

From: Deborah Bainbridge

Dear County & State Elected Officials and Governor Gavin Newsom:

Attached please find the Justification of Appeal (prepared by Jesse Cude) of the above referenced case involving WeGrow, LLC and the surrounding residents of South Lake County. Also attached is the final report submitted by Scott DeLeon and Eric Porter recommending that the permits be issued.

This is my third letter to many of those listed in the address lines above. I have received only one response, from Bruno Sabatier. Thank you Bruno. This time I am also appealing to the Governor's office to take action on the issue described as **Extraordinary Drought** facing Lake County at this moment asking him to stop this senseless use of millions of gallons of water during the drought and the start of fire season. This is an urgent, emergency appeal.

In addition to drought and water usage and supply, however, there are many other factors that make this proposed "grow" a poor decision for the surrounding population. They are laid out in the Justifications of Appeal.

Upon reading the Final Staff Report issued by Porter/DeLeon I have further questions to raise before the deadline has passed to submit written comments.

The final report, page 4 says, "the soil to be used...will be imported onto the site to ensure quality control of soil." I have questions about this as follows:

1. How often is the soil replaced?
2. What happens to the old soil when it is replaced?
3. Who is the supplier of this soil?
4. Have The Redwood Valley Band of Pomo discussed/agreed to supply this soil? If so, there is a clear conflict of interest and Moke Simon should not be permitted a vote on this issue.

I ask this question because very, very recently a new soil business opened across from Twin Pines Casino. This raises red flags about the fairness of this Board of Supervisors Hearing and there should be further inquiry into a possible conflict of interest.

Finally, I was deeply concerned about crime associated with marijuana growing after reading news reports from Sonoma county. Here are some highlights from that report:

1. County law enforcement officials said crimes associated with marijuana cultivation and trimming appear to be **growing in both number and severity**.
2. 774 crimes between July 2013-2016 have been associated with the sale or distribution of marijuana **and all home invasion robberies** over that period were connected to the marijuana trade.

3. Lt. Tim Duke and Assistant District Attorney Bill Brodley said they are seeing an increase of crimes associated with **out-of-state suspects** affiliated with the marijuana industry including the deaths of three local residents.

These reports illustrate the heightened dangers associated with all marijuana grow sites. **In an area of long-established residential neighborhoods that completely surround this grow site, wisdom should say no, not here!** It would mean that you are putting all the residents in harm's way. The amount of marijuana, the amount of cash on site, and the size of the operation will certainly entice criminal activity in our neighborhood and significantly weaken the strong flourishing community as it exists today. It would forever alter the fabric of life as we know it, making residents anxious and fearful...people who can will leave. Please listen to reason and **deny the permits under discussion.**

Sincerely,

Deborah Bainbridge

From: Deborah Bainbridge

Bruno Sabatier

Cc: Lake County Board of Supervisors

RE: Appeal (AB 21-01)

Dear Mr. Sabatier:

I received your email of May 21, 2021. It is clear that the representative serving my district is Moke Simon, not you, however, Moke has been unresponsive in the two attempts I have made to contact him by email, so I am grateful that you have read, acknowledged and replied to my email concerns. Thank you for taking time to respond.

Yesterday via USPS, we received official notice of the Public Hearing for this case. Please note that it says the Appellant is the Shadow Ridge Subdivision. I believe it should read **Shadow Hills Subdivision**. The people objecting to this case belong to the five subdivision surrounding the proposed area as follows:

1. Dohnery Ridge
2. Shadow Hills
3. Rim Rock Ranch
4. Hidden Valley Lake
5. Ranchos

This involves a significant number of residents. During the Planning Commission hearing, one of the Planners said that it is always 50/50 and one of the parties will always be upset with the decision. This is not accurate as a great many people will be affected if one grower is allowed to proceed. One woman from Hidden Valley Lake circulated a petition to "stop the grow" collecting over 300 signatories and her comment was ignored. Shouldn't these concerns carry more weight with the county planners and the Board of Supervisors?

The Notice of Public Hearing stated in the final paragraph that "If you challenge the action of the Board of Supervisors and any of the above stated items in court, it may be limited to only those issues raised at the public hearing described in this notice,,, or in written correspondence delivered to the Lake County Board of Supervisors, or prior to, the public hearing." In light of this advice I would like to raise several issues for the Board of Supervisors to address.

1. Eric Porter cited well reports over two decades old to say there is sufficient water available. This was highly unsatisfactory. There needs to be a thorough analysis of the geology/water situation **at this point in time** to prove there will be no adverse effects upon people currently residing in the above mentioned subdivisions. How deep is the new well that was dug? Rumor is that they had to drill down 500 feet to hit water. Doesn't such a deep well affect groundwater levels and supply for the existing residents? Furthermore, Lake County and part of Southeastern California are the only two regions of California in Exceptional Drought conditions. (Lake County currently falls into zones D3 & D4...Extreme Drought & Exceptional Drought.) It would seem prudent to halt all new permits for high water usage at this point in time. Why doesn't the governor call such a halt under these emergency conditions? When will common sense prevail over what is legally permissible?
2. In addition, there should be an EIR to inform the local residents of the full effects this commercial operation will impose. As stated above, there are many neighbors concerned about the environment and a full EIR requirement would help to alleviate their worries. This is a perfectly reasonable request and would carry a lot of influence in making people feel that the Board of Supervisors are listening to their constituents.
3. This is not farming, this is a commercial operation. Even the title of the application is for "a Commercial Cannabis Cultivation license". People in the neighborhood keep chickens, sheep, llamas, dogs, etc. and no one objects to them, but allowing a Commercial Cannabis operation in the midst of these residential subdivisions has raised unanimous protestations. Farmers do not generally hire armed guards to protect their crops, but this is standard practice for Commercial Cannabis operations. Will the neighborhood be safe for the children living here now?
4. Who is responsible for monitoring the air and water quality for dangerous contaminants? How often is it monitored? At what level does air quality become a public nuisance? Who enforces violations when they occur? If these authorities are unresponsive, what recourse is available to shut the cannabis operation down? Last summer I rented a Uhaul truck to move my daughter to a new apartment at UC Davis. The trip was four hours--two there and two back. The truck reeked of cannabis and by the time I had finished, and for several days afterward, I was nauseous . The lady who rented me the truck gave me a huge discount when I complained. That was a few hours in a truck. A home is different in that it stays in the same place. A home next to a cannabis operation immediately is discounted in value due to the revolting smells. Residents in Sonoma County and other states are already demonstrating en masse about this issue.
5. Will the county charge a road usage fee for commercial trucks traveling up and down our roads? If so, how much and will it be a fair share with respect to the amount of road traffic? Why should the residents have to pay for road upkeep when it is being heavily used for commercial purposes?

6. Finally, I would like to know where to seek information regarding money contributed (or pledged to contribute) by WeGrow, LLC to politicians at the state and local level to advance their cause.

I have just a few responses regarding comments you made in your email.

First, you said, "I just wanted to reiterate that we can't choose to live in rural residential knowing these things can happen and then complain about them happening." Most of these homes were built prior to the state of California legalizing cannabis. That comment is akin to a slap in the face since we did not knowingly choose to do so. Cannabis is the new player, not the long established residents. The long established residents thought that the Planning Commission and the Board of Supervisors would listen when citizens raised their concerns. This is a highly charged political issue that will not go away soon.

Lastly, you said, "I am looking to revise the (water) ordinance later this year..." If you grant permission to WeGrow, LLC to grow now and revise the ordinance later this year, then you are "closing the barn door after the horse has bolted" with regards to our particular situation. It would be prudent to wait and make the revisions first before granting WeGrow, LLC permission to grow. There are many, many lives being impacted by this particular Commercial Cannabis application.

I am not a lawyer, I am a retired teacher. I am writing to express concerns, not legal argument about what can or cannot be done legally. Clearly the law is on the side of the cannabis growers, clearly they have the deep pockets to pass legislation and fight legal battles until they stand victorious, clearly the lawyers want to be paid the exorbitant fees that only the deep pockets can provide, and clearly politicians need money to fund political campaigns. It feels very much like a losing proposition to even try to oppose these forces, but I care about my neighborhood--the children, the roads, the air and water quality. Please require WeGrow, LLC to do an EIR and water table analysis before allowing them to proceed.

Very sincerely yours,

Deborah Bainbridge

Dear Lake County Board of Supervisors, et. al:

One further issue that needs to be addressed in regards to this hearing is the danger of Spruce Grove Road. Attached please find photos of the crumbling road condition near the junction of Tinilyn Road (accessing the WeGrow site) and Spruce Grove Road. These pictures were taken 100 paces and 200 paces respectively from this junction.

1. My husband had to jump into the roadside ditch to avoid getting hit while he was shooting these photos.
2. There is a blind curve as you approach this segment of road.
2. Within the past year I have witnessed a large vehicle in that same ditch that did not make the bend and was stuck until a tow truck (blocking traffic) pulled him out.

3. The speed limit on Spruce Grove Road is 40 mph--much too fast for a road in such terrible condition, particularly on this blind corner.

Unless remedied, allowing a traffic increase on Spruce Grove Road by an estimated 40-80 trucks per day for the WeGrow marijuana trade, will certainly lead to a fatal accident there one day. Will this road be repaired? If so, when? Will the speed limit be lowered--also, when? In the interest of avoiding fatalities, hopefully, this will happen **before the significant increase of vehicular traffic**.

If the county makes costly repairs to the road, will WeGrow be required to share in those expenses? The developer of Dohnery Ridge was required to pay for the widening of Spruce Grove Road along our front property line as a condition of getting building permits for our home site. This was not a general taxpayer expense. It is conceivable that the WeGrow trucks/heavy equipment might double the amount of traffic on the road and contribute heavily to wear and tear along Spruce Grove Road. This cost needs to be fairly apportioned **in addition to** similar concerns along Tinilyn and Herrington roads already laid before the Commissioners.

Thank you in advance for taking this final issue under consideration in your judgement.

Sincerely,



