

Community Development Department
Courthouse, 255 N. Forbes St.
Lakeport, CA 95457

Attn: Mary Claybon

Re: UP 20-96; 7408, 7522, 7527, & 7634, 7746 Highland Springs Rd. and 7257 & 7357 Amber Ridge Rd., Lakeport, CA 95453 – Highland Farms Commercial Cannabis Cultivation project.

The Redbud Audubon Society appreciates the opportunity to comment on the Highland Farms Commercial Cannabis Cultivation project as we have many concerns.

We request this project be denied for the following reasons.

This application has major errors and omissions, and implementation of the project as presented would be in violation of numerous State and Federal laws. This is one of the most environmentally destructive *Cannabis* projects that the Redbud Audubon Society has ever reviewed, and we believe the project must be rejected on multiple grounds, as set forth below.

- The original reconnaissance-level Biological Assessment (BA) performed by Pinecrest Environmental dated December 9, 2020, clearly shows in Figure 3 that there are potential wetlands in and around the proposed cultivation areas. The Analytical Environmental Services (AES) report dated February 11, 2022, also describes jurisdictional wetlands distributed throughout the site. Despite this, a protocol-level wetland delineation was never performed. A protocol-level wetland delineation **must** be performed to verify the precise extent of wetlands onsite subject to U.S. Army Corps of Engineers (ACOE) and/or Regional Water Quality Control Board (RWQCB) jurisdiction, and not doing so would be in violation of the Federal Clean Water Act (CWA) and/or the California Environmental Quality Act (CEQA). The fact that no protocol-level wetland delineation was ever performed is a major omission.
- The original BA by Pinecrest states that two special-status chaparral plant species were identified onsite: Scrub oak (*Quercus dumosa*; CNPS List 1B.1) and Konocti manzanita (*Arctostaphylos manzanita* ssp. *elegans*; CNPS List 1B.3). The AES report makes the incorrect statement that no special-status species were observed onsite (p.16) and also says that 0.4 acre of chaparral will have to be removed during the course of project implementation (p.15). A minimum of three (3) appropriately timed protocol-level rare plant surveys **must** be conducted specifically in the chaparral habitats onsite to identify the location and extent of the populations of the two special-status chaparral species, quantify the number of individuals of special-status species to be removed, and propose specific mitigation measures to be implemented for the loss of special-status species and their habitat. Without considering these special-status plant species onsite the project would be in violation of the California Environmental Quality Act (CEQA). The incorrect statement that no special-status plant species occur onsite despite plans to eliminate almost a half-acre of chaparral is a major omission.
- The Pinecrest BA clearly states that there is habitat for Foothill yellow-legged frog (FYLF), a special-status species, in the watercourses and potential wetlands onsite. Despite this, and despite the proposed construction of numerous culvert crossings onsite, there is no mention of potential

impacts to FYLF breeding, estivation, or migration, and no proposed mitigation measures to offset loss of FYLF habitat and take of FYLF individuals in the AES report. A revised BA that meets currently accepted CEQA standards **must** be performed that addresses potential impacts to FYLF. Implementing this project without consideration of impacts to FYLF and their habitat would be a violation of the California Environmental Quality Act (CEQA) and the California Fish & Game Code and is a major omission.

- The Summit Engineering water report states that drawdown of local groundwater of up to 15 feet may occur due to project implementation (p.8). This level of groundwater depletion has a high risk of dewatering and eliminating the current jurisdictional wetlands onsite that are immediately adjacent to the cultivation areas and groundwater pumps, leading to a loss of wetland habitat subject to Army Corps of Engineers (ACOE) and/or Regional Water Quality Control Board (RWQCB) jurisdiction. The water report **must** be revised to take into account potential impacts to adjacent jurisdictional wetlands. Without mitigation for the potential loss of wetland habitat due to groundwater depletion, this project would be in violation of the California Environmental Quality Act, the California Water Code, the Regional Water Quality Control Board *Cannabis* General Order, as well as the Federal Clean Water Act. The lack of consideration of the impact of water table drawdown on wetlands subject to ACOE and/or RWQCB jurisdiction is a major omission.

- As shown in the Summit Engineering grading plans, numerous watercourse crossings are proposed to be built or reconstructed, the road leading to the site is proposed to be graded and widened, and cultivation areas that are known chemical and sediment sources are proposed to be located immediately adjacent to jurisdictional wetlands and watercourses. Despite this, there is no Stormwater Pollution & Prevention Plan (SWPPP) provided that would specify how the applicant proposes to keep sediment and contaminants out of these watercourses and wetlands and prevent them from entering Highland Reservoir. A Stormwater Pollution & Prevention Plan (SWPPP) or similar plan **must** be prepared for a project with this many potential impacts to water quality. Implementing a project without any such plan would be in violation of the Federal Clean Water Act and/or the California Water Code and is a major omission.

- No mention is made in the AES report of potential impacts and recommended mitigation measures to prevent take of birds and wildlife and their habitat due to lighting or noise, and not considering these factors would be a violation of the California Environmental Quality Act (CEQA). Noise and light impacts on wildlife **must** be included in any CEQA-level review. The lack of consideration of light and noise impacts, essential tenets of all CEQA-level reviews, is a major omission.

- The Pinecrest memo dated May 3, 2021, states that cultivation should be limited to the south parcel and that wetlands in the north parcels should be restored and feral pig control measures adopted. These recommendations were ignored and not discussed in the AES report nor in any of the supporting documents.

Conclusion: In light of numerous errors and major factual omissions including potential violations of State and Federal law, we believe that the application must be denied. The existence of these many major errors and omissions also suggests deliberate obfuscation of the actual

environmental impacts of the project from the County and the public. At a minimum, to conform with State and Federal law, (1) a new Biological Assessment that meets current CEQA standards must be performed, (2) a protocol-level wetland delineation that meets current Army Corps of Engineers standards must be performed, (3) protocol-level rare plant surveys focused on chaparral areas that meet current California Department of Fish & Wildlife standards must be performed, (4) the water availability report must be revised to discuss the potential impacts to adjacent seasonal wetlands, and (5) a SWPPP must be prepared that describes potential discharge of sediment and pollutants to the watercourses and wetlands that are distributed throughout the site and measures to eliminate the possibility of such discharges from occurring.

Thank you for taking our concerns into consideration.

Donna Mackiewicz
Roberta Lyons
Redbud Audubon Society Conservation Committee

Hello Mr. Herzog,

There is a portion of your parcel that is incorporated into this project; a fifty foot public roadway and utility easement, is listed on the map you provided. The applicant is proposing PG&E utility lines within the easement, not cannabis cultivation. I have availability to meet with you in person, here at CDD or via phone call. Please advise if you would like to speak with me pertaining to this project's proposed development. Have a wonderful day!

Thank you,



Mary Claybon, MSML

Associate Planner

Community Development Department

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 263-2225

Email: Mary.Claybon@lakecountyca.gov

Hello

My name is Doug Herzog. I live on 7106 Amber ridge ct.lakeport.

I have concerns about power polls on amber ridge ct.

I have livestock & a family farm (business) adjacent to the road. Also our water main runs along side the road.

As far as the north western cultivation site that is partially on our property (see enclosed map). My family has paid property taxes for 32 years on this parcel.

I have spent 10 years clearing, developing a spring and grass seeding for cattle that i will graze this year.

All of the clearing on amber ridge ct. And rd.

That is on our property I also spent my time clearing with a chainsaw.

I can bring in the maps tomorrow if you want.

Thanks,

Doug Herzog

From: Thrive95453@outlook.com
To: [Mary Claybon](#)
Subject: Re: UP 20-96 Highland Farms, LP
Date: Tuesday, May 21, 2024 6:31:33 PM

Hello, Mary!

Our public comment on UP 20-96 Highland Farms, LP follows. Thank you for your attention.

Best wishes,

Tom Lajcik and Margaux Kambara

Lake County Residents, Registered Voters,
& Property Owners

* * * * *

May 21, 2024

Lake County Community Development Department

Lake County Planning Commissioners

RE: Public Comments on Highland Farms Major Use Permit 20-96, IS 20-116

Please consider adding the following as Conditions of Approval (CoA) for this Major Use Permit application:

- General Conditions | Regulatory Compliance – State Water Board: Prior to operation, the applicant shall register Highland Springs Farm project (for Highland Springs Road and Amber Ridge Court, Lakeport, CA addresses). Applicant cited incorrect addresses (5200 Barlett Springs Road Lucerne and 9275 Antler Hill

Drive, Kelseyville, CA) for the registration of the project sites. [Reference: Performance Management Plan, p. 62; Drought Management Plan, p.1]

The application states "...Based on the State Water Board's assessment, the proposed cannabis cultivation for Highland Farms, located at 5200 Bartlett Springs Rd Lucerne, has been classified as Tier 2, low risk...." The assessment cited is for an address different from the project site. The applicant needs to have an assessment for the correct address. [Reference: Property Management Plan page 62; Drought Management Plan]

· AQ-7. Air Quality | Odor Management: Prior to operation, the applicant shall submit another odor management plan to Community Development Department. The applicant acknowledges in the Air Quality Management Plan (p. 34) that odors from cannabis are particularly strong when the plants are mature and flowering. The Draft ISMND on page 26 declares, "...Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population..."

It should be noted that elderly people with chronic health problems live within 1,000 feet of the cultivation site. Furthermore, the applicant's odor mitigation plan for outdoor plants is described as: "...Outdoor odors will be managed by planting fragrant native flowering vegetation surrounding the cultivation area..." The plan will not mitigate the odor. Fragrant native flowering vegetation in this area typically finishes blooming by May. The dependency on fragrant native flowers to mask the odor when their flowering cycles don't coincide with the time when cannabis plants are mature and flowering does not effectively mitigate the extensive odors from cannabis cultivation. [Reference: Property Management Plan, Odor, p. 22]

· AQ-8 Air Quality | Dust Management: Prior to construction, the applicant shall submit a Dust Management Plan to Lake County Community Development Department. The Dust Management Plan shall describe dust abatement from preconstruction through steady state operations. The plan shall include dust abatement to contain serpentine dust at the beginning of the applicant's access road for the period prior to construction and through steady state operations.

The project will generate more traffic traveling along the unpaved section of Highland Springs Road and the applicant's dirt road. The increased traffic will produce more dust that can affect visitors to the Highland Springs County Park and Highland Springs Reservoir.

Additionally, the applicant's road entrance goes over and through a serpentine formation, generating toxic dust and exposing park goers to that hazard. Dust mitigation prior to planned road improvements is not addressed in this cannabis permit application.

To protect drivers, park visitors, and residents from toxic serpentine dust generated by vehicles enroute to the project site, the applicant's road that crosses the top of the serpentine formation should be chip sealed. Prior to construction and completion of road improvements, dust management action must abate serpentine dust.

Furthermore, the county has not considered the cumulative effect of two approved cannabis projects within a mile of the project and eight approved and two pending cannabis projects within three miles of the project using unpaved Highland Springs Road. One of the impacts of cumulative use is increased dust generation. How shall this be addressed? By whom? [Reference: Draft ISMND, p. 23, 25]

· HH-6 Hazards & Hazardous Materials | Amber Ridge Court Road Condition: The applicant shall make it clear to employees, delivery drivers and visitors that Amber Ridge Court can be used ONLY for emergency evacuation. Violation of this Condition of Approval shall initiate revocation of the permit. The Property Management Plan mentions "...An additional emergency exit is located one mile south of Vernal Drive and Amber Ridge Court, in Lakeport, CA...".

Amber Ridge Court is a very steep dirt road and is often only accessible via four-wheel drive from Vernal Drive. Vernal Drive also has a very steep section that is not accessible in winter. In fact, 2024 winter storms damaged Vernal Drive; it is not passable at all. In their current state, roads in Donovan Valley cannot safely handle the cumulative increased wear and tear due to traffic from approved and

proposed cannabis operations. [Reference: Property Management Plan, Access, p, 27]

· HH-7 Hazards & Hazardous Materials | Increased Hazards to Pedestrians and Cyclists: (For specific proposed CoAs, see Proposed Conditions of Approval below.) There are several safety issues on Highland Springs Road including:

ü Highland Springs Road as it enters the County Park changes from a two-lane road to a single lane road. At the base of the dam, the road forks into two roads: East Highland Springs Road that proceeds straight to the main entrance to the park and Highland Springs Road that makes a sharp right turn and goes around the west side of the lake.

This is a very dangerous intersection. There are no traffic controls of any kind at that intersection. Drivers coming to that intersection often find themselves driving head on into oncoming traffic or dodging cross traffic going to and from the park's main entrance. Because of the sharp turn at the fork, drivers going uphill on Highland Springs Road cannot see drivers going downhill (often at high speed) on Highland Springs Road until the last moment.

ü Highland Springs Road has become a major artery for several major and minor use cannabis operations, and traffic on the road has increased dramatically. Both the paved and unpaved portions are single lane with several blind curves as well as steep and narrow sections.

§ As Highland Springs Road goes through the park, it follows a steep winding path with several blind curves. As it is a single lane, drivers are often approaching each other head-on.

§ There are no speed limit signs anywhere on the entire length of Highland Springs Road.

§ There are no warning or caution signs on Highland Springs Road. as it goes through the park.

§ Highland Springs Road is actively used by park goers including pedestrians, bicyclists, horseback riders, dog walkers and park goers accessing the lake from the western shore.

§ The applicant's access road spills directly onto Highland Springs Road in the middle of the park.

In the Performance Management Plan, the applicant states, "...Highland Farms will not increase traffic hazards and will educate all employees to adhere to County imposed speed limits on all public roadways..." This statement would have impact if the county posted speed limit signs on Highland Springs Road.

In the Draft ISMND | Parks, the applicant declares, "The proposed Project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite. No impacts are expected." The project may not increase park usage, but it brings more traffic that must pass the park area which lacks needed traffic safety features.

In addition, the Draft ISMND displays a map showing at least six cannabis operations that are accessed via Highland Springs Road. This is very problematic for several reasons and should necessitate modification to existing park roads—specifically Highland Springs Road.

[Reference: Property Management Plan p. 28; Draft ISMND p. 58-59, p. 70 figures 12 and 13]

Proposed Conditions of Approval:

Prior to construction, the County shall make Highland Spring Road safer, averting a tragedy. For these reasons, we recommend at a minimum:

§ Convert the fork in the road at Highland Springs Road and East Highland Springs Road into a roundabout and/or install signage or some other traffic control feature to create a safer flow of traffic.

§ Install speed limit signs on Highland Springs Road from Hwy 29 to at least

where the pavement ends on Highland Springs Road.

§ Install warning signs on the single lane portion of Highland Springs Road, warning drivers of blind curves for the next several miles.

§ Install cyclist and equestrian “Share the Road” caution signs on Highland Springs Road as it goes through Highland Springs County Park and the county preserve.

- HYD-5 Hydrology & Water Quality | Surface Water Diversion: The applicant shall not divert surface water for the project. The applicant lists surface water diversion information. It needs to be made clear that surface water diversion is not allowed. [Property Management Plan p. 68; Drought Management Plan; Hydrology Report, p.3]

- HYD-6 Hydrology & Water Quality | Well Flow Tests: The applicant shall conduct well flow tests in the summer. The applicant calculates water usage to be approximately a million gallons per month during the dry season to be drawn from the wells. The applicant water flow tests were done during the peak of the wet season in December 2020 and December 2021. One flow test was conducted before the county’s drought emergency declaration in July 2021. Flow tests during the summer will provide a more realistic view of water availability. [Resource: Draft ISMND, p.48]

- HYD-7 Hydrology & Water Quality | Inform County and or Neighbor When Project Wells Water Levels Drop: Applicant shall report drop in project wells’ water levels to the county and or neighbor on Amber Ridge Court. A drop in the project wells’ water levels could be an early warning of negative impact to the neighbors’ springs. In application material, the applicant offered to make well data available to the county and state. The application also indicated that applicant, by its water usage, wishes to be a good neighbor. [Reference: Draft ISMND, p.12]

- HYD-8 Hydrology & Water Quality | Retain Well Data for Life of Cannabis Permit: Applicant shall retain well data for the life of the cannabis permit. Because little is known of the project sites’ and local area hydrology, collecting water usage and well data is important to better understand water availability. [Reference: Staff

Report, p.12]

- HYD-9 Hydrology & Water Quality | Stop Pumping Water When Severe Drop in Neighbor's Water Sources' Water Level or Flow Stops: Applicant shall cease pumping water in the event Amber Ridge Court residents' water sources drop severely in water level or flow stops. Water Availability Analysis map shows an Amber Ridge residence in the impact area for the applicant's wells. Water Availability Analysis focused on impact on nearby wells but said little about impact on nearby springs. Residents on Amber Ridge Court obtain their water from springs known to be sensitive to water table levels. There is a risk that the applicant's operation could cause the spring to stop flowing. [Reference: WAA Hydrology Map, p. 12, WAA, p.49]

- HYD-10 Hydrology & Water Quality |Consider Canopy Reduction in Drought or When Neighbors' Water Sources are Negatively Impacted: Applicant shall include canopy reduction as an option in drought conditions or when a neighbor's water sources are negatively impacted. [Reference: Property Management Plan, p.62]

- HYD-11 Hydrology & Water Quality |Mitigation for Negative Impact to Neighbors' Water Sources: Applicant shall supply neighbor with 10,000 gallons of water per week if neighbor's water sources drop significantly in water level or stop flowing. The neighbor and his family need water for domestic and agricultural use. The neighbor depends on agricultural yield to supplement the family diet and fixed incomes.

Project well reports note estimated yields with the well driller's clarification, "May not be representative of a well's long-term yield." [WAA (Water Availability Analysis), p. 15, 19, 23]

The applicant acknowledges that there are many unknowns about the project sites' and local area hydrology. The applicant makes assumptions about water availability that are not supported by data. Community Development Department accepts these assumptions.

To be fair, if the neighbors' water supply drops drastically or stops, the applicant and the county can't demand a higher standard of proof from the neighbors than is required from the applicant. A premise of major permits is to do no harm to county residents. This project has the potential to decrease or stop neighbors' water supply. The applicant and the county should proceed thoughtfully and carefully on the matter of project's proposed water usage.

Prudence points to a proof-of-concept demonstration. The applicant states that the project will not plant the full canopy allowed; applicant plans to plant 40 percent of allowed canopy. A show of good neighbor goodwill would be to scale back the project initially until it is clear that the water supply is adequate for the project and the neighbors' domestic and agricultural needs. One million gallons of water per month is a tremendous water demand in a small area. [Draft ISMND, p. 21]

· Energy | Install Grid Electrical Power for Project Operations: Applicant shall install grid electrical power for project operations within a year of permit approval. If grid electrical installation is delayed, the applicant must confer with Community Development Department and identify the earliest date for this installation. PG&E delays are beyond the applicant's control, but the applicant is expected to adhere to the cannabis ordinance: standard operations are not to use generators. [Reference: Draft ISMND, p. 36]

· BIO-4 Biological Resources| Golden and Bald Eagles: Applicant shall exercise water conservation measures to safeguard neighbors' water supply. Golden eagles nest on the neighbors' property. Should the neighbors' water supply be disrupted or stopped, it will adversely affect the Golden eagles' habitat on the neighbors' property. Also, Bald Eagles can be seen near Highland Springs Reservoir. Bald and Golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may require development of an eagle conservation plan. [Reference: Draft ISMND, p. 29; Biological Assessment, p. 104]

As for identified Conditions of Approval available for public review as of 15 May 2024, please retain CoA AES1 Blackout Film/Materials Plan: The applicant plans

to have lighting for greenhouses. While the walls may be opaque, the roof is not opaque. Prior to operation, it is important for the Blackout Film/ Materials Plan be installed and operational. There are residences on Amber Ridge Court. that overlook the cultivation site. The intense lighting will be visible to residences up to a mile away, especially on cloudy days. [Reference: Property Management Plan, Lighting p. 21; Staff Report AES1.]

Thank you for your consideration.

Cordially,

Tom Lajcik and Margaux Kambara
Lake County Resident, Registered Voters
& Property Owners

May 14, 2024 14:46, Mary.Claybon@lakecountycal.gov wrote:

> Hi Tom and Margot,

>

> I hope you are both well and enjoying the warm weather as we approach the summer season. I received an email from Julie, the CDD Helpline Technician, advising that you had submitted a Public Information Request. While she was compiling the response I figured that I would jump right in and prepare it for you, as we have established a relationship over the last year with other projects within the vicinity of your home.

>

> Highland Farms, LP is being applied for by Autumn Karcey, a permittee with three other projects in the County; including two other cultivation sites and a processing and manufacturing facility. Within her application, there have been numerous studies submitted and although some are within your request, not all are. I would like to take this opportunity to provide you with ALL project documentation, minus the confidential documentation such as the Archaeology Report, driver's license, background check, etc.

>

> This project is rather complex as it contains four gardens within multiple parcels and two stages of development. The draft Initial Study and Staff Report are the best source for condensed information from the submitted technical reports and application documentation. It is important to note that Ms. Karcey is applying for 19 A-Type 3 outdoor cultivation licenses however, she does not intend on cultivating 19 acres of cannabis canopy. She is requesting the large number of license types for four separate gardens, to allow flexibility in her gardens' structure, orientation, and cultivation style without having to go through the amendment process, which is reapplying for the major use permit as a new application. With this being her fourth project, the applicant is well-versed in the Lake County permitting process. This is why she has provided all the studies that she has, and is proposing this project with the ability to alternate cultivation style based on what is working for the site and what doesn't.

>

> The applicant is also open to sharing her contact information and meeting with members of the community and neighbors, should you be so inclined. Once you have reviewed all materials, please provide me with your public comment so I may enter it into the administrative record to make available to the Planning Commissioners prior to hearing. Again, should you wish to remain anonymous, you may absolutely drop off a hard copy of your public comment at Community Development Department, Attn: Mary Claybon but if you submit your comment via email, your email address will be within the public comment. If you have

questions, you can also send those to me, and I will provide you with answers or I will reach out to the applicant for her to respond to your inquiry. I look forward to hearing from you. Have a wonderful day and we will connect soon!

>

> Mary Claybon, MSML

> Associate Planner

> Community Development Department

> 255 N. Forbes St.

> Lakeport, CA 95453

> Phone: (707) 263-2221

> Fax: (707) 263-2225

> Email: Mary.Claybon@lakecountyca.gov

Secure Message Info

Message ID	o5LjHxlpz8bCnDpoMtepvf
Message Expires	Friday, 21 June

Message URL	https://filetransfer.co.lake.ca.us/message/o5LjHxlpz8bCnDpoMtepvf
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May 23, 2024

Lake County Planning Commission
Community Development Department
255 N. Forbes Street – 3rd Floor
Lakeport, CA 95453

Dear Members of the Lake County Planning Commission,

I am writing to express our enthusiastic support for the proposed Major Use Permit (UP 20-96) and the Mitigated Negative Declaration (IS 20-116) submitted by Highland Farms, LP, represented by Autumn Karcey. This project, located at 7508, 7522, 7634, & 7746 Highland Springs Road and 7257 & 7357 Amber Ridge Road in Lakeport, aims to establish a commercial cannabis cultivation operation that promises to be a significant positive contribution to our community.

The staff report dated May 23, 2024, outlines that the proposed project will not have a significant effect on the environment with the implementation of the recommended mitigation measures. Specifically, potential environmental impacts related to aesthetics, air quality, biological resources, and cultural resources have been addressed comprehensively, ensuring that they will be mitigated to less than significant level.

Additionally, the findings presented in the staff report affirm that the project meets all necessary requirements and standards set forth by the Lake County Zoning Ordinance. The site is adequate in size, shape, and location to accommodate the proposed development, and the streets, highways, and pedestrian facilities are deemed reasonably adequate to safely accommodate the specific use..

The project also aligns with the Lake County General Plan, and other relevant local regulations. Importantly, the project will utilize existing resources efficiently and adhere to all applicable local, state, and federal regulations. The proposed use is compatible with the rural character of the area and does not conflict with surrounding land uses..

The economic benefits of this project are also noteworthy. The commercial cannabis cultivation operation will create job opportunities, support local businesses, and contribute to the county's economic development. The project has been designed with careful consideration of environmental sustainability and community impact, ensuring a balanced approach to development.

In conclusion, during this time when so many cannabis businesses are unable to continue operating due to the pressures of overregulation, high taxes, and the thriving illicit market, we believe that Highland Farms' project is a well-planned and beneficial addition to Lake County. Autumn is an exemplary business owner, providing world class employment opportunities and training for local employees. We urge the Planning Commission to approve the Major Use Permit (UP 20-96) and the Mitigated Negative Declaration (IS 20-116), recognizing the thorough preparation and positive potential this project holds for our community.

Thank you for considering these comments.

Sincerely,

Nara Dahlbacka, President
Lake County Cannabis Alliance

From: Thrive95453@outlook.com
To: [Mary Claybon](#)
Subject: Re: UP 20-96 Highland Farms, LP
Date: Tuesday, May 21, 2024 6:31:33 PM

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ü Highland Springs Road as it enters the County Park changes from a two-lane road to a single lane road. At the base of the dam, the road forks into two roads: East Highland Springs Road that proceeds straight to the main entrance to the park and Highland Springs Road that makes a sharp right turn and goes around the west side of the lake.

This is a very dangerous intersection. There are no traffic controls of any kind at that intersection. Drivers coming to that intersection often find themselves driving head on into oncoming traffic or dodging cross traffic going to and from the park's main entrance. Because of the sharp turn at the fork, drivers going uphill on Highland Springs Road cannot see drivers going downhill (often at high speed) on Highland Springs Road until the last moment.

ü Highland Springs Road has become a major artery for several major and minor use cannabis operations, and traffic on the road has increased dramatically. Both the paved and unpaved portions are single lane with several blind curves as well as steep and narrow sections.

§ As Highland Springs Road goes through the park, it follows a steep winding path with several blind curves. As it is a single lane, drivers are often approaching each other head-on.

§ There are no speed limit signs anywhere on the entire length of Highland Springs Road.

§ There are no warning or caution signs on Highland Springs Road. as it goes through the park.

§ Highland Springs Road is actively used by park goers including pedestrians, bicyclists, horseback riders, dog walkers and park goers accessing the lake from the western shore.

§ The applicant's access road spills directly onto Highland Springs Road in the middle of the park.

In the Performance Management Plan, the applicant states, "...Highland Farms will not increase traffic hazards and will educate all employees to adhere to County imposed speed limits on all public roadways..." This statement would have impact if the county posted speed limit signs on Highland Springs Road.

In the Draft ISMND | Parks, the applicant declares, "The proposed Project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite. No impacts are expected." The project may not increase park usage, but it brings more traffic that must pass the park area which lacks needed traffic safety features.

In addition, the Draft ISMND displays a map showing at least six cannabis operations that are accessed via Highland Springs Road. This is very problematic for several reasons and should necessitate modification to existing park roads—specifically Highland Springs Road.

[Reference: Property Management Plan p. 28; Draft ISMND p. 58-59, p. 70 figures 12 and 13]

Proposed Conditions of Approval:

Prior to construction, the County shall make Highland Spring Road safer, averting a tragedy. For these reasons, we recommend at a minimum:

§ Convert the fork in the road at Highland Springs Road and East Highland Springs Road into a roundabout and/or install signage or some other traffic control feature to create a safer flow of traffic.

§ Install speed limit signs on Highland Springs Road from Hwy 29 to at least

where the pavement ends on Highland Springs Road.

§ Install warning signs on the single lane portion of Highland Springs Road, warning drivers of blind curves for the next several miles.

§ Install cyclist and equestrian “Share the Road” caution signs on Highland Springs Road as it goes through Highland Springs County Park and the county preserve.

- HYD-5 Hydrology & Water Quality | Surface Water Diversion: The applicant shall not divert surface water for the project. The applicant lists surface water diversion information. It needs to be made clear that surface water diversion is not allowed. [Property Management Plan p. 68; Drought Management Plan; Hydrology Report, p.3]

- HYD-6 Hydrology & Water Quality | Well Flow Tests: The applicant shall conduct well flow tests in the summer. The applicant calculates water usage to be approximately a million gallons per month during the dry season to be drawn from the wells. The applicant water flow tests were done during the peak of the wet season in December 2020 and December 2021. One flow test was conducted before the county’s drought emergency declaration in July 2021. Flow tests during the summer will provide a more realistic view of water availability. [Resource: Draft ISMND, p.48]

- HYD-7 Hydrology & Water Quality | Inform County and or Neighbor When Project Wells Water Levels Drop: Applicant shall report drop in project wells’ water levels to the county and or neighbor on Amber Ridge Court. A drop in the project wells’ water levels could be an early warning of negative impact to the neighbors’ springs. In application material, the applicant offered to make well data available to the county and state. The application also indicated that applicant, by its water usage, wishes to be a good neighbor. [Reference: Draft ISMND, p.12]

- HYD-8 Hydrology & Water Quality | Retain Well Data for Life of Cannabis Permit: Applicant shall retain well data for the life of the cannabis permit. Because little is known of the project sites’ and local area hydrology, collecting water usage and well data is important to better understand water availability. [Reference: Staff

Report, p.12]

- HYD-9 Hydrology & Water Quality | Stop Pumping Water When Severe Drop in Neighbor's Water Sources' Water Level or Flow Stops: Applicant shall cease pumping water in the event Amber Ridge Court residents' water sources drop severely in water level or flow stops. Water Availability Analysis map shows an Amber Ridge residence in the impact area for the applicant's wells. Water Availability Analysis focused on impact on nearby wells but said little about impact on nearby springs. Residents on Amber Ridge Court obtain their water from springs known to be sensitive to water table levels. There is a risk that the applicant's operation could cause the spring to stop flowing. [Reference: WAA Hydrology Map, p. 12, WAA, p.49]

- HYD-10 Hydrology & Water Quality |Consider Canopy Reduction in Drought or When Neighbors' Water Sources are Negatively Impacted: Applicant shall include canopy reduction as an option in drought conditions or when a neighbor's water sources are negatively impacted. [Reference: Property Management Plan, p.62]

- HYD-11 Hydrology & Water Quality |Mitigation for Negative Impact to Neighbors' Water Sources: Applicant shall supply neighbor with 10,000 gallons of water per week if neighbor's water sources drop significantly in water level or stop flowing. The neighbor and his family need water for domestic and agricultural use. The neighbor depends on agricultural yield to supplement the family diet and fixed incomes.

Project well reports note estimated yields with the well driller's clarification, "May not be representative of a well's long-term yield." [WAA (Water Availability Analysis), p. 15, 19, 23]

The applicant acknowledges that there are many unknowns about the project sites' and local area hydrology. The applicant makes assumptions about water availability that are not supported by data. Community Development Department accepts these assumptions.

To be fair, if the neighbors' water supply drops drastically or stops, the applicant and the county can't demand a higher standard of proof from the neighbors than is required from the applicant. A premise of major permits is to do no harm to county residents. This project has the potential to decrease or stop neighbors' water supply. The applicant and the county should proceed thoughtfully and carefully on the matter of project's proposed water usage.

Prudence points to a proof-of-concept demonstration. The applicant states that the project will not plant the full canopy allowed; applicant plans to plant 40 percent of allowed canopy. A show of good neighbor goodwill would be to scale back the project initially until it is clear that the water supply is adequate for the project and the neighbors' domestic and agricultural needs. One million gallons of water per month is a tremendous water demand in a small area. [Draft ISMND, p. 21]

- Energy | Install Grid Electrical Power for Project Operations: Applicant shall install grid electrical power for project operations within a year of permit approval. If grid electrical installation is delayed, the applicant must confer with Community Development Department and identify the earliest date for this installation. PG&E delays are beyond the applicant's control, but the applicant is expected to adhere to the cannabis ordinance: standard operations are not to use generators. [Reference: Draft ISMND, p. 36]

- BIO-4 Biological Resources| Golden and Bald Eagles: Applicant shall exercise water conservation measures to safeguard neighbors' water supply. Golden eagles nest on the neighbors' property. Should the neighbors' water supply be disrupted or stopped, it will adversely affect the Golden eagles' habitat on the neighbors' property. Also, Bald Eagles can be seen near Highland Springs Reservoir. Bald and Golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may require development of an eagle conservation plan. [Reference: Draft ISMND, p. 29; Biological Assessment, p. 104]

As for identified Conditions of Approval available for public review as of 15 May 2024, please retain CoA AES1 Blackout Film/Materials Plan: The applicant plans

to have lighting for greenhouses. While the walls may be opaque, the roof is not opaque. Prior to operation, it is important for the Blackout Film/ Materials Plan be installed and operational. There are residences on Amber Ridge Court. that overlook the cultivation site. The intense lighting will be visible to residences up to a mile away, especially on cloudy days. [Reference: Property Management Plan, Lighting p. 21; Staff Report AES1.]

Thank you for your consideration.

Cordially,

Tom Lajcik and Margaux Kambara
Lake County Resident, Registered Voters
& Property Owners

May 14, 2024 14:46, Mary.Claybon@lakecountycalifornia.gov wrote:

> Hi Tom and Margot,

>

> I hope you are both well and enjoying the warm weather as we approach the summer season. I received an email from Julie, the CDD Helpline Technician, advising that you had submitted a Public Information Request. While she was compiling the response I figured that I would jump right in and prepare it for you, as we have established a relationship over the last year with other projects within the vicinity of your home.

>

> Highland Farms, LP is being applied for by Autumn Karcey, a permittee with three other projects in the County; including two other cultivation sites and a processing and manufacturing facility. Within her application, there have been numerous studies submitted and although some are within your request, not all are. I would like to take this opportunity to provide you with ALL project documentation, minus the confidential documentation such as the Archaeology Report, driver's license, background check, etc.

>

> This project is rather complex as it contains four gardens within multiple parcels and two stages of development. The draft Initial Study and Staff Report are the best source for condensed information from the submitted technical reports and application documentation. It is important to note that Ms. Karcey is applying for 19 A-Type 3 outdoor cultivation licenses however, she does not intend on cultivating 19 acres of cannabis canopy. She is requesting the large number of license types for four separate gardens, to allow flexibility in her gardens' structure, orientation, and cultivation style without having to go through the amendment process, which is reapplying for the major use permit as a new application. With this being her fourth project, the applicant is well-versed in the Lake County permitting process. This is why she has provided all the studies that she has, and is proposing this project with the ability to alternate cultivation style based on what is working for the site and what doesn't.

>

> The applicant is also open to sharing her contact information and meeting with members of the community and neighbors, should you be so inclined. Once you have reviewed all materials, please provide me with your public comment so I may enter it into the administrative record to make available to the Planning Commissioners prior to hearing. Again, should you wish to remain anonymous, you may absolutely drop off a hard copy of your public comment at Community Development Department, Attn: Mary Claybon but if you submit your comment via email, your email address will be within the public comment. If you have

questions, you can also send those to me, and I will provide you with answers or I will reach out to the applicant for her to respond to your inquiry. I look forward to hearing from you. Have a wonderful day and we will connect soon!

>

> Mary Claybon, MSML

> Associate Planner

> Community Development Department

> 255 N. Forbes St.

> Lakeport, CA 95453

> Phone: (707) 263-2221

> Fax: (707) 263-2225

> Email: Mary.Claybon@lakecountyca.gov

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Message ID	o5LjHxlpz8bCnDpoMtepvf
Message Expires	Friday, 21 June

Message URL	https://filetransfer.co.lake.ca.us/message/o5LjHxlpz8bCnDpoMtepvf
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