Humboldt County Planning Commission

This is response to application for Conditional use permit #PLN-12990 for Medical Cannabis growing and production on 7450 Thomas Road (AP # 221-071-020) in Miranda, California.

To be clear, the 'complaining neighbor' identity is obvious for many reasons. I will not out him herein. Yet just the proximity of my gardens to any adjoining property determine it to be the neighbor close to my hoop houses/ CA3.

As neighbors to this property for more than 40 years and immediate neighbors to the cultivation activities for the entirety of the medical cannabis cultivation, we have several objections to the application:

The current hoops and cultivation of the cannabis operation is under 20 feet from the property line.

To be safe, the closest any cannabis is located are the hoop houses' southern sides, which are 35 feet from the property boundary. Hundreds of square feet of suitable grow area were sacrificed in order to have no question my setbacks were more than sufficient. (The complaining neighbor exhibits his reliance on imprecise facts with the misrepresentation of the distance between the garden and our shared property line).

Whatever set back is allowed should be expanded beyond the existing 20 feet. The applicant, throughout the years has progressively expanded his operation, finally covering a previous unspoiled grass and wildflower meadow.

The size of HSF has not been "expanded" since the application for a permit was submitted. What did change was that when 3 smaller, original gardens, were relocated from their more environmentally vulnerable areas on the

property, that square footage was then made part of the this meadow garden. All agency staff, and Biologists who have seen this site agree this is a more suitable place to be

gardening. (All relocation activities were done with transparency and in full cooperation of Cliff Johnson).

No mitigation has ever been accomplished to the cultivation site onto a previously natural site. This meadow had a possible Native American presence.

This entire property has been deemed without any native American sites, nor any presence. This CA3 garden has been specifically developed with all plants growing above ground, leaving sub-surface areas undisturbed. Previous harvesting of native bunchgrass seed on this site, have demonstrated the area can be remediated.

Several ~~tenant~~ growers

have worked the property over the years. In the years 2022 and 2023 no cultivation was evident and the hoops and plastic were left untouched to partially deteriorate

Deteriorating material is not allowed to pollute the HSF property. This has been demonstrated. Mr Santos, during his March 2024 site inspection did not find a problem. For examples of uncontrolled materials deteriorating, polluting and littering the land, please see the trash, old broken camper-shells, dead vehicle(s), and other materials strewn at various points on the complainer's neighbor property. Photos may be available upon request. If interested in the way complaining neighbor again misrepresents the facts, I invite you to view Google earth or other historic arial images.

and Last year, 2024, a new ~~tenant~~ *(Partner)* grower did respond to our request to be fire cautious with his pumps and generators. However, as the season progressed he used a 24 hr, 7days/week @ 3600 RMP generator well into the fall. We asked that he mitigate the constant sound. The sound irritation was unrelenting with no apparent mitigation well into December.

That this 'neighbor of 40 years' has not previously made an issue of the audio from my generator, though the set -up

has been generally unchanged, is odd. While there is some tension (unrelated to cannabis, etc.) between the complaining neighbor and myself, his (misrepresented) complaints now are heard more as his opportunity to present opposition to my right to conduct my affairs within the law.

That he speaks of noise issues, of mechanical noises, is ironic. When he build his shop, some 30 years ago, to do his woodwork, cutting, grinding, edging, etc., year round, directly on the ridge, open to the valley. There are other ways in which the neighbor allowed uncontrolled noise for many, many years. Yet I shall bite my tongue unless it comes to a more public debate.

Yet, complaining neighbor neglects to disclose my partner's cooperation, and to our responses to his expressed concerns for generator noise. At his request/ suggestion, we built a straw bale wall between the generator and valley / between mine and the complaining neighbor's property. Tarping shields were also hung to deflect sound. When my Partner reached out to complaining neighbor about whether there was still a concern about the noise, complaining neighbor replied, 'Don't worry. You and your wife just enjoy your newborn son'. He did not respond later to any of our further, neighborly outreach. I am pleased though that he acknowledges a cooperative relationship with my Partner.

With the collapse of the cannabis industry and with the emphasis by the County to bring cannabis growing into agricultural areas, Salmon Creek is not one of those

agricultural areas, especially on a possible indigenous site, which had never been used for agriculture.

As a point of correction, the property site is much further than the stated 1880 ft from the intersection of Thomas Road and Salmon Creek Road. As the crow flies the distance may be two miles but on the applicant's deeded easement by road the distance from the intersection of Thomas Road and Salmon Creek Road is more than 5 miles.

As neighbors to this site we respectfully request a further investigation of the proposed cannabis grow and production for the following reasons:

Ensure that generator sound mitigation be accomplished. *(Per the earlier agreement with the complaining neighbor, that is done).*

Ensure that all cultivation taxes have been paid for the 2850 *(sic)* sq ft since 2016.

Ensure that sufficient solar power be instituted to fulfill the applicants intended purposes.

Ensure that the set backs from the property lines be accurate and in compliance with County regulations *(Done. Can be demonstrated. Mr Santos, during his March 2024 site inspection did not find a problem)*

Ensure that the archeological review of the entire site be complete *(Done).*

Ensure that the description of the property be accurately measured. *(?)*

Ensure that this site fit the County's requirements for agricultural uses. *(Done)*

Thank you for your consideration.

Signed by a neighbor.
(Name withheld to protect the complainants from legal retribution by the cannabis applicant)

(It should be noted that complaining neighbor and wife have not lived on the property for many years). They are residents of Redway, CA