

Dear Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to OBJECT to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

We chose to live in Lake County to help make a positive difference in the community. Seeing the abundance of marijuana grows being permitted in this county is incredibly concerning and disheartening. The one addressed in this letter is the largest concern we have seen due to its proximity to neighborhoods. We recently purchased a home in the Hidden Valley Ranchos as a safe place to start our family. Due to this application we now fear that we purchased in a less than ideal or safe area.

People decide to buy homes in this area for nature and quiet. In subdivisions on 3 of the sides to this property, there are a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful.

We are concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in the north area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating. If they decide to access the property from Stinson, the situation becomes even more dire as that road is tiny and leads to unpacked roads for access.

Already, law enforcement has been out to the property MULTIPLE TIMES where they found a large amount of stolen equipment. If this is how things are starting out, I can only imagine what other issues that will follow! Again, with the amount of children in our neighborhood, I am worried about bringing these people nearby. The safety and security of our community should be a PRIORITY for you as you make your decision.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it, which includes many homes. Ravenhill park is extremely close to this planned grow and how terrible it is to think that our youngest citizens would be smelling this as they play. Not to mention the amount of water that will be used - drawing from the water reservoirs and water table that so many local homeowners rely on!

It is astonishing to me that this permit would even be considered after the illegal activity on the property, the lack of large roads for access, the proximity to neighborhoods and parks, as well

as the water usage. There are waterways on the property and this is a drought year we are headed into. Not only will they be removing ground water that people rely on to live, they will be using fertilizer on the property, which in turn can taint the water for our communities. Any crop on this land would be dangerous due to the waterways and the huge community that depends on clean water from this location.

The bottom line is this: Having a cannabis grow, whether out of sight or not, will still majorly affect the quality of life and the property values for the entire neighborhood affecting hundreds of people, if not more. The water concerns alone are enough to stop this permit immediately before people begin getting sick from the increase in water contaminants.

In addition, the owner of the Herrington property has already been in violation of county building codes, as I'm sure you know. Code enforcement had to step in to stop illegal construction already happening on this property. This should be a wake up call to decision makers as to what is to come!

While I understand the county's willingness to work with the cannabis industry, I also think it's extremely important that we don't negatively impact the tax paying residents of the County, especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting. It is apparent that these particular owners have no regard for the rules & regulations in place, nor for the neighborhoods they are affecting.

I implore you, as decision makers for this county, to consider how allowing a permit such as this will both set a precedent and also how it will negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather the safety, security & well being of our entire community. This is not the right property for a grow to be taking place.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR  
19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR  
17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration.

Sincerely,  
Kenneth & Carly Sherman

Mr. Porter,

I am writing to voice my concerns regarding the WeGrow project on the basis of its extreme proximity to Hidden Valley Lake, the 2nd largest population center in Lake County. By my rough estimation the WeGrow project boundaries will be less than 1 mile from Hidden Valley Lake.

I believe the proximity of WeGrow's cannabis operation will reduce the desirability of homes and land in Hidden Valley Lake and will therefore negatively impact the value of the homes and vacant land in Hidden Valley Lake. This will then result in a reduction of property tax revenues to the County of Lake from these properties. This therefore constitutes a clear "lose-lose" financial proposition for both the property owners of Hidden Valley Lake as well as the County of Lake.

I recognize that WeGrow's application is in conformance with the boundaries of the Cannabis Exclusion Zones as currently drawn, but in a county as sparsely populated as Lake County I believe the lines drawn by the County of Lake for the Cannabis Exclusion Zones are drawn in absurdly close proximity to areas of population density, and that is certainly not in the public interest. I therefore urge a complete review of the County's Cannabis Exclusion Zones and a redrawing of the lines to no less than 5 miles from areas of population density within the County. Until such time as the matter is reviewed and the exclusion lines redrawn I do not believe the County should authorize any commercial cannabis operations.

Jessica Bennett  
19302 N. Shore Court  
Hidden Valley Lake, CA 95467



3-25-21



## **Hidden Valley Lake Community Services District**

19400 Hartmann Road  
Hidden Valley Lake, CA 95467  
707.987.9201  
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[www.hvicsd.org](http://www.hvicsd.org)

unified approach to wildfire mitigation. Please consider careful electrical planning, and NFPA 1144 principles to fuels reduction.

### **XXI. MANDATORY FINDINGS OR SIGNIFICANCE**

As mentioned in Section IV. BIOLOGICAL SOURCES, we ask that you consider the potential effects of construction activities on the special status plants and wildlife of this area and take appropriate steps to mitigate these effects.

It is clear that We Grow Farms is complying with CEQA terms, and we appreciate the work that has been conducted to date. We are also aware that South Lake County is growing and is uniquely poised for an economic upturn. Just as California Special Districts like HVLCSd are regulated by Local Agency Formation Commission (LAFCO), for orderly economic development, so it is with CEQA and County Planning. We look forward to a resolution of these concerns, so our county can benefit from the economic improvements this project proposes.

Please do keep us informed on the Hearing Date, as we would like to be present.

Thank you for your consideration.

Sincerely,

Dennis  
White

Dennis White  
General Manager  
Hidden Valley Lake  
Community Services District  
19400 Hartmann Road  
Hidden Valley Lake, CA 95467

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General Manager  
Hidden Valley Lake Community Services District



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### X. HYDROLOGY AND WATER QUALITY

As previously mentioned, this project is located within the Upper Putah Creek Watershed. Stormwater drainage patterns have a significant impact on the water & wastewater operations at the Hidden Valley Lake Community Services District (HVLCD), as well as water quality for our downstream neighbors of Putah Creek. The increased frequency and increased intensity of winter storm events have necessitated a higher awareness and action plan for stormwater management at our utility. The applicant's stormwater pollution prevention plan (SWPPP) of a retention basin, and straw wattles is helpful. We would also like to see the project altered to include permeable surfaces instead of asphalt, as discussed in Section III. AIR QUALITY. Our request to alter the AQ-5 mitigation action is of paramount importance to groundwater recharge and flood mitigation.

Groundwater recharge: We look forward to the upcoming water availability analysis which will shed some light on the recharge rate of your water source. We can in-turn compare our monthly drawdown activities to yours, to determine a baseline.

Flood mitigation: The applicant is also planning to remove 500CY of soil, the maximum allowed for a building permit. We look forward to the County's analysis of engineered grading plans.

### XIX. UTILITIES AND SERVICE SYSTEMS

As luck would have it (and by luck, I mean bad luck!), The State Water Resources Control Board (SWRCB) has indicated that we may be entering into a drought condition of unknown duration. Since the previous drought lasted four years, we recommend the applicant seriously consider the impacts a drought may have on the Hidden Valley Lake community as well as the impact to We Grow Farms. A recent geological study by the SWRCB Division of Water Rights ([https://www.waterboards.ca.gov/waterights/water\\_issues/projects/coyote\\_valley\\_basin\\_aquifer\\_analysis/](https://www.waterboards.ca.gov/waterights/water_issues/projects/coyote_valley_basin_aquifer_analysis/)) of the Coyote Valley Aquifer revealed some interesting sub-surface water characteristics. The movement of water underground is considered a subterranean stream, and therefore contributing to the flow of Putah Creek within this watershed. Do you know if your well is drawing water from a subterranean stream or percolating groundwater? This will be an important distinction in the upcoming dry seasons.

### XX. WILDFIRE

The "Diablo winds" of Northern California during the late summer of a drought year, combined with electricity have proven disastrous for small communities like Hidden Valley Lake. Please understand this utilities passion and determination when it comes to the reduction of hazardous wildfire fuels. We are all in the Mayacamas Mountains and can benefit from a consistent and





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Figure 2

Perhaps your applicant is referring to a sub-watershed drainage basin in the immediate vicinity not named by the United States Geological Survey (USGS). We feel it is important to consider the effects of project activities to the entire Upper Putah Creek Watershed. A topological view of the project parcels reveals both hills and valleys, so I remain unsure of the meaning of “this hillside”.

### IX. HAZARDS AND HAZARDOUS MATERIALS

As is visually apparent in Figure 1, we would all experience the devastation of a major wildfire event. We are grateful for the applicant’s efforts to reduce hazardous wildfire fuels with this project. We also invite the applicant to consider implementing ‘Defensible Space’ principles according to the NFPA 1144 guidelines that extend out 100’ from the center of a residence or project.





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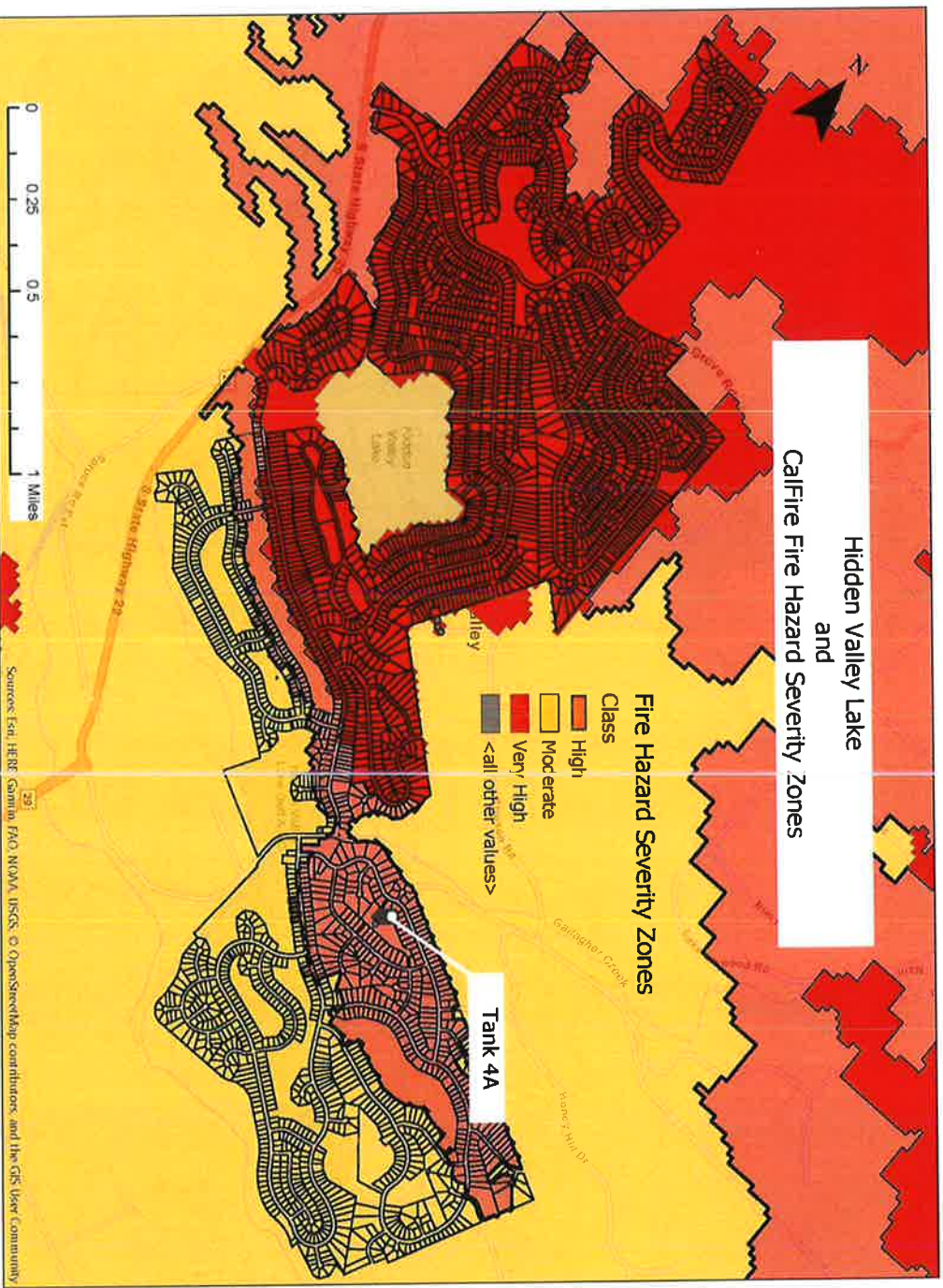


Figure 1

### VII. GEOLOGY AND SOILS

Would it be possible to receive clarification on the following statement?

*“The disturbed area is far enough away from the watershed that it will not impact this hillside with runoff, thus reducing risk of liquefaction.”*

The HUC 18020117 Upper Putah Creek Watershed extends approximately 100 miles surrounding the applicant’s property, largely to the South and East (See Figure 2).



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### **IV. BIOLOGICAL SOURCES**

As the water & wastewater entity of this community, we are dedicated to the good stewardship of the area's natural resources. Having considered the environmental impacts of multiple projects for our municipality, we have become aware of a few environmental considerations when conducting ground-disturbing activities.

Special Status Plants – Konociti Manzanita are prevalent in this area. The BIO-1 mitigation action of a follow-up 'in-season' study is appreciated. If this special status plant is found in the project area, we have learned that avoiding these plants to the greatest extent possible is a preferred mitigation action that can also contribute to the reduction of stormwater runoff potential.

Special Status Wildlife – The migratory bird treaty act (MBTA) was established to protect nesting birds (<https://wra-ca.com/spring-is-here-and-so-are-the-nesting-birds-what-does-it-mean-for-your-project/>). The BIO-1 mitigation action is also welcome because a survey by a qualified biologist during the nesting season of February 1 through August 31 could help identify active nests. The California Fish and Game Code (CFG) section 3503 states it is unlawful to "take, possess, or needlessly destroy the nest of eggs of any bird."

In particular, the White-Tailed Kite, and the Pallid Bat appear to have a moderate potential for roosting in the area. Potential impacts to birds and bats have been defined as project activities that create audible, vibratory, and/or visual disturbances that cause nest abandonment. Perhaps your applicant would consider the mitigation of this effect on wildlife.

### **VI. ENERGY**

According to the CalFire Fire Hazard Severity Zone map (See Figure 1), your applicant's parcels are located in High and Very High Zones. Our community is painfully aware of the dangerous combination of electricity and high winds. We would urge your applicant to reach out to the electricity provider Pacific Gas and Electric to apprise them of the increased demand on distribution lines 1102 & 1103 within their "wind polygon".





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Thursday, March 25, 2021

Planning Division  
Community Development Department  
County of Lake  
Attn: Mr. Eric Porter

RE: Comments regarding the proposed Mitigated Negative Declaration

Mr. Porter,

Thank you for the opportunity to review and provide comments on the proposed Mitigated Negative Declaration for the We Grow Farms Project. After reading through the California Environment Quality Act Environmental Checklist Form Initial Study (IS 20-25) that you sent on February 17, I have the following comments.

### **I. AESTHETICS**

The Hidden Valley Lake Community is a Census Designated Place that has a population of approximately 7500. This population is higher than Lakeport, the county seat, and is therefore the second largest in the County. We are much closer to the parcels in question than Clearlake. In fact, 16750 Herrington Road is just over 2500' (.49 miles) from Ravenhill Park, home to a playground and walking trail. I ask that you consider the non-urban aesthetics of this project to Hidden Valley Lake. The elevation of the property is higher than Ravenhill Park, and therefore visible to the parents and children of our community.

### **III. AIR QUALITY**

In the 7-10 week estimated structure construction timeline, it is appreciated that the applicant is taking measures to reduce fugitive dust generation. In the fifth Air Quality mitigation action (AQ-5), we would ask that the applicant consider having the primary access and parking areas constructed of permeable materials (<https://www.epa.gov/soakuptherain/soak-rain-permeable-pavement>). While the construction of the structures is a temporary condition, the useful life of a road and parking area is much longer. A permeable road surface over the next 10-20 rainy seasons, has the beneficial effects of contributing to subterranean streams and groundwater recharge, while also reducing the potential damaging effects of runoff to our rivers and streams.

**From:** Dan Weiss  
**To:** Scott Nagelson  
**Cc:** Eric Porter; Moke Simon; Jesse Cude; Olivia Cude; Chris Taylor; Julie Candelario; Rahul Pathare; Jeffrey Graham; Mary Sullivan; Patrick Wilken; Davis Palmer; David Dickson; Andrea Nagelson; Nathan@nathanthomason.com; hughesl@gmail.com; [william@williamcooperdesign.com](mailto:william@williamcooperdesign.com); mcchapman@outlook.com; danstone@mainairadiolence.com; kkgooden@gmail.com; Alka Aity; SD113@me.com; rajsinh@gmail.com; jeff@bbuce.net; hellojiltman@gmail.com; michaeltwomey@comcast.net; jasonjones411@yahoo.com; cristina.jones@salesforce.com; imakley@comcast.net; wdlincoln@gmail.com; carolalincoln@gmail.com; dennis.jstone@wdrt.com; nanrain@aol.com; patricktaylor1231@gmail.com; sarah@ndvine.com; richmondsgns@me.com; sqhtam82@gmail.com  
[EXTERNAL] Re: We Grow Farms Use Permit  
**Date:** Friday, March 19, 2021 2:43:53 PM  
**Attachments:** [Eric Porter.vcf](#)  
[ATT00001.htm](#)

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Sent from my iPhone

On Mar 19, 2021, at 1:09 PM, Scott Nagelson <[scott.nagelson@gmail.com](mailto:scott.nagelson@gmail.com)> wrote:

Re: We Grow Farms; Use Permit (UP 20-22) and Initial Study (IS 25-20)  
16750 Herrington Road, Middletown, California  
APN No's: 013-060-40, 013-014-03 and 11

Dear Mr. Porter:

My wife and I are writing to express opposition to the above referenced application for 15 commercial cannabis cultivation licenses and a self-distribution license. I have reviewed the Initial Study and other documents, including Chapter 21, Section 27 of the Lake County Code, and make the following observations:

1. 27-12(at)1.ii(e) requires the County to identify the individuals who manage, own and control the applicant. 27-12(at)1.ii(f) requires a background check of the applicant and the principals involved in the application. This section indicates that an applicant is disqualified if the applicant or employee has been convicted of an offense substantially related to the qualifications, functions or duties of the business. It is my understanding that stolen construction equipment was recovered from

this property prior to submission of the application. I also understand that the County discovered unpermitted construction work occurring and red-tagged the property. While I do not know the status of prosecution of these activities, it would seem to be a significant red flag with regard to the unsuitability of the applicant to qualify for a cultivation license.

2. 27-12(at)3.iv requires the applicant to submit a detailed Property Management Plan. While there are many aspects of this section that could be troubling for this application, as a property owner located downhill from the subject property, I am particularly concerned about stormwater and wastewater management. The Initial Study indicates that wastewater will be drained from the greenhouses into an existing on-site water basin. Undoubtedly, this wastewater will contain fertilizers and other harmful chemicals that will migrate downhill the into Putah Creek watershed.

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