



**276 RANCH LLC (LUCHETTI FAMILY)
PO Box 419
Bollinas, CA 94924
ATTENTION: Peter Luchetti**

January 8, 2026

VIA HAND DELIVERY & EMAIL

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

RE: OPPOSITION TO PROPOSED MITIGATED NEGATIVE DECLARATION; REQUEST FOR FULL ENVIRONMENTAL IMPACT REPORT (EIR)

Project: Comstock Ranch / Rancho Lake LLC Cannabis Cultivation

Subject: Submission of Substantial Evidence Meeting the CEQA "Fair Argument" Standard

Dear Commissioners,

The Luchetti Family, operating as 276 Ranch LLC, owns and operates a 650-acre certified organic beef production ranch located on Prime Farmland immediately adjacent to the proposed cannabis cultivation project on the Comstock Ranch.

Following the Valley Fire in 2015, which destroyed significant infrastructure, the Luchetti Family invested over \$5 million in reconstruction. The ranch has since fully recovered and continues 56 years of uninterrupted beef cattle production, maintaining its long-standing agricultural, economic, and environmental contributions to the region.

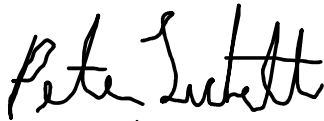
Following the applicant's extensive presentation on December 11, 2025, and the introduction of new data, the Luchetti Family has identified multiple material deficiencies in both the Staff Report and the applicant's supporting materials. As detailed in the attached technical

comments, these deficiencies constitute substantial evidence under the California Environmental Quality Act (CEQA).

As currently designed, the proposed project is incompatible with the sensitive environmental conditions of the site and the ongoing agricultural and recreational use of our property. The record now contains a "fair argument" that the project may have significant unmitigated impacts on hydrology, air quality, wildfire safety, and biological resources.

Therefore, pursuant to *CEQA Guidelines § 15064(f)(1)*, the County is legally compelled to set aside the Mitigated Negative Declaration and require the preparation of a full Environmental Impact Report (EIR) before considering project approval.

Respectfully submitted,

A handwritten signature in black ink that reads "Pete Luchetti". The signature is written in a cursive, flowing style.

On behalf of the Luchetti Family
276 Ranch LLC

Enclosure: Attachment A – Detailed Technical Comments & Substantial Evidence

ATTACHMENT A
SUBSTANTIAL EVIDENCE OF SIGNIFICANT ENVIRONMENTAL IMPACTS
276 Ranch LLC (Luchetti Family) | January 8, 2026

The following points constitute substantial evidence that the Project may have a significant effect on the environment, necessitating an EIR.

1. WATER & HYDROLOGY

Deficiency: The hydrology report prepared by Hurvitz Environmental Services Inc. (HES) and the subsequent Staff Report fail to account for the senior water rights and active usage of the adjacent 276 Ranch LLC and environmental impacts in the Putah Creek watershed.

- Failure to Quantify Cumulative Extraction: The HES report argues sustainability by comparing recharge (793 AF) against Project use (64 AF). However, the Staff Report fails to quantify the *total* extraction load, which must include Rancho Lake + Luchetti Ranch + Domestic Users + Environmental flows for Putah Creek.
- Impact to Senior Rights: The Staff Report fails to incorporate the expert conclusion of Ryan Crawford (GHD Resources Hydrologist, letter dated 11/11/2025), who stated: “The Rancho Lake LLC Well... will likely cause material adverse impacts to the Luchetti Ranch’s water supply in dry years... These impacts would directly threaten the viability of the Luchetti Ranch’s organic, pasture-based cattle operation.”
- Flawed Testing Methodology: The 6-hour pump test utilized is insufficient to model the aquifer’s response (Confined vs. Unconfined) during a multi-year drought scenario. A 24-to-48-hour test is the industry standard for this scale of extraction.
- Deferred Mitigation (Violation of CEQA Guidelines § 15126.4): The HES report suggests "monitoring and reporting" via logbooks.
 - Logbooks are not mitigation: Recording a drop in water levels after the fact does not prevent the destruction of the agricultural water supply.
 - Lack of Performance Standards: Effective mitigation requires a specific "trigger" (e.g., “If groundwater levels drop below X feet, pumping must automatically cease”). No such standard exists in the current proposal.
- Putah Creek & Biological Impacts: The Luchetti family holds the most senior water right in the watershed. The analysis fails to evaluate the impact of drawdown on Putah Creek flows, a failure to address *CEQA Guidelines Appendix G (Hydrology)*.

2. ODOR CONTROL & AIR QUALITY

Deficiency: The Applicant introduced new evidence (a graph) on November 11, 2025, attempting to justify odor impacts. This introduction of new information requires a renewed public comment period (*CEQA Guidelines § 15088.5*).

- Invalid Scaling of Data: The applicant’s graph relies on a 1-acre odor study from Sonoma County to justify a 20-acre project in Lake County. This is scientifically invalid. One cannot simply "scale up" a graphic; the physics of odor dispersion change drastically as the surface area of the source increases.

- **Mass Emission Rate Discrepancy:** Odor intensity is related to the Mass Emission Rate. A 20-acre canopy contains roughly 20 times the biomass of a 1-acre canopy, emitting approximately 2,000% more odor-causing compounds simultaneously.
- **"Area Source" vs. "Point Source":** A 1-acre grow allows wind to wrap around and dilute the plume (Point Source). A 20-acre grow creates a massive "Area Source." As wind moves over 20 acres, the air becomes saturated with terpenes before leaving the property, creating a "slab" of odor that travels significantly farther before diluting.
- **Failure to Model Peak Events:** The applicant failed to model the "Harvest/Drying" event. Venting five 5,000 sq. ft. drying barns without engineered odor scrubbers creates high-velocity odor exhaust points. Relying on data from a passive 1-acre grow ignores the industrial reality of drying 20 acres of biomass.
- **Lack of Site-Specific Topography:** Odor dispersion is dictated by terrain. If the Coyote Valley site has "bowls" or inversion layers (common in Lake County), odor will pool and concentrate rather than disperse. The Applicant must provide a site-specific Wind Rose, not a generic infographic from Sonoma.

3. TRAFFIC, FIRE ACCESS, & WILDFIRE RISK

Deficiency: The Project fails to meet State Fire Safe Regulations, creating a significant life-safety hazard (*PRC § 4290*).

- **Road Width Violations:** The Fire Safe Regulations (2025) and *PRC § 4290* require that access roads in State Responsibility Areas (SRAs) meet a minimum 20-foot width to ensure two-way emergency access. The Main Access Road across Comstock Ranch—the sole route for the Project—measures only 16 feet.
- **Cumulative Evacuation Risk:** This substandard road serves the Luchetti Ranch, the U.S. Coast Guard facility, the Guenoc Valley/Noyes Ranch holdings, and now the proposed cannabis project.
- **Interconnected Risk with Guenoc Valley Resort:** The proposed "Grange Road Connector" utilizes the same Comstock Ranch roadway network. The Guenoc Valley Resort EIR identifies up to 4,511 vehicles exiting during an emergency. Adding commercial cannabis traffic (estimated at 40 trips/day) to a sub-standard, 16-foot road without analyzing the cumulative evacuation load violates *CEQA Guidelines § 15130* and *CEQA Appendix G (Wildfire)*.
- **Required Mitigation:** The project cannot legally proceed without widening the roadway to 20 feet or providing secondary emergency access.

4. PESTICIDE USE & SETBACKS

Deficiency: The Initial Study fails to evaluate the impact of pesticide drift on adjacent Certified Organic farmland (*Masonite Corp. v. County of Mendocino (2013)*).

- **Organic Certification at Risk:** 276 Ranch LLC operates 110 acres of certified organic pasture directly abutting the cultivation site. *Masonite Corp.* established that pesticide drift onto organic farms constitutes a physical environmental effect requiring CEQA analysis.

- Lack of Modeling: The County must conduct quantitative pesticide-drift and wind-dispersion modeling to determine adequate setbacks. The current proposal lacks these specific protections, threatening the economic viability of the Luchetti operation.

5. BIOLOGICAL RESOURCES

Deficiency: The Biological Report (Natural Investigations Company, Inc.) is dated March 3, 2021. It is nearly five years old and fails to consider data during severe drought conditions.

- Outdated Baseline (*CEQA Guidelines § 15125*): A single 2-day reconnaissance visit in Winter 2021 is insufficient to establish a baseline for a project site containing Putah Creek (Class I), Crazy Creek (Class II), and complex wetlands.
- Drought Data Gap: The survey period (2021) coincided with extreme drought. Special-status plant species and vernal pool-associated species cannot be reliably detected under those conditions. Furthermore no data was collected assessing the impact of ongoing drought conditions after 2021.
- Inconsistent Project Description: The report cites the cultivation area as 62 acres, then 2,440,000 sq. ft., and defines the Study Area inconsistently (1,246 vs. 1,847 acres). These inconsistencies render the report inadequate for public review.
- Impacts to Protected Species: Data sources indicate the presence of the Foothill Yellow-Legged Frog (State Endangered) and Western Pond Turtle. No protocol-level surveys were conducted for these species, nor for the endemic Hitch minnow.
- Unqualified Personnel: It is noted that biologist Tim Nossels, referenced in the reporting, did not possess a valid permit for species sample collection at the time of the study (license expired 2013). Relying on unqualified or unlicensed work violates the requirement for substantial evidence.

6. PLANNING COMMISSION GOVERNANCE & DUE PROCESS

Deficiency: The decision-making process has violated the applicant's due process rights and Government Code transparency requirements.

- New Evidence & Public Access (*Gov. Code § 54957.5*): Rancho Lake LLC presented new visual materials and data regarding odor and hydrology on November 11, 2025, and during the December 13 presentation. These materials were not included in the agenda packet released 72 hours prior. The public and the Luchetti Family were denied the opportunity to review this technical data in advance.
- Failure to Address Expert Testimony: The Lead Agency has failed to address the expert testimony provided by 276 Ranch LLC (including the GHD Hydrology report). Under *CEQA Guidelines § 15064(f)(5)*, an agency cannot ignore expert opinion supported by facts in favor of a bare assertion by the applicant.

CONCLUSION

Because a "fair argument" has been made, supported by the expert evidence cited above, that the project may have a significant effect on the environment, the County is legally compelled to prepare an Environmental Impact Report (EIR). We respectfully request the Commission deny the Mitigated Negative Declaration and order the preparation of an EIR.