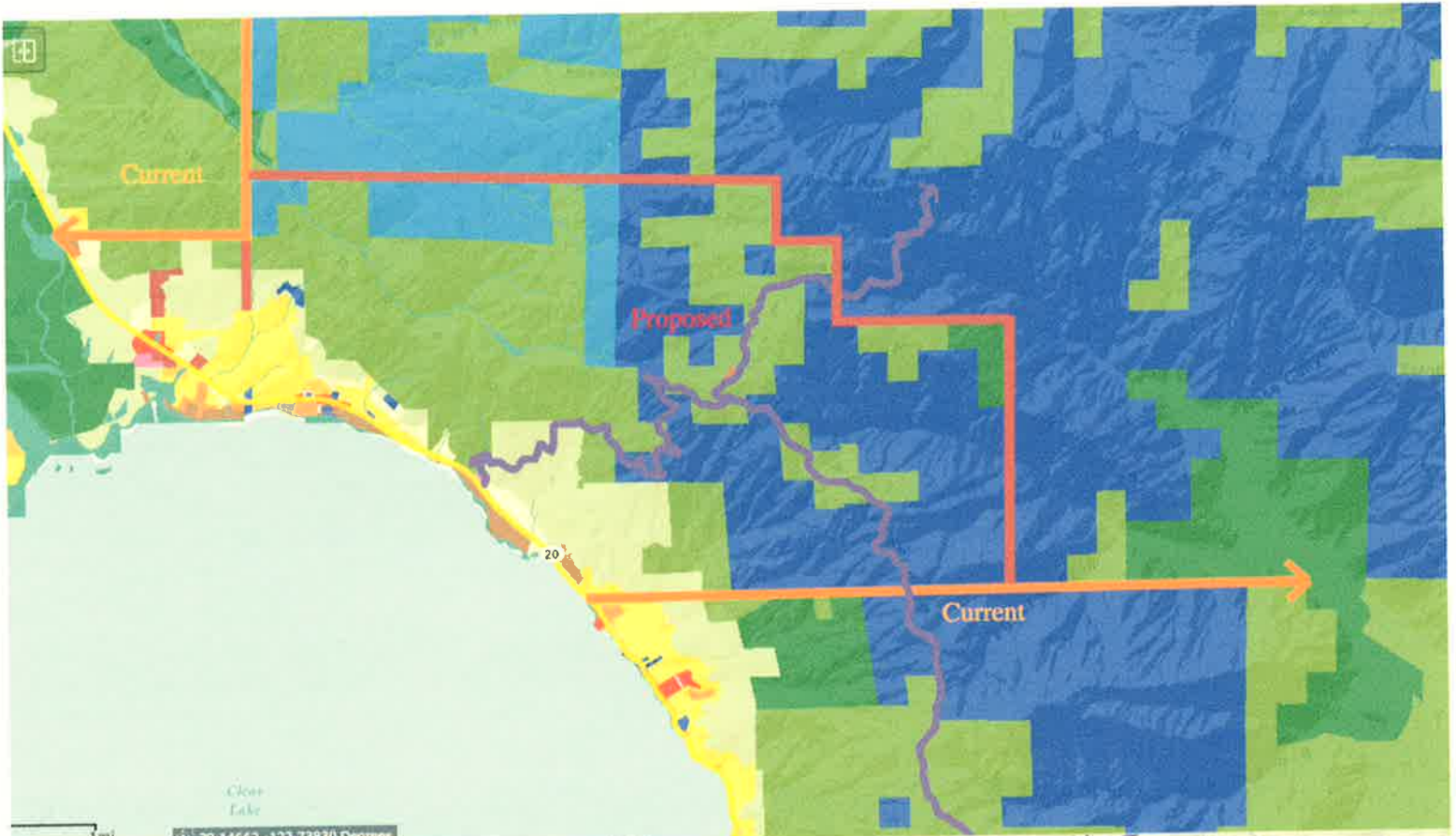
Finally, one of the greatest threats to our county in recent years is that of forest fires. By allowing regulated cannabis growing to occur in our region of northern foothill mountains, it will help promote the reduction of dangerous fuel loads. As brush is cleared for growing sties, and water storage is implemented, it will help firefighters to stop fire spread in critical ridge top areas above the north shore communities. While we have already been working diligently to reduce fuel loads through careful thinning of trees and brush removal, there are many hundreds of acres of privately owned land that have been held as investments by real estate speculators for many, many years and are in beyond critical condition. By including our region in the cultivation map, parcels like these will likely be purchased by active land owners and will be better managed and maintained. In addition, further regulation could be implemented to mandate fuel load reduction on cultivation sites. There is a very real threat of fire sweeping into lakeside towns as well as fire running up and out into our prized forests. By adding this region to the map and combining the north lake cannabis areas, it will create a more continues string of cleared cultivation sites with water storage and present land owners along the important ridge-tops above our north lake towns.

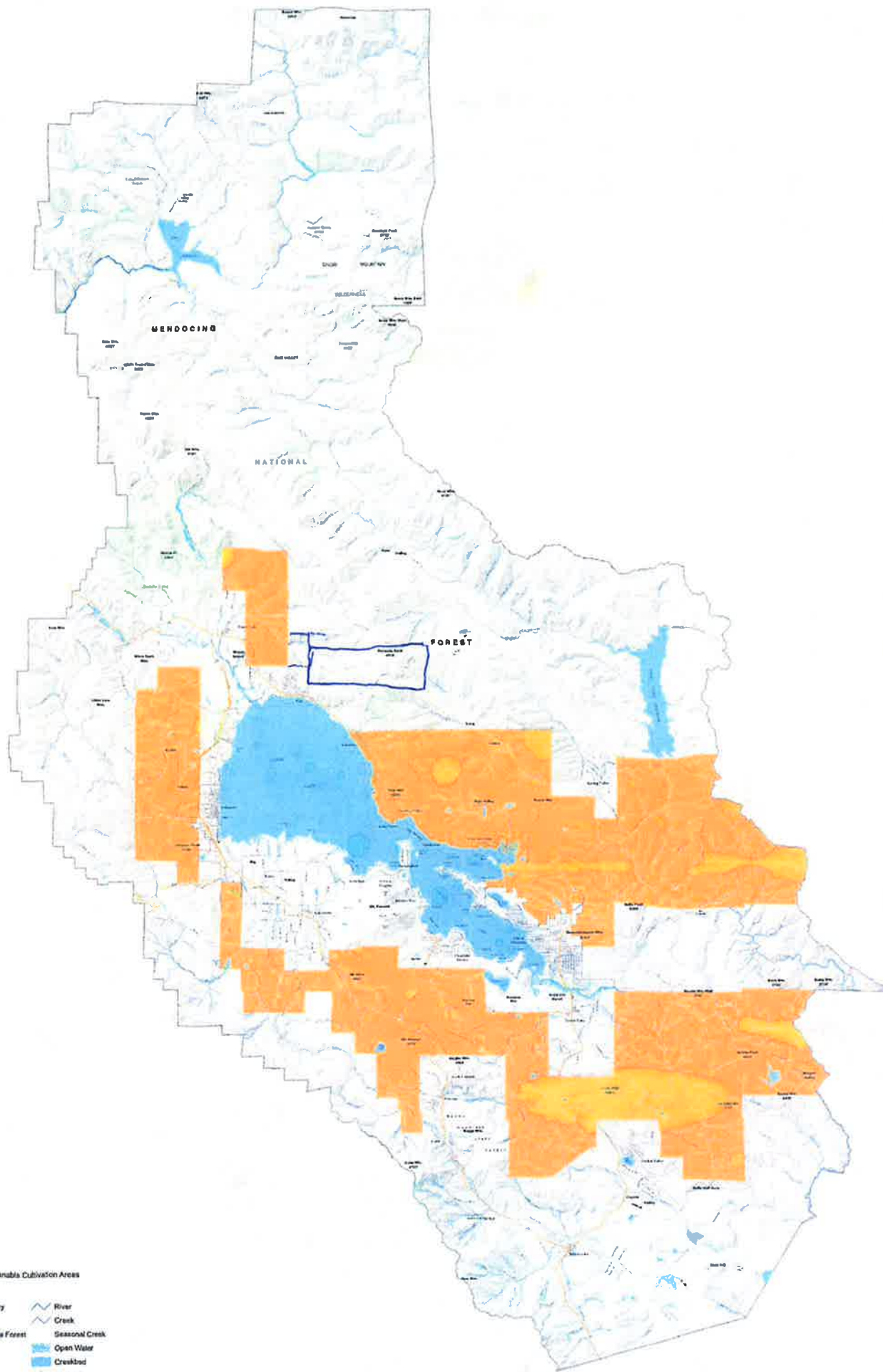
Thank you for your time and careful consideration. We truly hope to be included in the outdoor cannabis cultivation map and look forward to participating in the new regulatory framework. We believe our region can add much to the county's well being and prosperity. May we all be good neighbors, careful stewards of our lands, and the protectors of our natural resources. As we like to say up on the mountain, "We are all in this together".

Sincerely,



Autumn Beinhauer, & the "Gatekeepers" to the national forest.
707-533-7940





Legend

- Outdoor Cannabis Cultivation Areas
- Other Features**
- State Highway
- Road
- National/State Forest
- Airstrip
- City
- River
- Creek
- Seasonal Creek
- Open Water
- Creekbed
- Wetlands

Bob,

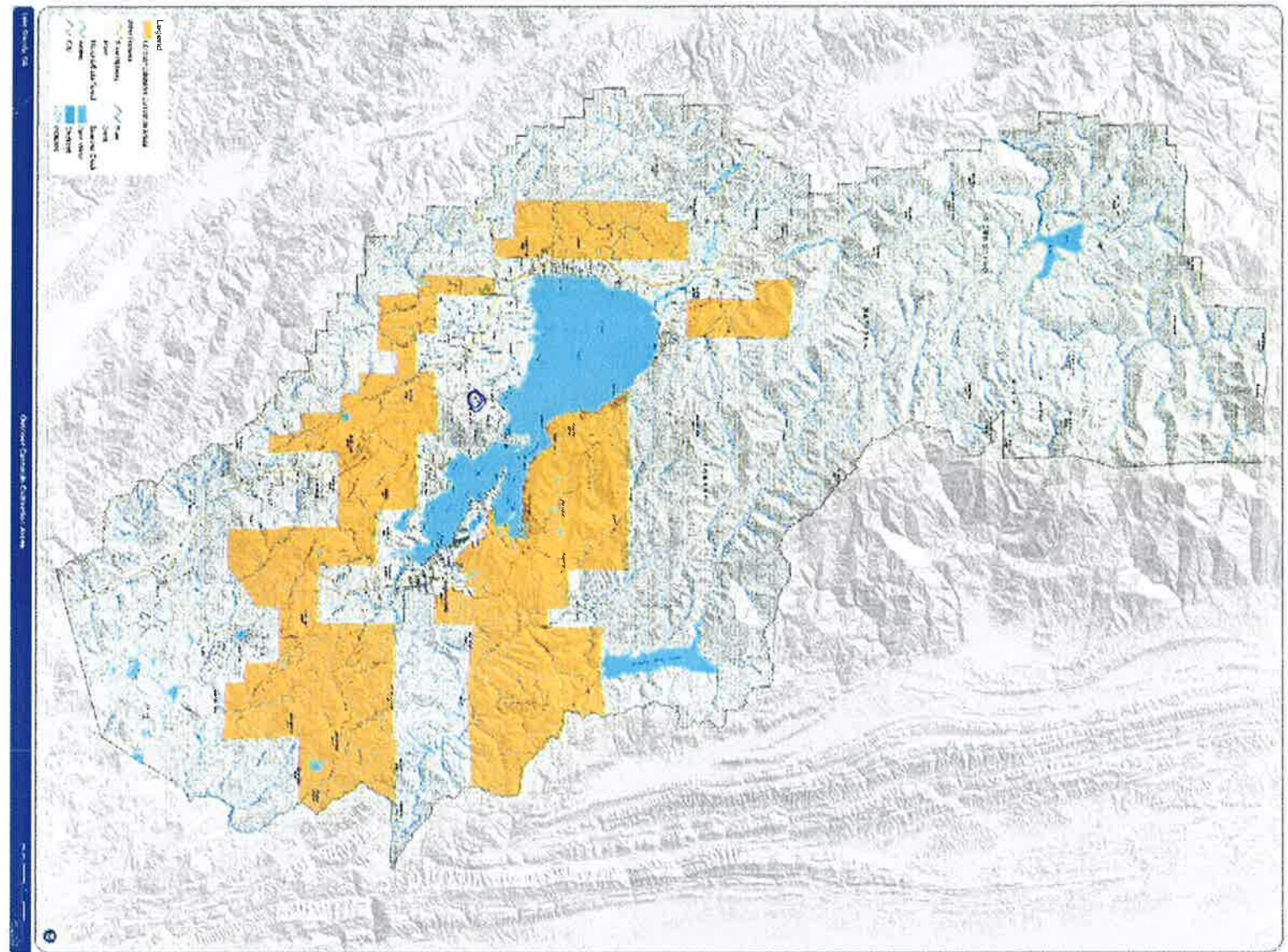
Included is my parcel map - R L
Land. Your overview map Does
not include it for outdoor grow.
When we spoke in our meeting, I
had explained that on the top of one
of my notes is a 2 Acre Levelled
Lot that is perfect for 2 separate
3 License 1 acre grows. you had
agreed but, it is not included
in your map. please peruse the
following out lines in these maps and
Re-consider my Land. It's Roughly
200 Acres. Thank you.

707 530 1555

"Barry Fullmer"

Outdoor Cannabis Cultivation Areas

Must comply with the base zoning (allowed on A, APZ, TPZ, and RL) and outside Community Growth Boundaries and Water District Service Areas with a ½ mile buffer, ½ mile buffer from incorporated areas, outside Primarily Agricultural Areas, and 200 feet from water bodies.





009-002-010 Lake County, CA

My Map

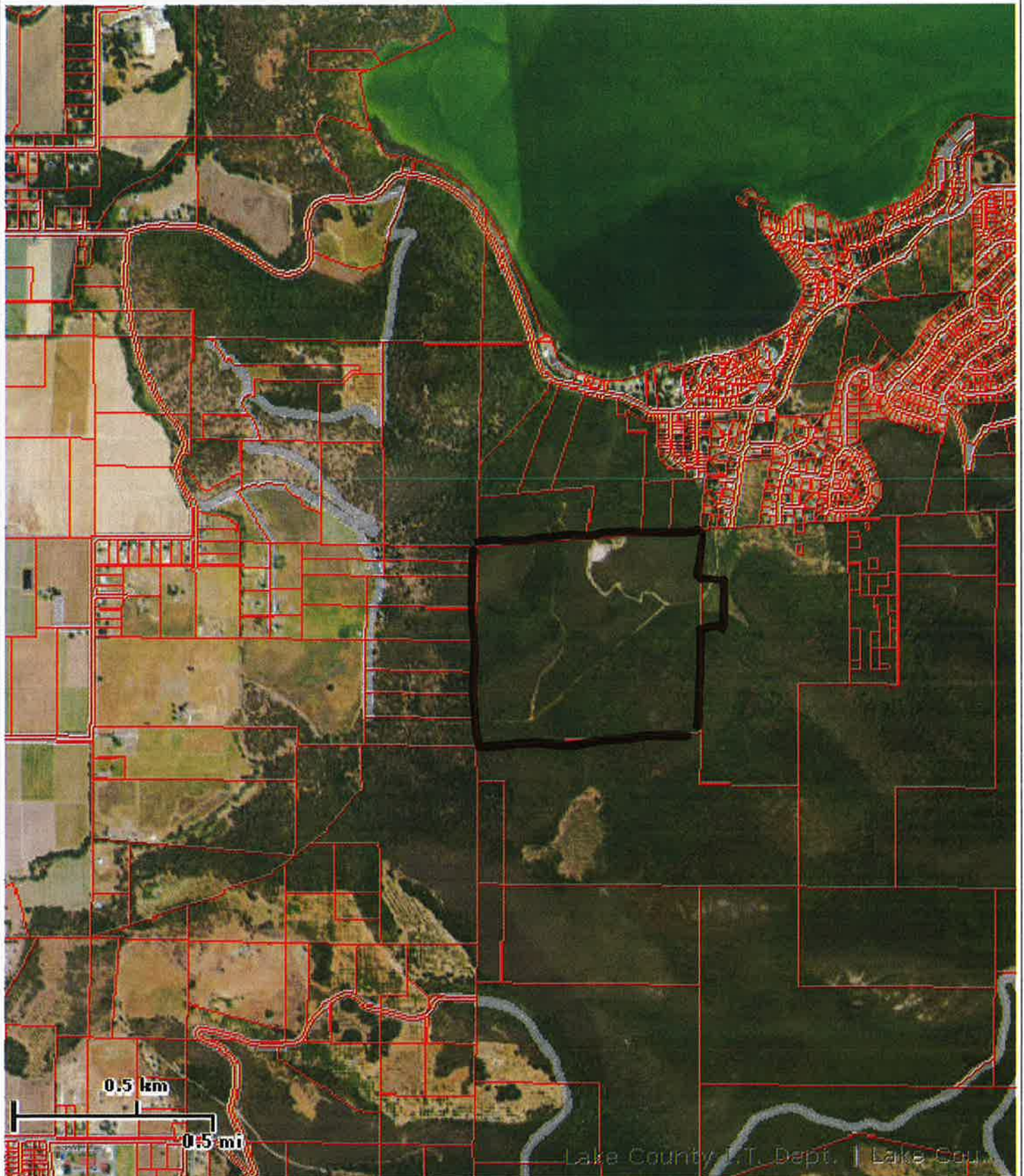
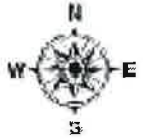


~~941-216-7000~~



Lake County, CA

My Map

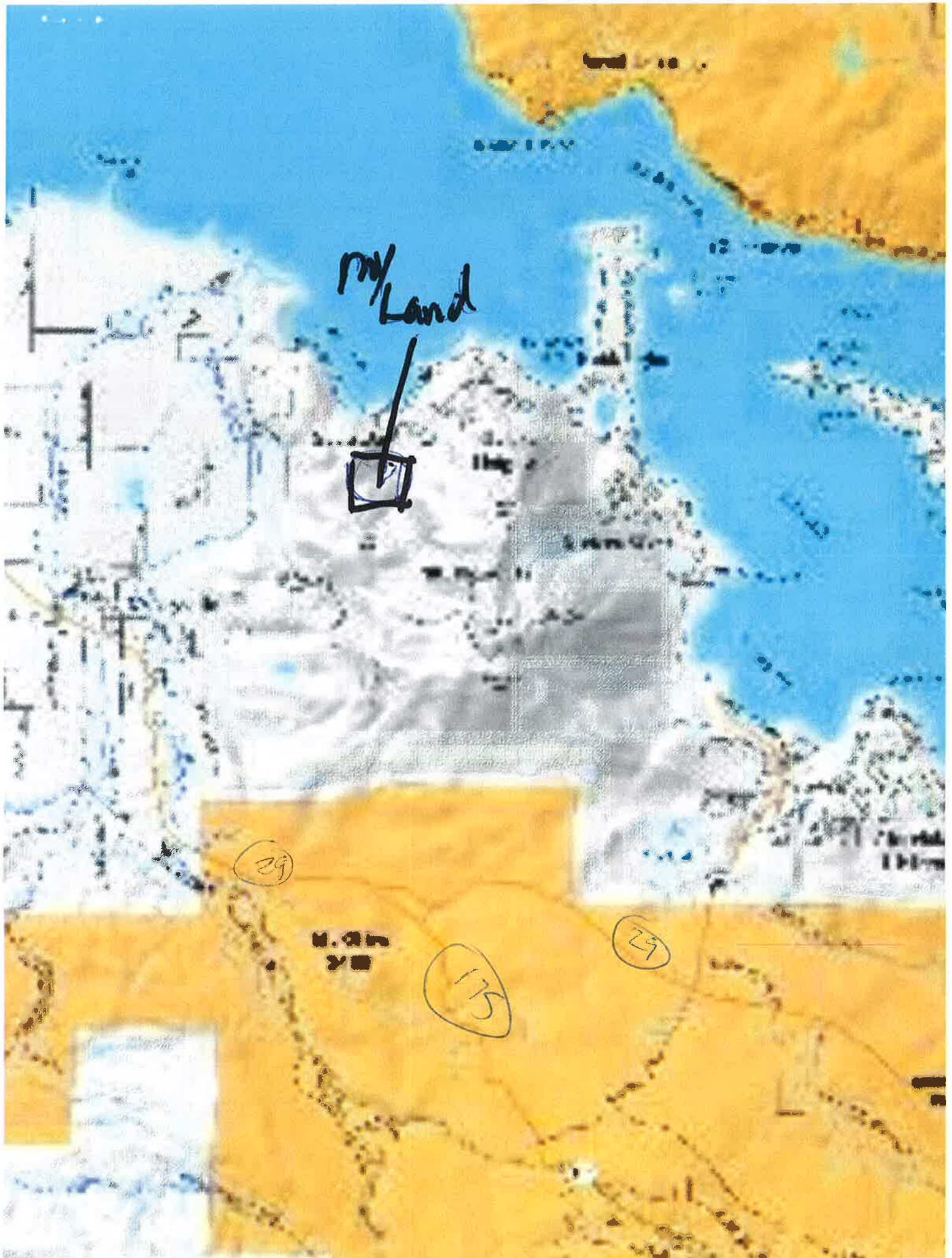




Lake County, CA

My Map





Mireya Turner

From: Shane French <shane@shanes.net>
Sent: Saturday, November 19, 2016 10:23 AM
To: Mireya Turner
Subject: cannabis cultivation

Good morning Mireya,

Thanks for taking the time to educate me a bit on the subject of pending ordinance for cannabis cultivation. Per our discussion, I am sending you this message to express my concerns.

I live at 2093 Riggs Rd., Lakeport, CA 95453.

It is my understanding that the area my home is located in is primarily residential use. As a homeowner, I would be opposed to any large scale farming of any type being conducted on non-ag-zoned parcels near my home (cannabis or non). I would be opposed to any expansion of cannabis cultivation rights that would increase cultivation activities beyond what is currently allowed in article 72 in areas where land use is primarily residential.

I recognize that there are a lot of folks who see cannabis legalization as a sort of gold rush to cash-in on; however, I hope that whatever regulations are passed, we can take a cautious, measured approach instead of just opening the floodgates. Since none of us can predict exactly how additional, widespread cultivation will affect quality of life in our county, it would be extremely irresponsible to do otherwise.

Thanks again for your help!
-shane

Mireya Turner

From: Tamara Thorn <loveandheal.thyself@gmail.com>
Sent: Saturday, November 19, 2016 12:00 PM
To: Mireya Turner
Subject: Cultivation Area Inquiry with map
Attachments: Cultivation Area Map

Greetings and blessings Mireya and Robert,

Allow me to begin by saying that I'm very thankful for the planning department for opening up this process to the public and I feel you are doing a great job that is most difficult.

My request and concern, of course, has to do with my own farm on the outskirts of Middletown. I live off Highway 29, back in the mountains. I do not own the property touching the highway. I'm 2 properties away from it with 2 gates. I'm sending an attachment with a question mark circling the area of concern. I would greatly appreciate if you would consider this area for outdoor cultivation.

Due to its location, many of the concerns expressed by the community are mitigated on my property. My garden would have very few, if any, nuisance (sound, smell, sight, etc) concerns and the environmental impact that I have is actually beneficial to the land and ecology due to the eco-RESTORATIVE (wet season water collection, organic gardening, food forest development, etc.) methods that I use for agricultural activities and site development. There is a lot of serpentine rock in this area, which is notorious for impeding agricultural growth. However, due to my methods and commitment to RESTORATIVE growing methods, I am actually able to build soil that allows flora to thrive in serpentine areas. I CAN grow here in a sustainable and restorative way.

The main reasons I bought this property were for the opportunity to have eco-friendly water management practices and its security due to isolation. Please allow me to continue to be a contributing member of this community. I have much to offer to the community in the way of contributing to tax revenue and education of sustainable gardening methods.

As I stated yesterday during the meeting, I have no desire to live anywhere near the cluster of other cultivators due to theft, fires, bugs, and pesticide use from other farms. I am very conscientious about my impact on my environment (land, ecology and people) and do not believe that "clustering" certain types of agriculture all in the same area is good for any level of positive environmental impact. I would be willing to pay a higher price for my permit and personally escort the sheriff on my property to do checks.

I would love the opportunity to work with our county and be a great asset here.

Thank you for your time and consideration,

Tamara Thorn

Mireya Turner

Exclusion

From: dpmcg@pacific.net
Sent: Sunday, November 20, 2016 5:41 PM
To: Mireya Turner
Subject: Cannabis Cultivation on Prime Ag Land

Dear Mireya, I had fully intended to get this to you before the board meeting this past Thursday. In deciding to go ahead and send it in late, I do hope that my voice will be heard regardless of the outcome on Thursday. Sincerely, Lorene A. McGuire

Lorene A. McGuire
275 Crawford St.
Lakeport, CA 95453

November 20, 2016

Lake County Planning Commission
255 N. Forbes St.
Lakeport, CA 95453

RE: Proposed Medical Cannabis Ordinance

Dear Members of the Lake County Planning Commission:

I grew up and worked on a 100 acre Pear Ranch in Big Valley, continuing to help out in my adult years with harvest. My family—the Thomas family of Thomas Drive—established their identity in Big Valley as pear growers in the late 1800s.

It is with great sadness that I read and learned about the proposed changes to Article 72 dealing with medical cannabis cultivation in Lake County. I oppose the cultivation of cannabis on primary agricultural land. Large acreage and water needs are necessary for optimal pear and walnut ranching. Our valley aquifers are already taxed. Allowing for marijuana to be grown on prime land puts the walnut and pear ranchers in competition with marijuana growers for necessary water. And, as I have learned, marijuana cultivation does not require prime soil due to its growth in specialty composted bags.

Please help us save our ag land for the crops which have put us on the map and contributed so greatly to our economy.

Sincerely,

Lorene A. (Thomas) McGuire

Sun. Nov. 20TH 2016

DEAR BOB,

THERE ARE MANY REASONS WHY WE SHOULD BE INCLUDED IN THE MARIJUANA CULTIVATION AREA HERE IN LAKE COUNTY! CONTRIBUTING TO THE TAX BASE. EMPLOYING NUMEROUS INDIVIDUALS. PRODUCING HERBAL MEDICINE THAT IS EXCELLENT QUALITY

WE HAVE ALREADY ENHANCED THE INFRASTRUCTURE FOR SUCH AN ENDEAVOR. IRRIGATION SYSTEM WITH NO EROSION PROBLEM. TOTALLY ORGANIC NO HARMFUL PESTICIDES OR HERBICIDES. ACCESS FROM H.Y. 20 IS ONLY 20 MINUTES AWAY. PLENTY OF SUNSHINE DUE TO THINNING OF TREES, FOREST FIRE IN 1996 AND MASTICATION OF RIDGE LINE. THE FOREST SERVICE WAS VERY HAPPY WITH THE MASTICATION EFFORT. THROUGH THE YEARS NUMEROUS PEOPLE HAVE BENEFITED FROM OUR HERBAL CULTIVATION AND WE DEFINITELY WANT TO CONTINUE HELPING PEOPLE!

THANK YOU VERY MUCH
MARK REDMOND
Mark Redmond

707-350-2195
8250 15N07 Rd
004-038-33

Mireya Turner

From: Robert Massarelli
Sent: Tuesday, November 22, 2016 4:32 PM
To: Mireya Turner
Subject: FW: Overlay of my land parcel

FYI

Robert Massarelli, AICP
Community Development Director
Lake County Community Development Department

255 N. Forbes St.
Lakeport, Ca 95453

707-263-2221 (Office)
707-349-8004 (Cell)
Robert.Massarelli@lakecountyca.gov

From: Barry Fullman [<mailto:gropros2@gmail.com>]
Sent: Friday, November 18, 2016 12:55 PM
To: Robert Massarelli <Robert.Massarelli@lakecountyca.gov>
Subject: Overlay of my land parcel

Bob, once again, thank you for all of your hard work.

I left a packet of Map's and parcel information in your mailbox there at the office.

Included is an overview of your inclusive map and of my 200 acre land parcel that we discussed in one of our private meetings.

As you can see by the Map's, I have rural land that has a perfect 2 acre lot graded flat at the top, 900 feet up, on one of my hills.

I can put 2- side by side #3 license acre grows up there and split/lease the rest of the properties for other growers. I am roughly 1/2 mile away from any issues as you suggested.

Please consider that for MUP as we had discussed.

I know it is hard to include all sites for consideration, but I have 2 really good friends that are Sheriff's, and they know I have 3 separate locked gates and fences to even access the property. It is well covered by landscaping and trees.

Please let me know asap, I have growers ready to lease the Land as soon as we are ready for permitting for this next year. That's 10 sites ready for big grows.

Once again, Thank you

Regards,
Barry Fullman
Managing Partner

This email and any files transmitted with it are proprietary/confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

Mireya Turner

002-023-90

From: Robert Massarelli
Sent: Sunday, November 27, 2016 3:08 PM
To: Mireya Turner
Subject: FW: 13306 Elk Mnt Rd, Upper Lake

FYI. Please respond if necessary.

Robert Massarelli, AICP
Community Development Director
Lake County Community Development Department

255 N. Forbes St.
Lakeport, Ca 95453

707-263-2221 (Office)
707-349-8004 (Cell)
Robert.Massarelli@lakecountyca.gov

From: Ruth Valdizon [<mailto:valdizonr@yahoo.com>]
Sent: Friday, November 25, 2016 4:38 PM
To: Robert Massarelli <Robert.Massarelli@lakecountyca.gov>
Cc: valdizonr@yahoo.com
Subject: 13306 Elk Mnt Rd, Upper Lake

Dear Robert:

My name is Ruth and my husband is David Marbain, we attended the planning commission workshop on November 17. Our property is 13306 Elk Mtn Rd approximately 8 miles north of the town of Upper Lake. It is 56 acres consisting of two parcels, the one in question is 36 acres of which 18 is currently arable hay fields. We are very appreciative to be given the opportunity to voice our needs and concerns in front of the commission and I came up and spoke about the need to include our property which is considered RR for the purpose of cultivating cannabis. I mentioned to you, that we have been struggling financially due to the county's past policy which did not give us permission to cultivate cannabis.

We would like to have the opportunity to have a legitimate business, on our property. The property is not close by to walnut or pear orchards and in the past, it was cultivated into hay fields and prior to that walnuts. If you research the area of Upper Lake, there has been a history of cannabis cultivation. Our property in particular does not have much commercial agricultural use and it has become extremely difficult to afford the exorbitant mortgage.

In the past, we had been working with one of the leading cannabis business owner Stuart Smith of Aunt Zeldas in Bodega Bay who has been providing medicine to cancer patients for 7 years. He has been gathering extensive data on his patients and his results are extremely valuable to the cannabis industry. He is also an electrical contractor, a general contractor and a chemist. He is really interested in speaking with you about the HUB concept and would like to talk to you about the further developments concerning the Lake county project. His experience in helping the city of Santa Rosa as a planner and consultant in setting up a major manufacturing venue, is extremely valuable to Lake county. He understands and has very valuable experience regarding the intricacies of manufacturing safety measures. He is a potential investor in the HUB project, and as I mentioned he would like to support a small farm on our property. It is a great opportunity for Lake County to have Aunt Zeldas become part of the development of the cannabis industry, however, he insists that Lake County endorse our property as a small farm. He also mentioned to us that he would be willing to have a conversation with you, and has extensive information that he would be willing to share. We appreciate you taking our individual case into consideration and hope and pray that we can come to some favorable outcome and agreement in our situation.

Sincerely,

David Marbain, Ruth Marbain Valdizon
PO Box 5 Upper Lake, Ca 95485
575-590-0694

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.

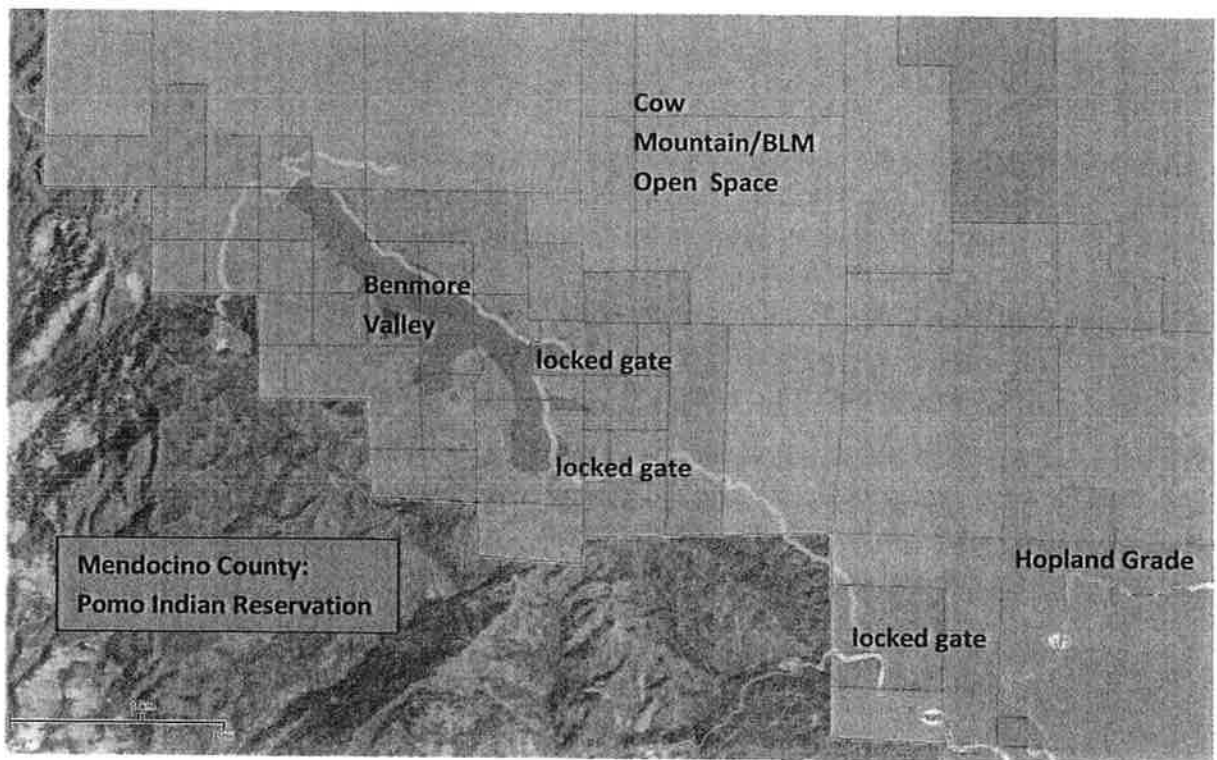
In the last decade special attention has been paid to restoring the land back to its natural state, including voluntarily adding deed restrictions (forest and agricultural preserves) to ensure that an amazing piece of Lake County's natural history remains unmolested for generations to come. The work 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