

To: Mr. Eric Porter, Associate Planner  
County of Lake  
Community Development Department

Re: LDM II Use Permit 19-20, Initial Study 19-35

I feel that the above-mentioned document is incomplete, and that's there are significant issues that should be addressed before granting the Use Permit. I do not feel that a MITIGATED NEGATIVE DECLARATION is justified by the document.

In addition, according to the Lake County Geographic Information System, the parcel in question falls partially in a "Commercial Cannabis Cultivation Exclusion Zone," which states: "IF ANY PORTION OF A PARCEL INTERSECTS AN EXCLUSION ZONE, THE ENTIRE PARCEL SHALL BE CONSIDERED WITHIN THAT EXCLUSION ZONE."

The proposed project appears to be already in place, with more than 100 (one-hundred) plants visible on GoogleEarth (as of 2019).

Also not clear is whether the existing "grow" was permitted, as it exceeds what would normally be considered "personal medicinal use."

The document is not clear as to whether the project will be in greenhouses, or open to the air.

Comments on specific sections:

9. The project is located in a Dam Inundation Area, but does not mention any protective measures to prevent release of hazardous materials in the event of a flood. Also, the site will be served by an on-site well, which is not identified on the site map. Later in the document, it is stated that the well will draw 30-40,000 gallons per month, which is less than 1 gallon per minute. How does the applicant propose to irrigate the large grow area without wastage? That volume seems to be not in-line with the needs of a large (approximately 1/2 acre) grow and associated processing facility. There is also no reference to the effect on adjacent properties' wells, nor mention of a requirement to participate in the groundwater sustainability process for the Big Valley Basin; on which this project will be a significant draw.

10. The site plan (page 3) does not identify the grow location, the well location, or the "existing on-site water basin;" which would absorb runoff from the grow site. Nor does the document reflect the capacity of the on-site basin, or procedures to keep its' effluent from contaminating Adobe Creek or groundwater.

XII. Noise, Paragraph c-Refers to "greenhouses" and a "2,400 square foot drying building." None of these structures are indicated on the site plan, nor is there any reference to the noise generated by the fans or other processing and drying equipment.

XV. Public Services, Paragraph a-The entire parcel is visible from Adobe Creek Road, and from adjacent properties across Adobe Creek. Will appropriate security measures/fencing/surveillance systems be emplaced to prevent additional demands on public services, particularly law enforcement?

There are no fire hydrants in the area. An adequate fire protection plan and fire-fighting water supply should be assured before work commences on the project.

XVII. Transportation, Paragraph a-Adobe Creek Road is marginally maintained, and has no paved shoulders or sidewalks. When two large vehicles need to pass, there is (in many places) no place for pedestrians, equestrians or bicyclists (all of which frequently use the road) to move to avoid being struck. If increased traffic, or larger vehicles are to be utilized for this project (construction and use), road improvements are necessary for the safety of all users.

Paragraph c-Have permits been applied for/issued for the greenhouse(s) and drying building? Those should be attached or referenced to this study.

XIX. Utilities and Service Systems. Paragraph a-What system/source will be used to dry the "product." Propane or electrical? If electrical, will the increased demand be supported by existing infrastructure?

Paragraph b-The proposed usage significantly increases the demand on the well (from routine household uses to agricultural 30-40,000 gallons per month). The reported capacity of the well is not (anecdotally) capable of supplying the needs of the current residence and proposed production and processing facilities. Since no well data has been presented, there is also no information about the effects this increase will have upon adjacent properties' wells. There is also no reference to the project's participation in the Big Valley Groundwater Sustainability process; especially since it appears the project will be a major drain on the upper reach of the basin.

XX. Wildfire, Paragraph c-This section references existing firebreaks, which are not identified on the site plan. Have those firebreaks been reviewed and or approved by CalFire?

XXI. Mandatory Findings of Significance, Paragraph a-"This project proposes a cultivation of cannabis in a **previously disturbed area**." Was the previous activity permitted? Was it for similar use? A permit should not be issued for activities already in progress, until adequate assurances are made that the proposed activities will not commence until all current conditions are met.

Paragraph b-References 22,500 square feet of outdoor cultivation area. The document must clarify if the permit is for outdoor cultivation, or greenhouses.

With \$99.99

**NOT A LEGAL**



Commercial Cannabis Cultivation Exclusion Zone

Lake County IT Dept. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster  
Ordinances, Esri, Inc., "NET" Esri, China (Hong Kong), (c) OpenStreetMap contributors, and the GIS user community, Lake County I.T. Dept.



## Web AppBuilder for ArcGIS



All parcel boundaries are approximate. Discrepancies in acreage, shape and location are common.  
This map is not the legal survey document to be used in single site determinations. Consult your lawyer for a legal parcel description.

DATE BOOK: 1/22/2021

**Community Response to Proposal to issue a Mitigated Negative Declaration**

**Initial Study IS-19-35 for Use Permit 19-20**

**APN No.: 007-021-23**

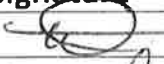
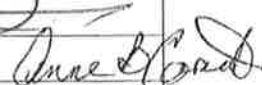
**7295 Adobe Creek Road, Lakeport, CA**

**To be returned to Lake County Community Development No Later Than**

**March 25, 2021**

**We, the undersigned "neighbors" of the proposed project do not feel that the "Initial Study" is complete, and request that additional items be considered before further consideration of the project.**

1. It appears that the project has already commenced (Google Earth 2019 image); with more than 100 plants already in place. Is this a permitted operation? 100 plants is significantly more than is necessary for "personal use" or "medicinal use."
2. The document is not clear as to whether the project will be open to the air, or in greenhouses. References to both are numerous throughout the document.
3. Several aspects of the project are not identified or represented on the provided site map; including the well, on-site water basin, firebreaks or proposed structures for storage and drying of the product.
4. The site is also within the dam inundation area of Adobe Creek Reservoir, and no mitigations are identified in the case of dam failure.
5. As the proposed usage appears to be a significant increase in the draw upon the Big Valley Groundwater Basin, there should be further studies upon the effects upon adjacent property owners' wells, and a requirement to participate in the Big Valley Groundwater Sustainability Agency.

Name	Address	Phone	E-mail	Signature
Dale Carnatha	7000 Highland Springs	805-904-3144	dcarnatha@aol.com	
Anne B. Carnatha	7000 Highland Spgy	805-429-2628	acarnatha@aol.com	

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Name	Address	Phone	E-mail	Signature
Pat Scully	3400 East Highland Springs		patrickscully@yahoo	Pat Scully
Michelle Scully	Road Lakeport Ca	263-1121	aglife04@yahoo.com	Michelle Scully
Dennis Drake	95453			
	7155 Highland Springs Rd		Lakeport Ca	Dennis Drake

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Name	Address	Phone	E-mail	Signature
Ken Elston	7610 Adobe Cr. Rd	None	None	Ken Elston
Julie Barnett	7610 A Adobe Cr. Rd.		barnetts4@sbccglobal.net	Julie Barnett
Don Robinson	7625 Adobe Cr. Rd.		paschade@adobe.com	Don Robinson

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Name	Address	Phone	E-mail	Signature
Kellie Beverin	8989 Adobe Creek Rd	349-7100	KellieB96@gmail	
Scott Beverin	8989 Adobe Creek Rd	349-6600	ScottB96@gmail	



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Initial Study IS-19-35 for Use Permit 19-20

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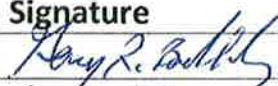


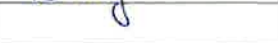
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Name	Address	Phone	E-mail	Signature
G. Buchholz	7075 High-	263-	gbuchh@	
D. Buchholz	Land Sp. Rd.	3644	pacific.net	
T. Horat	7125 Highway 101	413-0046	tednbeckyhorat@	
B. Horat	SPRINGS RD.		Yahoo.com	



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Name	Address	Phone	E-mail	Signature
Thomas Glakeler	7195 Clinton Wy	263-5889	tglakeler@att.net	Thomas Glakeler
LINDA GLAKELER	7195 Clinton Wy	263-5889	tglakeler@att.net	Linda Glakeler
BRENNAN L. ERLERSON	7165 Highland Springs	263-0382		Brennan L. Erler
CRYSTINA ERLERSON	7165 Highland Springs	263-0382	PRINCE@HOTMAIL.COM	Crystal Erler
KATHLEEN MYERS	7175 HIGHLAND SPRINGS RD	263-4048	K.MYERS	Kathleen Myers
CYNTHIA RADOMSKI	7155 HIGHLAND SPRINGS RD	559-260611	NONE	Cynthia Radomski



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Impact Categories

I Aesthetics, Paragraph b-As mentioned above, the previously grown medicinal marijuana does not appear to be within the County's guidelines for personal medicinal use, and should be properly documented prior to a new permit being issued.

II Agricultural and Forestry Resources, Paragraph b- No mitigation measures are identified.

Query: will there be greenhouses? How many, and how big? Will they be visible from Adobe Creek Road, or from the open pastures across Adobe Creek? This proposed site will be within 1,000 feet of previously established agricultural interests, and those interests should be protected from the products and by-products of this proposal.

III Air Quality, Measure AQ-7-Will the "fragrant plants" be indigenous to the area, and how will their effectiveness at masking the odor of cannabis be measured?

AQ-8-Where will the "drying building" and "greenhouses" be located? Will the existing plants be enclosed by the greenhouses?

VII Geology and Soils, Paragraph b-Please identify the "existing on-site stormwater retention basin" on the site plan. Will that basin be monitored for overflow and potential contamination of Adobe Creek?

VIII Greenhouse Gas Emissions, Paragraph a-Again, please indicate the location of the greenhouses on the site plan, and the location of the "carbon air filtration systems." Will each greenhouse have its own air filtration system, and will the aggregate noise of multiple systems create a nuisance to the community?

IX Hazards and Hazardous Materials, Paragraph b-While the site may not be in the Adobe Creek flood inundation area, it is within the flood way for Adobe Creek Reservoir. An appropriate flood map should be prepared and attached. Hazardous materials should be stored in an appropriate manner to withstand potential flooding resulting from a dam failure.

X Hydrology and Water Quality, Paragraph a-The cultivation site and existing on-site water basin are not identified on the site plan.

Paragraph c-is the "existing" site permitted? As mentioned above, the previously grown medicinal marijuana does not appear to be within the County's guidelines for personal medicinal use, and should be properly documented prior to a new permit being issued.

Paragraph d-Again, please indicate analysis of a potential dam failure of Adobe Creek Reservoir on the proposed site.

XI Land Use and Planning, Paragraph b-Paragraph refers to "outdoor cannabis cultivation," yet this document refers to greenhouses and drying mechanisms multiple times. Please clarify.

XII Noise, Paragraph c-Refers to "greenhouses" and a "2,400 square foot drying building," None of these structures are indicated on the site plan, nor is there any reference to the noise generated by the fans or processing and drying equipment.

XV Public Services, Paragraph a-The entire parcel is visible from Adobe Creek Road, and from adjacent properties across Adobe Creek. Will appropriate security measures/fencing/surveillance systems be employed to prevent additional demands on public services, particularly law enforcement?

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Paragraph b-References 22,500 square feet of outdoor cultivation area. The document must clarify if the permit is for outdoor cultivation, or greenhouses.

We would appreciate these issues be addressed prior to the issuance of Use Permit 19-20.

Respectfully,

Representing Residents of Highland Springs and Adobe Creek Roads

Dale F. Carnathan

7000 Highland Springs Road

Lakeport, CA 95453

dcarnathan@aol.com

805-901-3144

## Eric Porter

---

**From:** ranchodelapaz@yahoo.com  
**Sent:** Monday, March 1, 2021 8:48 AM  
**To:** Eric Porter  
**Subject:** [EXTERNAL] Fw: Lake County Notice of Intent  
**Attachments:** Lake County Not of Intent Feb 2021.pdf

Dear Eric, Thank You for including the neighbors of Adobe Creek area in this decision. I am emphatically requesting a firm NO on this. I have several reasons for believing another "pot grow" in this area would be a detrimental to the environment of the land, creek, wildlife & way of life here on Adobe Creek Road. The chemicals used will contaminate the soil & water near the creek. The Hetch Hetchy are already compromised in their spawning in the creek due to drought & other factors. The water supply for the area, due to drought & increased usage is going to be affected if this grow is allowed. The type of people & garbage I have witnessed in the area on other grows is less than desirable causing the quality of life here to decline; not to mention property value. Pot grows tend to attract transient, Drug users, Ex-Convicts, & other derelicts to work & "hang out" at the grow, not to mention trigger happy armed guards, who shoot their guns off at anything that moves in the area. IE: Live stock humans, or other wild life. The grows tend to attract abhorrent behavior of all kinds. Again.. thank you for including the neighbors in this decision. I feel like my quality of life & safety as well as my livestock's quality of life & safety & property value will diminish considerably if this grow is allowed. I have lived here on this property for over 25 years & have already noticed a decline in the quality of life here due to Marijuana grows & the people & behavior it attracts. Sincerely, Jan Robinson 7065 adobe Creek Road Kelseyville, Ca.

----- Forwarded Message -----

**From:** Kathleen Pattison <kp4me@att.net>  
**To:** ranchodelapaz@yahoo.com <ranchodelapaz@yahoo.com>  
**Sent:** Wednesday, February 24, 2021, 12:12:46 PM PST  
**Subject:** Lake County Notice of Intent

Hi Jan,

Attached for your information and possible direct response is the Notice of Intent I received in today's mail.

Love,

Kathy





- ☒ County Clerk
- ☒ Interested Parties

**COUNTY OF LAKE  
NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION -**

**Project Title:** LDM Enterprises II; Use Permit (UP 19-20) and Initial Study (IS 19-35)

**Project Location:** 7295 Adobe Creek Road, Lakeport, CA

**APN No.:** 007-021-23

**Project Description:** The applicant, LDM Enterprises / Brian Duncan, is requesting approval of a Major Use Permit for one (1) A-Type 3 medium outdoor commercial cannabis cultivation license and one A-Type 13 'self distribution' license. Lake County Zoning Ordinance, Article 27, subsection (at) in part regulates cannabis cultivation in Lake County. The 23+ acre property is large enough to support these cannabis licenses; 20 acres per license is required. The applicant is not within an exclusion overlay district. The applicant is pre-enrolled with the Regional Water Board. The applicant must meet all applicable local, state and federal requirements for cannabis cultivation.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-35 will begin on February 19, 2021 and end on March 25, 2021.** You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email to [eric.porter@lakecountyca.gov](mailto:eric.porter@lakecountyca.gov).

