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Chief Executive Officer
Melissa Fulton

August 5, 2020

**Board of Supervisors
County of Lake
255 North Forbes Street
Lakeport, CA 95453**

RE: Appeal of Bioenergy Production System at 7130 Red Hills Rd, Kelseyville

Dear Lake County Board of Supervisors,

We were greatly disappointed to see the decision to approve the Bioenergy plant was appealed. Innovative new industries are something the Lake County Chamber of Commerce has always promoted and will continue to do so. The fact that this business was also using waste from fire prevention projects makes it even more attractive to us.

The first paragraph in the appeal states that they would support such a project in a different location. This is always the statement from NIMBY opponents, "we like it but don't like it in our back yard". As Chair of the Chamber's Government Affairs Committee and a real estate broker who has tried to locate properties for several solar companies, I have experienced this reaction many times. Alternative energy projects need to be located very close to substations due to the requirements of power lines. The further away the greater chance the power lines will not be adequate. Also, the project is located close to the Cobb-Loch Lomond area which will hopefully be more carefully managed in the future generating material for the project. A destination for waste is very important. The fact that this facility is located near a substation AND raw materials makes it an ideal location.

The second paragraph claims the project was "fast tracked". This is the first time we have ever heard the term "fast track" associated with a Use Permit. It took the project over a year to get to a hearing and staff carefully vetted this operation during that time. We are confident and supportive of their recommendation for approval.

Since this project is located in the Red Hills Area, noise, dust, smoke, trucks, spray drift and other inconveniences are accepted by local residents. This is part of life if you live in a wine and vineyard region. Easily the biggest source of air pollution from smoke and fugitive dust this year was Chamber Member Beckstoffer's vineyard conversion at the corner of Hwy 281 and Hwy 29. As far as we know, there were no complaints filed on that project. The Right to Farm ordinance approved by the County of Lake several years ago is applicable to these situations.



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The owners of the Bloenergy project have not publicly complained about this to our knowledge, and it seems disingenuous for anyone in the wine industry to complain about the trivial amount of dust this project may produce while defending vineyard conversions. Lake County's Right to Farm Ordinance was written to protect all forms of agriculture, forestry included.

There were no scientific or factual arguments in the appeal letter. The gist of it seemed to be that the Red Hills AVA Stakeholders fear this small plant may affect their grape vines. If this position becomes the new norm, that once a vineyard is planted near you that you immediately lose property rights because of it, the wine industry will start losing the great popularity it currently has. Renewable energy and agriculture can easily coexist, and we urge the BOS to deny the appeal so the project can move forward.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Bobby Dutcher", written over a horizontal line.

Bobby Dutcher, Chair
Government Affairs Committee
Lake County Chamber of Commerce

Cc: Terre Logsdon, Environmental Director, Scotts Valley Band of Pomo Indians
Thomas Jordan, Tribal Administrator
Scott DeLeon, Community Development Interim Director
Lake County Chamber Board of Directors

June 2, 2020

Lake County Board of Supervisors

Re: Support of Major Use Permit (UP 19-05) and Mitigated Negative Declaration based on Initial Study (IS 19-09), Scotts Valley Band of Pomo Indians Red Hills Rd BioEnergy/BioChar production facility

Dear Supervisors:

The Cobb Area Council is in full support of the BioChar and BioEnergy production facility submitted by the Scotts Valley Band of Pomo Indians for their property located on Red Hills Road in Kelseyville. Our council has been following the development of this project closely, as it aligns with our goals of building sustainability, resiliency, and economic health into our community.

Our work of empowering residents to prepare their homes and properties for wildfires through vegetation management has already led us to extensive research on the benefits of BioChar. Having a centrally-located BioEnergy facility that could utilize biomass from local property owners in the Cobb Area, while easily accessible from Red Hills Rd, is an ideal solution for handling the complicated issues of disposing of combustable vegetation material.

We view this project as a unique opportunity to capitalize on fire-prone vegetation by converting it into clean energy, with the added benefit of creating BioChar, a premium soil amendment. BioChar could be utilized to restore lands devastated by previous fires, where the runoff can impair the water quality of Clear Lake via Kelsey Creek, as well as Sacramento River via Putah Creek.

The Cobb Area Council unanimously approved this letter of support for this project at this location, and believes that SVBPI has mitigated all concerns in the Initial Study and those concerns of nearby properties.

Sincerely

Jessica Pyska

Cobb Area Council, Vice Chair



Laurie Hutchison
Coordinator

Lake County Fire Safe Council

Phone: 707-262-7093

P.O. Box 62, Lakeport, CA 95453-0062

Email: FireSafeLC@gmail.com

Date May 12, 2020

To: Lake County Board of Supervisors

Re: Support of Major Use Permit (UP 19-05) and Mitigated Negative Declaration based on Initial Study (IS 19-09), Scotts Valley Band of Pomo Indians Red Hills Rd BioEnergy/BioChar production facility

From: Laurie Hutchison, Lake Co. Fire Safe Council Coordinator

Lake County evolved with fire, and fire will continue to shape the landscape. Residents are all too familiar with the repercussions and reality of wildfire; they understand that it is not a question of *if* a wildfire will occur, but rather *when* and how large. The challenge is how to proactively prepare our homes, neighborhoods, communities, and wildlands for coexisting with wildfire instead of reacting to it.

The Lake County Fire Safe Council (LCFSC) consists of members from all local Fire Protection Districts, local Fire Safe Councils, CalFire, Homeowners Associations, community members, and more. LCFSC staff are funded through the Lake County Resource Conservation District (LCRCD) which is a "special district" of the state of California. As a locally governed agency with their own locally appointed or elected independent boards of directors, RCDs help private landowners conserve soil and water and manage their resources sustainably. They also act as a focal point for local conservation efforts, function as leaders in the conservation community, and sponsor educational efforts to teach children and adults alike the importance of conserving natural resources.

As part of the LCRCD, the LCFSC convenes monthly with stakeholders whose job or interest is protection of Lake County lands and homes from the threat of wildfire, which

exact a devastating toll on lands, residents, businesses, governments, and the community as a whole.

We support the BioEnergy/BioChar facility Major Use Permit on Red Hills Road at Highway 29. This location is centrally located within Lake County making it easily accessible to agencies, contractors, and others who are performing hazardous vegetation abatement to mitigate the effects of wildfire in our County.

The creation of BioChar as a byproduct of energy production is a benefit, and can be utilized as an amendment to retain soil moisture, which also may help to lessen the threat of wildland fire. This small facility will be a much-needed tool added to our toolbox to help prevent catastrophic wildfires in Lake County, as it will also reduce the need for permitted open pile burning, which can and has, in the past, escaped to become much larger wildland fires.

Again, the Lake County Fire Safe Council fully supports this project at this location.

Thank you,

Laurie Hutchison, LCFSC Coordinator



United States
Department of
Agriculture

Forest
Service

Mendocino National Forest
Upper Lake Ranger District

10025 Elk Mountain Road
Upper Lake, CA 95485
707-275-2361
TDD: 711-Relay Service

File Code: 1580

Date: May 18, 2020

Mr. Mark Roberts
Principal Planner
Lake County Planning Division
255 N. Forbes Street
Third Floor, Rm 323
Lakeport, CA 95453

Subject: Bioenergy Production System: UP 19-05, IS 19-09, AB 20-01

Dear Mr. Roberts,

The Forest Service recognizes the value of biomass for the disposal of non-merchantable timber and brush to reduce fuel hazards. Currently there is no market for the biomass size class that makes up a large portion of fuel loading on the Upper Lake Ranger District. Specifically, haul distances to the closest facility makes the sale of biomass uneconomical. The only method to dispose of this class of hazardous fuels is to cut and pile, masticate, and burn. The Ranch fire showed that the last step of this process which is the removal of this fuel from the hillslope, currently limited to burning, is a critical last step to change fire behavior and protect habitat, soils, and slow wildfire spread in Wildland Urban Interfaces. Removing this fuel through burning is a slow process due to limited opportunities to burn and operational capacity. Any industry or market that can be developed within a hauling distance from the Forest will provide an additional tool in the tool box for fuel reduction. The proposed facility may not be within haul distance but, if economically and socially successful, may lead to the development of additional biomass facilities that can be used for fuel reduction and watershed protection on National Forest Lands.

In the interest of full disclosure, the Upper Lake Ranger district has been involved with a combined grant proposal with the tribe and other entities for CalFire funding of fuel reduction and the potential development of a biomass facility on tribal lands. This proposal was declined but may be reconsidered during future grant cycles.

If you have any questions please feel free to contact me at 707-275-1401 or by email at frank.aebly@usda.gov. Thank you.

Sincerely,

Frank A. Aebly, Ph.D., District Ranger
Upper Lake / Covelo Ranger District, Mendocino National Forest





Lake County Resource Conservation District
889 Lakeport Blvd. Lakeport, CA 95453
Phone (707) 263 4180
E-mail info@lakercd.org

Harry Lyons
President

10 June 2020

To: Lake County Board of Supervisors

Re: Support of Major Use Permit (UP 19-05) and Mitigated Negative Declaration based on Initial Study (IS 19-09), Scotts Valley Band of Pomo Indians Red Hills Rd BioEnergy/BioChar production facility

From: Harry Lyons, President, Lake County Resource Conservation District

The Lake County Resource Conservation District (LCRCD) is dedicated to locally-led, long-term sustainable conservation and stewardship of natural resources and agriculture in Lake County, California. We act as a focal point for local conservation efforts, function as leaders in the conservation community, and sponsor educational efforts to teach children and adults the importance of conserving natural resources. Activities include soil and water conservation programs, wildlife habitat enhancement and restoration projects, invasive species management, watershed restoration, conservation planning, demonstration of new technologies, education, etc.

We support the Scotts Valley Band of Pomo Indians in citing the corner of Red Hills Road and State Highway 29 as an ideal location for a small-scale bioenergy facility. This central location will allow efficient processing of waste biomass produced in wildfire mitigation and other healthy forest practices. The facility will aid the clean-up of past fires and mitigate impact from future fires; the byproduct, biochar, will be used in innovative projects to improve soil and water resources, initiating a carbon-neutral process. These projects, particularly in wetlands, will benefit the watershed of Clear Lake.

The RCD has written letters of support for funding this project at this location, and believes that SVBPI has mitigated all concerns in the Initial Study and all concerns of nearby property owners.

Board members of the LCRCD are acquainted with both the proponents and opponents of the project and are willing to attend meetings to share information and allay concerns.

A handwritten signature in blue ink that reads "Harry Lyons".

Thank you,
Harry Lyons
President, Lake County Resource Conservation District



3700 Country Club Drive, Lucerne, CA 95458 • +1707.276.6101 • www.newparadigmcollege.org

May 12, 2020

To: Lake County Board of Supervisors

Re: Support of Major Use Permit (UP 19-05) and Mitigated Negative Declaration based on Initial Study (IS 19-09), Scotts Valley Band of Pomo Indians Red Hills Rd BioEnergy/BioChar production facility

Dear Members of the Board of Supervisors:

New Paradigm College (NPC) is dedicated to the grass roots regeneration of Lake County's ecology, community, culture and economy through education and collaboration.

As part of this mission, in partnership with the Scotts Valley Band of Pomo Indians (SVBPI), Robinson Rancheria Band of Pomo Indians, Habematolel Pomo of Upper Lake, Mendocino National Forest, Upper Lake Ranger District, Berryessa Snow Mountain National Monument, Bureau of Land Management are creating a Tribal Ecological Restoration Workforce training program focused on engaging in landscape-scale restoration to recover from the fires. It has been identified by local public and private agencies doing hazardous fuels reduction that there is a lack of a trained local workforce, making fuels reduction and mitigation as one of the primary limiting factors to engaging in restoration work.

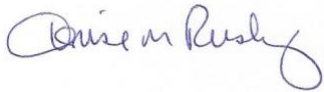
In order to address some of these challenges, NPC is leading a collaborative effort to develop an innovative Ecological Restoration Workforce Training Program to provide people with skills for viable livelihoods in ecosystem restoration throughout Lake County and adjacent areas.

A cornerstone of this effort is having a centrally-located bioenergy facility that utilizes waste biomass gleaned from Lake County to be easily accessible to project partners. The proposed SVBPI facility on Red Hills road would be a valuable asset to creating a circular forest economy in Lake County

The added benefit of the creation of biochar, a premium agricultural soils amendment, also can be utilized to restore wetlands and other soils impacted by pesticide remnants and naturally-occurring nutrients like phosphorus that impair the water quality of Clear Lake and its tributaries.

New Paradigm College supports this project at this location, and believes that SVBPI has mitigated all concerns in the Initial Study and those concerns of nearby properties.

Thank you,



Denise Rushing
Executive Director
denise@newparadigmcollege.org



**Clear Lake
Environmental
Research Center**

July 23, 2020

To: Lake County Board of Supervisors

From: Will Evans, Executive Director, Clear Lake Environmental Research Center (CLERC)

Re: Support for Major Use Permit (UP 19-05) and Mitigated Negative Declaration based on Initial Study (IS 19-09), Scotts Valley Band of Pomo Indians Red Hills Rd BioEnergy/BioChar production facility

As you are all aware, Lake County has been particularly impacted by large and devastating wildfires with nearly three quarters of the land in Lake County impacted by fires in the last five years. The Clear Lake Environmental Research Center (CLERC) is coordinating projects throughout Lake County to help combat the impacts of wildfire, promote positive regeneration of burned areas, and manage the forest and woodlands that have not been destroyed by fire to create a fire resilient state. Along with state, federal and community partners, CLERC is working towards creating a more fire resilient landscape.

In March 2020, CLERC was awarded a \$3M grant from CAL FIRE through the Fire Prevention Program for the Lake County Hazardous Fuel Reduction Project Phase 1, and we are partnering with the Scotts Valley Band of Pomo Indians (SVBPI) to utilize their proposed BioEnergy/BioChar facility on Red Hills Rd which is centrally located to our project area. The facility will provide an alternative to pile burning and on-site disposal for the hazardous vegetation removed as part of our project. The Red Hills site is ideally located for the first bioenergy plant in Lake County as it is in close proximity to the State Highway and PG&E transmission lines. Bioenergy production can add value to otherwise worthless slash and hazardous fuel, which could provide stable, ongoing revenue to support fuel reduction activities throughout our community on a long-term basis.

CLERC's staff have over twenty years of combined experience preparing and evaluating CEQA Initial Studies. CLERC fully supports this project at this location, and believes that SVBPI has mitigated all concerns in the Initial Study and those concerns of nearby properties.

Thank you,

Will Evans, Executive Director
Clear Lake Environmental Research Center (CLERC)



May 13, 2020

County of Lake
Board of Supervisors
255 N. Forbes Street
Lakeport, CA 95453

Re: Support of Major Use Permit (UP 19-05) and Mitigated Negative Declaration based on Initial Study (IS 19-09), Scotts Valley Band of Pomo Indians Red Hills Rd BioEnergy/BioChar production facility

Dear Supervisors:

Seigler Springs Community Redevelopment Association (SSCRA) strongly urges support for the above-named project. SSCRA focuses on community-building, working with neighborhoods and communities to tap their own strengths and develop or increase their collective capacity to improve their area's health, economy, sustainability, and resilience. The core of this work is backed by whole-systems thinking and field theories in ecology, community organizing, sacred architecture, integral healing, intentional community and group process as the most advanced community development practices today.

Through our Cobb Area Community Based Fuel Reduction Project, SSCRA is helping private residents in the Cobb Area clear defensible space around their homes and along access routes (driveways and property roads) through a three-year Fire Prevention grant from the California Department of Forestry and Fire Protection (Cal Fire) under the 2018 California Climate Investment Fire Protection Grant Program. The grant supports the formation of neighborhood organizations known as Firewise Communities by providing financial incentives for residential lot-clearing, sponsoring one of the local, semi-annual community fire safety workshops, and supporting local adaptation of the homeowner's guide, Living with Wildfire.

Both as area residents and as a mission-driven organization, we are very interested in projects that can help landowners remove these mitigated hazardous fuels and transform into useful BioChar what would have been waste material requiring landfill resources or causing damage to air quality.

A centrally-located bioenergy facility that could utilize some of this mitigated biomass gleaned from larger property owners in the Cobb area and that would be easily accessible on Red Hills Rd is an ideal location for our community, as we continue to recover economically and for long-term resilience in an area at very high risk for wildfire.



(Support for UP 19-05, IS 19-09, AB 20-01, p.2)

And there is added benefit for BioChar, a premium soil amendment, to be utilized to restore lands devastated by previous fires, where the runoff can impair the water quality of Clear Lake via Kelsey Creek, as well as Sacramento River via Putah Creek.

SSCRA has reviewed the appellant's filing as well as the measures that SVBPI has taken. We believe that SVBPI has mitigated all concerns in the Initial Study and those concerns of nearby properties, and therefore we again urge full support of this project at the Red Hills Road location.

Thank you,

A handwritten signature in blue ink, which appears to read "Eliot Hurwitz".

Eliot Hurwitz
Executive Director
on behalf of the SSCRA Board of Directors