



TRINITY COUNTY
COMMUNITY DEVELOPMENT SERVICES
BUILDING ♦ PLANNING ♦ ENVIRONMENTAL HEALTH
P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351 ♦ FAX (530) 623-1353

Kim Hunter, Director

MEMORANDUM

DATE: March 10, 2021
TO: Planning Commissioners and members of the public
FROM: Kim Hunter, Director of Planning 
SUBJECT: Agenda Item 5 – Appeal of Director’s Decision CCL 453 (P-20-31)

The attached comments have been received regarding this appeal.

February 28, 2021

TO: Trinity County Planning Commission
Info.planning@trinitycounty.org

Dear Commissioners,

RE: Public Comment for the Appeal Hearing for CCL-453 on March 11, 2021

I am writing to express my support for the appeal that was filed for the above referenced CCL located at 4790/4798 Lewiston Rd.

As a long term resident of the Ohio Hill subdivision, I have numerous concerns about the impacts commercial cannabis operations are having on my family's quality of life. The most obvious to anyone who lives in the area or passes through the area is the indisputable stench of the marijuana odor. It can be so bad at times we find it difficult to be outside to work or enjoy our property. The smell can permeate our home and it reeks like a skunk. This operation, along with other nearby existing cannabis operations (licensed and/or unlicensed), have created problematic nuisance conditions for neighboring property owners.

Water availability is a MAJOR concern. I frequently have water issues throughout the year especially during drought years. Even as I write this letter we are experiencing a shortage of water and this is the rainy season. Our well often dries up and it is common for us to receive water deliveries to sustain our household needs. This cannabis operation is just a few parcels away from ours and they're tapping into the water table, possibly hoarding water, to grow marijuana plants while households like ours must conserve water to meet our daily needs. Commercial cannabis farms like this one are detrimental to our existence and could in fact sink us.

I have personally foiled a robbery attempt and have legitimate concerns about increased crime related incidents in our residential neighborhood as a result of cannabis operations. The County needs to stop kicking the can down the road and stop permitting commercial cannabis operations in residential subdivisions. When making your decisions, please consider the safety of families that live in the Ohio Hill subdivision. Many of us have children and grandchildren near these cannabis sites.

Finally, as I understand it, this license was *ineligible* for the CEQA Categorical Exemption (Class 1 – Existing Facilities) that it received in 2018. It is troublesome to learn CEQA Guidelines were not followed as required. Environmental impacts have not been studied on a site-specific basis or a cumulative basis. While Sabai Family Farms has profited all these years from the County's mistake, our neighborhood has suffered from these types of haphazard decisions. It's time for County officials to take corrective action.

For these reasons, I ask you to vote in favor of reversing the Planning Director's decision to approve the renewal of CCL-453 and revoke the license.

Regards,

Robert Romaine



March 2, 2021

Dear Planning Commissioners,

RE: Appeal Hearing March 11, 2021 – Commercial Cannabis License (CCL) 2020-453

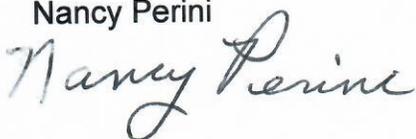
I've owned property (2 parcels) in the Ohio Hill subdivision dating back to 1994. I support the appeal for the following reasons:

- Environmental impacts need to be studied both specific to CCL-453 and on a cumulative basis for all the cannabis farms in the nearby vicinity. It is my understanding the license was issued in May of 2018 and was not one of the 281-282 licenses approved under the Water Board in 2016-2017. Therefore, the determination that this license was eligible for a CEQA Categorical Exemption (Class 1 – Existing Facilities) was made in error by the Planning Department.
- Odor from this location and other nearby cultivation sites in the vicinity is an undeniable nuisance and adversely affects me. CCL 453 is the largest farm near my home.
- Ground water availability is an issue in the subdivision and wells are known to dry up throughout the year. I worry about the impacts this cultivation site is having on our water table.
- I am also concerned about the influx of crime in our subdivision and our safety. Not long ago a cannabis operation near my home was raided by law enforcement. The same location has been subject to break-ins and theft and my property has become a target. I am aware of the alleged criminal charges against the previous owner of license #453 and although I understand the license transferred to a new owner, it does not ease my mind. Now I'm hearing a third operation in the subdivision was recently raided by law enforcement in late February 2021. That's 3 out of 3 marijuana operations in the subdivision (all near my home) that have had some type of illegal activity and/or criminal allegations associated with them. These are very disturbing odds. Crimes throughout the county are trending up and we are experiencing this first hand. Commercial cannabis operations should not be permitted in residential subdivisions like ours. Our neighborhood cannot afford to wait for the County to implement a long term solution as proposed by the CAO in public forums. Please hear our concerns and implement change starting with this decision.

Thank you for your thoughtful consideration in upholding the appeal and denying the license.

Sincerely,

Nancy Perini



Deborah Rogge

From: [REDACTED] >
Sent: Monday, March 8, 2021 11:32 AM
To: Info.Planning
Subject: Appeal CC-453

In reviewing the attorney's letter of March 5, 2021, there are areas that he did not address or breezed over, namely the ODOR caused by this grow and no mention of the intended expansion with the 100 foot building.

As per the attorney - see below, does Dos Santos intend to grow Odor free weed? This is a huge issue and it has not been addressed. He just disputes it, pointing his finger at the prior grower. Ridiculous, weed smells period. But apparently the commission does not care about that? I bet you would if it was in your neighborhood or trying to sell property near a grow.

"Appellants also raise several environmental concerns impacting property owners/renters in the vicinity of the Project site that are purportedly caused by the Project, including **“cannabis odor, noise, night light blight in the entire vicinity...,”** as well as water quality, air quality, traffic, and **“significant visual degradation.”** **While Dos Santos disputes these characterizations of their operations,** and believes any concerns were likely associated with the prior owner’s operations, for CEQA purposes, it is important to remember that this is an existing operation, not a new one. The physical changes that resulted from the licensed activity have already occurred and no physical changes are proposed or authorized by the approval of the license renewal."

And, with the intention of building a processing/drying house, the harvest, storage, drying etc., will go on much longer than the normal grow period, and will extend the stink so to speak.

Cannabis grows are not compatible with neighborhoods they should be grown in agricultural zones, not residential - rural or not.

Thank you

Deborah Rogge

From: [REDACTED] >
Sent: Saturday, March 6, 2021 2:52 PM
To: Info.Planning
Subject: Appeal re: CCL-453

We have been told that the meeting is now taking place on 3/11//21. From what we have been told the planning commission is minus one member, making it a 4 member board and that if there is a tie vote, the appeal will be automatically denied and the grow can proceed.

We also understand that there has been a recent discovery that the determination this license was eligible for a categorical exemption under CEQA was incorrect.

If this is the case and no CEQA study was done, the appeal should be upheld and the renewal denied until the property study takes place. Approving this grow without the proper study would be in direct conflict with the law - is that not correct?

Deborah Rogge

From: Lisa Lozier
Sent: Monday, March 8, 2021 10:27 AM
To: Kim Hunter
Cc: Deborah Rogge; Bella Hedtke
Subject: FW: Cannabis Zoning in Trinity County

FYI

From: [REDACTED]
Sent: Monday, March 8, 2021 10:23 AM
To: Info.Planning <Info.Planning@trinitycounty.org>
Cc: [REDACTED]
Subject: Cannabis Zoning in Trinity County

To;
Trinity County Board of Supervisors

My wife and I built our retirement home in Trinity over 27 years ago. We have also established and maintained a construction company and a rental business which have contributed to the economy and employment to the county.

So we have great concern about the Cannabis industry in our area and its impact on our way of life and property values!

We are not necessarily opposed to the state laws which allow cannabis but we are very **pro zoning** to the areas in which such an industry is county sanctioned! Trinity County is over 3207 square miles with a population under 14,000 so it seems easily viable and prudent to keep **any** industries with intrusive smell, noise, pollution, crime potential, excessive light, traffic, and/or toxicity away from established residential areas so that they are not impacted! Perhaps, special consideration should be given to those residential areas established **decades** prior to the Cannabis Industry!

100% of the residents in our area, obtain their drinking water either from creeks, Trinity River or aquifers that feed them. We all have great concerns about our water source availability and contamination from herbicides and fertilizers (both widely used by the Cannabis grows). Also of great concern is for our environment and wildlife (i.e. endangered Coho Salmon). There are many recent studies confirming the very negative impacts of even minimal herbicides levels to Salmon and Steelhead. Please also keep in mind what economic benefits the "Sport Fishery" contributes to Trinity annually!

We respectfully request that when County Supervisors consider any "Cannabis Zoning" that they take into account the **long** and **short** term impacts to **all** (!) of the residents and our precious environment!

Thank you,
Glenn and Kris Burton

Deborah Rogge

From: [REDACTED]
Sent: Monday, March 8, 2021 7:11 AM
To: Info.Planning; Kim Hunter
Subject: Fwd: Lord please help us rid this place of smell CCL-453 located on 4790/4798 Lewiston Road.

Good morning Kim. I am forwarding this email. It looks like the writer missed a letter when attempting to email this to the Planning Commission. Thank you.

----- Forwarded message -----

From: MITCHELL <[REDACTED]>
Date: Sun, Mar 7, 2021, 10:16 PM
Subject: Lord please help us rid this place of smell CCL-453 located on 4790/4798 Lewiston Road.
To: nfo.planning@trinitycounty.org <nfo.planning@trinitycounty.org>
Cc: [REDACTED]

In support of the Friends of Grass Valley Creek request to the Planning Department to deny the renewal of permit CCL-453 located on 4790/4798 Lewiston Road.

To whom it may concern:

I am writing this letter in hopes to finally be heard, I have family in Lewiston, and I visit the ranch 3 to 4 times per year if not more. My stays usually last a week two weeks sometimes more. I love spending time at my family farm in Lewiston, Coming from the Los Angeles area to spend quality time in the country and watching the nature and smell of the crisp air as it used to be before these crops of Marijuana were allowed to ruin it for us. . .

Unfortunately through the past years I have seen marijuana grows that surround my families ranch home makes it unbearable for visits at times. at one point I really thought that a skunk was inside the house and I tore things apart to find it, then I realized the stench was also outside the smell of the Marijuana pungent smell reeks of nasty dead skunk,.

The House and the beautiful ranch style yard on Lewiston Rd just down from the grow in question that I have seen change our away home, we cant send the kids outside to play in "OUR" special place due to the smell. This has not been the vacation home we enjoyed before this crop place came to rest in our community. . How are you to enjoy the outdoors when all you can smell is "skunk?" How do we honestly tell our kids what the smell is?. Or how can you enjoy watching the kids play when they are continuously complaining of the awful smell? Why should I be explaining to my 7 year old about marijuana cultivation?

I have stayed for weeks at this family house during a time when they were on vacation, i made our vacation and ranch sitting a fun time. I personally have had to deal with random cars driving up our long driveway with very strange people inside the cars they would pull out once they figured out that our ranch was not the Marijuana grow farm. , sometimes the cars and people would just just sit there. on their phone and then abruptly take off and head the the other driveway leading to this grow. We feel unsafe in our own neighborhood, this is not the big city, we should not feel this way after the years of peace and quiet we have had. We want our country feel back, we don't want legal or illegal Marijuana near our home this is not what we bought into. No one should have to be stuck inside when you live in this beautiful county. These marijuana grows have made us all feel like we are grounded to the inside of our homes with air purifiers running. and that is pitiful, shame on you people for allowing this to happen in a residential community like this



Deborah Rogge

From: [REDACTED]
Sent: Monday, March 8, 2021 11:47 AM
To: Info.Planning
Cc: [REDACTED]
Subject: Letter of Support/Concerns About Commercial Cannabis County-wide

Follow Up Flag: Follow up
Flag Status: Flagged

This is my second letter to the Planning Commission in support of the appeal to the Dos Santos commercial cannabis licensing. I am writing this letter not just as a resident, but also as a business owner located next to this property. I would have filed this appeal on my own had I not learned that one already existed. I have lived in Trinity County for almost six years, and I have been a business owner for two and a half years. Commercial cannabis in Trinity County seems to have been the norm for a longtime, and it seems as though we who are not in favor of commercial cannabis licensing are the "frog in the pot of water" being slowly heated to the point of boiling...we don't realize how bad it is until it is too late. I hope that it is not too late to effect a change!

I'm very interested in learning about the whole process of commercial cannabis. In fact, I took an online class to see what all was involved and I have to say that the process, done legally, looks very daunting. My hat is off to anybody who has done it correctly, for both the county and the individual. However, my concern is that this is not the case. It appears that there are, in fact, corners being cut and rules bended. It is my intention to be fair and my beef is not with cannabis being grown, because it is legal in California. My concern and my complaint is only directed at any entity that is bending laws and cutting corners. Many of my concerns revolve around the idea that the residents of Trinity County that are NOT involved in commercial cannabis seem to be at a disadvantage in their efforts to fight what seems to be an overabundance of these legal permits being allowed. They are coming into areas that are surrounded by small rural residential parcels of only two acres. It feels as though the commercial cannabis industry is being allowed to grow beyond the capacity that any community can endure. So to be truthful, my major complaint is probably against the county and how it has integrated commercial cannabis licensing opportunities into our area. That issue may not be solved until the next election when we have a chance to make our voices heard permanently! My other complaint is the tolerance that the County seems to have towards illegal grows that still exist even after 5 years of the opportunity to legally grow. But I will save that complaint for another time.

Which brings me to the message I wish to speak about now. I am one of the nearest neighbor to the Dos Santos property. I recently purchased the parcel that adjoins their property with the intention of expanding my acreage for the benefit of my business, One Thing Ranch, which involves raising alpacas and llamas and engaging in agritourism. My hope is to one day draw visitors for tours and to bring in business to Trinity County for special events like National Alpaca and National Llama Days. I joined the local chamber of commerce in the interest of helping the entire county, to encourage tourism and revenue into our local communities. I'm concerned, of course, how this commercial grow this close to my property will affect my business. But as I mentioned, I intend to be fair and only want to complain and register my issues with the county on those areas where the law is not being followed or is being bent in some way to give this commercial grow an unfair advantage. So, I have a series of questions and comments directed at Mr. Dos Santos and at Trinity County Planning Commission and possibly the Board of Supervisors which might also lead to questions that only the state of California can answer concerning the laws governing commercial cannabis licensing. First I will start with my questions for Mr. Dos Santos.

*I am concerned about the expansion over time and the eyesore that seems to have been created in this beautiful mountain environment. I guess my question is: has all of this expansion been permitted? Or, in other words, has it been following the law? From the aerial view on Google maps from 5 years ago, and aerial photos taken over a year ago, to what it is today, shows a huge removal of trees and clearing of land that has forever altered the views that I see from my property. Most of this new activity took place last summer with heavy equipment running all day long. Can Mr. Dos Santos, and the county for that matter, verify that all of these changes were in his agreement with the licensing of his operation? Is the canopy size that he currently has the correct size in accordance with his licensing? And if not what will be done about this?

*My next concern is about the hazards posed by this cannabis farm. With the dangers of having an all-cash business, I'm concerned with what has been going on around the whole county, with armed intruders coming in to steal large quantities of cash and marijuana, and then evading law enforcement using surrounding properties as their escape route. It wasn't long ago that the residents of Lewiston and Poker Bar area were told to shelter-in-place while law enforcement sought to capture armed intruders who had invaded a cannabis grow near Top of the Grade. So my question is, what safeguards does Mr. Dos Santos have in place to manage large amounts of money and merchandise? I know that banking institutions are beginning to offer the opportunity for banking for their large quantities of cash...so without wanting to appear intrusive, I have to ask: is a bank the way that he is storing his cash or do I need to be concerned about the potential for armed robbers being in my neighborhood? Does he have armed security that can legally protect his establishment and his neighbors from such an event? Then there is the whole issue of environmental hazards...the effect on the water quality and the availability of water. This leads to my question as to where is Mr. Dos Santos getting his water for such a large agricultural site? Has he or the county considered the impact that allowing agricultural sites in a rural/residential area have on the availability of well water over the long haul, especially in years of drought? I would be interested in knowing how Mr. Dos Santos plans to make water available without having to draw from groundwater...is he also doing any rainwater collection?

*My next concern is how Mr. Dos Santos hopes to be a good neighbor to those around him when he may not even live at this address where his business is? Apparently it is legal in Trinity County and possibly statewide to not have to reside at the place where the commercial cannabis is being grown. This seems to give an unfair advantage to owners with deep pockets to invest in a business and yet not reside there. The people that run their businesses are our "real" neighbors and I don't know the extent to which they are held to the same laws as the owners. For example, was Mr. Dos Santos aware that right behind his property, in fact driving right past his property on the access road to their property, were landowners who were carrying on illegal cannabis operations? This has been going on for over a year...I only recently became aware of the extent to which this land was being developed for cannabis without proper licensing when I purchased the adjoining property that gave me a better view of what was actually going on. As a good neighbor, I reported it to the Code Enforcement officer. This had been going on illegally under the full view of the resident managers, or of Mr. Dos Santos himself, and was never reported by them. I would think that a legal cannabis business would want to keep an eye on those doing it illegally because it brings bad attention to them all. Another thing that I am wondering, because it is legal to have a cannabis business and there should be "nothing to hide", if they allow people to tour their facilities. I have sometimes wondered if cannabis farms would ever put up signs on the road like wineries for sampling their product? If this is not the case then I have to ask why...what do they have to hide and why can't they be more transparent in their dealings with their neighbors and offer the opportunity to come in and meet them and find out what they're doing and how they're doing it? This brings up another question that may need to be directed to the county, but I will ask Mr. Dos Santos first, if he can provide copies of his license and his plan for his business for the public to see upon request?

*The next series of questions are simply to ask about whether Mr. Dos Santos has been following all of the laws involving his commercial cannabis business. In the class that I took online, I saw the daunting process that is required to do this legally. It is no surprise to me if not every commercial cannabis business is following all of these laws, so I'm not here to judge. I simply want to make sure that there was no unfair advantage being given

to a business that can potentially create a problem for my business if it is not doing it legally. And if it is not being done legally, then my actual complaint is against the agencies that are allowing it to go on, not following the law. So my first question and this may be directed at the county: is it legal for an owner to be an absentee owner and have that business run by others in his absence? It seems to be the norm for such businesses and I want to clarify that this is the law allowing this or is it just being tolerated? Also is Mr. Dos Santos following the "Track and Trace System" for all of his product from "seed to sale" ? My concern is that what seems to be happening across California is that there are more farms producing marijuana than supply needed for California alone. This means that a large proportion of cannabis grown is being transported out of state for huge profits, illegally. Can Mr. Dos Santos provide evidence of his track-and-trace system? If he is not required to show it to concerned citizens, can we assume that the county is doing its due diligence or whatever agency is supposed to track this, or is there some kind of documentation that citizens of Trinity County can look at to see if this is in place? I also learned in the online class that there are annual reports that are due in the spring about water that's being used in commercial cannabis. Can common citizens like myself view these reports or have some sort of guarantee that they are being submitted?

*My last concern is the general feeling that there is an unfair advantage being given to the production of commercial cannabis in Trinity County. While this is not directly Mr. Dos Santos' fault, his lawyer made a comment about the delay in responding to his application for renewal that no litigation was requested. It brings up many more questions on how the county allows for such responses and a lack of information in a timely manner to form a defense. Again, my concern is that common citizens like myself cannot afford to hire an attorney for such litigation while absentee owners with deep pockets can litigate the rest of us into submission simply because we cannot afford to fight. Our only recourse seems to be to form some sort of a class-action where we pool our resources against either individual applicants or the county itself to fight for our way of life that we would like to preserve in Trinity County. I do not blame Mr. Dos Santos for my lack of money as he is only doing what is his legal right to do.

This then is a good segue into what is probably my biggest complaint, and that is with the county and its implementation of legal commercial cannabis licensing.

*Is the county following every part of the law concerning commercial cannabis licensing? As I mentioned, I realize that this is all encompassing, and must seem overwhelming at times to do it legally...I'm not surprised if things are being overlooked. But that being said, it is your job to do it, so I have some questions on how it's being done. For example, is it required for owners of commercial cannabis operations to have background checks before being licensed? If it is required of owners, is it also required of those managing their businesses in their absence? This is a huge concern obviously to the nearest neighbors and the entire community. Who are these individuals that are living next to us and conducting their business? Are they felons or have a history of criminal behavior? How are we to know if these background checks are not required and/or being conducted inconsistently? Is there a record that the public can see of these "track-and-trace systems"? How is the county keeping track of the sale of the products and the potential for transportation across state lines which is illegal but highly profitable? How many licenses will the county continue to issue and at what point do we hit a tipping point where supply is undoubtedly more than demand for California alone? Will the county continue to issue licenses simply because it brings profit to the county, without any concern for the quality of life in the county as a whole? Will the county consider changing zoning laws so that cannabis production can only be licensed in areas of large parcels better suited for agricultural expansion, and stop allowing licensing in communities with predominantly small parcel size? Is the county thinking of the big picture and future drought conditions when issuing licenses in huge numbers in a small area...have they considered the impact on the water table and surface water, and how that will affect the other residents of the county?

*My next area of concern is for the appearance that the county gives an unfair advantage to commercial cannabis at the expense of the welfare of other residents. What resources does the county provide for us to get legal representation at a fair price in the short period time allowed (35 days) to appeal the application for license

near us? Commercial cannabis growers get all the time they need to make their plan, and they have 90 days to complete the process once they've begun, while citizens only get 35 days to hear about their application and register an appeal. In a county with a "once so week" newspaper like the Trinity Journal, that is only 4 opportunities in 35 days to even hear about the application, much less to mount any kind of a defense.

I submit my questions to Mr. Dos Santos, his lawyer and to the county for consideration. Since I cannot afford a lawyer, perhaps Mr. Dos Santos' lawyer, who I am sure specializes in cannabis law, can respond to my questions and advise me of the answers. Again, it is my desire to be fair, but to ensure that the law is being followed to the letter. He should be allowed no wiggle room, since he has a lawyer who can advise him how to do so. In a perfect world, the county should be able to provide me with answers free of charge to ensure that this is being done legally. I am not sure, though, that they act entirely on my behalf fairly. The county seems to favor the applicants for commercial cannabis permits, as it is a source of revenue for them. My next recourse would be to go to the state level to see if I can learn more about the process and if it's being handled correctly in this county without favoritism. In addition, I will go to my neighbors in Lewiston to consider consolidating our resources to hire legal representation of our own. Commercial cannabis has been legal for over 5 years, so there is no reason why any improprieties should still exist in how this is being implemented. Trinity County is a beautiful place that I believe is worth fighting for to preserve its pristine forested mountain beauty!

Respectfully,

Nancy Anderson/Owner
One Thing Ranch



Deborah Rogge

From: Kim Hunter
Sent: Monday, March 8, 2021 12:30 PM
To: Deborah Rogge
Subject: FW: Update: CCL-453 Appeal Hearing Set for March 11, 2021

From: Alicia Muhr [REDACTED]
Sent: Monday, March 8, 2021 12:29 PM
To: Kim Hunter <khunter@trinitycounty.org>
Subject: Fw: Update: CCL-453 Appeal Hearing Set for March 11, 2021

Hi,

Please include the letter below regarding the subject line.

Thanks!
Alicia Muhr

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

From: Quincy Muhr [REDACTED]
To: Alicia Muhr [REDACTED]
Sent: Thursday, March 4, 2021, 02:27:08 PM PST
Subject: Re: Update: CCL-453 Appeal Hearing Set for March 11, 2021

Ever since I was a little boy, I loved going up to my grandma and grandpas house in Lewiston. I am deeply saddened to hear that the beautiful land up there by my loving grandparents house is being tainted by pot farmers. Not only does pot farming ruin the beautiful land, it also makes me worry for the safety of my grandparents and their small community. The majority of these pot farmers are people who couldn't find a normal job so that brings up red flags. Also they carry guns and have guard dogs. Back in the day, me and my sister would explore miles around my grandparents house. Today, we would have to constantly worry about accidentally trespassing and hope we don't get shot or bit by a guard dog.

All these greedy pot farmers care about is money. By allowing them to continue doing business, it hurts people like my grandma and grandpa who have lived out in Lewiston almost all their life.

Sincerely,

Quincy
Sent from my iPhone

On Mar 4, 2021, at 9:07 AM, Alicia Muhr [REDACTED] wrote:

Hi,

Can you three please write a quick email about grandma and grandpa's house and how you love to go up there and you don't want it tainted by pot farms. You can email it back to me and I'll forward it to these guys.

Please note there are only 4 Commissioners due to a vacancy on the Planning Commission, so if there is a tie vote (2 to 2), the cannabis license will automatically renew by default. We need a majority to succeed. Your public comments are critical to this decision.

Thank you so much for your continued support!!!
Laurie
Friends of the Lewiston Grass Valley Creek
<CCL-453 Appeal Hearing Agenda_3112021.pdf>

Deborah Rogge

From: Ric Leutwyler [REDACTED]
Sent: Monday, March 8, 2021 3:03 PM
To: tcpc.[REDACTED]; tcpc.[REDACTED]; Info.Planning; Keith Groves; Kim Hunter
Cc: Laurie Wills
Subject: Appeal - Commercial Cultivation License (CCL) 2020-453
Attachments: OPT OUT Map for Submission.pdf

Dear Planning Commissioners,

Re: Appeal - Commercial Cultivation License (CCL) 2020-453

I am writing to express my support for the appeal that was filed for the above referenced CCL located on Lewiston Rd in the Ohio Hill subdivision of Lewiston just above the One Maple Winery.

As I shared during another hearing on related matters, I am not opposed to legal cannabis operations located in appropriate areas of Trinity County. I am strongly opposed to the multitude of illegal cannabis operations in Trinity County, and to licensed cannabis operations like (CCL) 2020-453 that are located in the middle of communities. As has been made clear by the EIR commissioned by Trinity County, commercial cannabis operations can have significant negative impacts. For residential property owners, this often translates into light and noise pollution, strong-unpleasant odors, negative impacts on water supplies, heavy equipment traffic and operations, and more. It's important to note that I am far-from-alone in my views on this matter.

A group of Lewiston residents have been collecting signatures for a petition to expand the Lewiston Opt-Out Area(s). An overwhelming majority of the residents we have approached have agreed with our views and signed the petition. We are now very close to completing our official request to expand the Lewiston Opt-Out Area(s)... including in the area surrounding the operations represented by (CCL) 202-453. The attached map shows the high level of opposition to commercial cannabis operations in our residential areas. As you can see, there is VERY STRONG support for making this an official opt-out area for commercial cannabis licenses/operations.

I took some time to review the March 5 letter from Abbott & Kindermann, Inc. I think it is important to share a different perspective regarding the points (attempted to be) made in this letter.

1. The author of this letter wants you/us to accept that use of a categorical exemption doesn't mean that a project has not complied with CEQA. Yet there seems to be every effort made to requiring this operation to be evaluated against CEQA standards.
2. The author wants us to accept that "existing conditions" at the time the application was filed is appropriate. Note that they are not saying the existing conditions would ever pass inspection based on today's standards. They are simply saying that they believe there is a loophole that should allow them to keep on doing what they are doing.
3. The author says that "even if the county did not fully comply with CEQA when it originally approved the project, the applicant is entitled to a legal presumption that the county fully complied..." Basically, they are saying that it doesn't matter if we are operating outside the CEQA standards because this operation has always been operating outside the CEQA standards. Or in other words... you guys messed up before and we should be able to take advantage of that now and keep doing things the wrong way.
4. The author acknowledges complaints from neighbors of the operation and then attempts to say that it doesn't really matter because the new operator is only taking over what was already there. In other words, the guy before us made everything horrible for you... so we get to keep making it horrible for you.
5. The author implies that because no litigation was filed that it's okay to assume that it's okay. So, because operators of commercial cannabis have the money to hire attorneys means that the individuals impacted by them

have to find the money to defend what was already theirs... a personal residence in a beautiful area with clean, fresh air, safe surroundings, readily available water, etc.

6. The author makes an attempt to justify the situation by saying “the operation was already in existence when the new Commercial Cannabis License program went into effect.” Unless I’m missing something... They seem to be arguing that all the damage done to the neighborhood started with an illegal grow... so we shouldn’t hold anyone who uses the land going forward responsible for using the land any better than the illegal operation did. More to the point, they seem to imply that since we didn’t start this mess so we shouldn’t be held accountable for it... and should be allowed to continue making life miserable for those around us.

The point missed by all of this is that the operation clearly has a negative impact on the area. Nobody could credibly argue that the light, noise, odor, water and safety concerns of having a commercial cannabis operation next/near to your home are anything but negative. And that’s what it comes down to. Situations like these all too often put the interests of Trinity County residents at the bottom of the list when it comes to making decisions regarding commercial cannabis. You have a chance to do the right thing... to protect the interests of those who elected you.

We have an EIR that clearly spells out the potential negative impacts of commercial cannabis operations... especially near residences.

We have an operation that would never be allowed under our current rules about land use.

We have a community that is clearly committed to protecting their quality of life through official/legal opt-out areas.

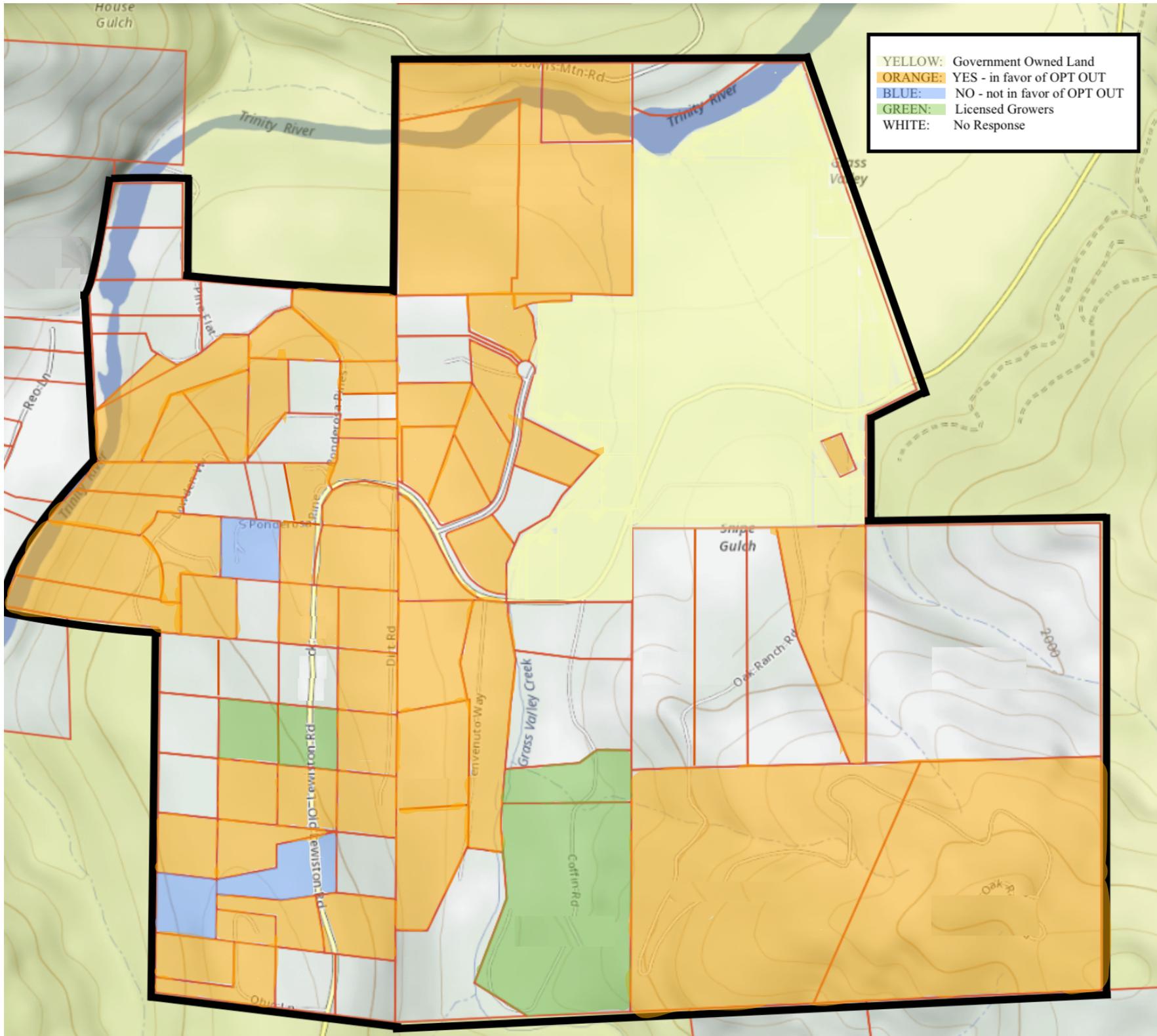
We have neighbors to the operation in question who are clearly concerned about the ongoing negative impacts to their health, safety and quality of life.

We have the opportunity to do the right thing.

Sincerely,

Ric Leutwyler

YELLOW:	Government Owned Land
ORANGE:	YES - in favor of OPT OUT
BLUE:	NO - not in favor of OPT OUT
GREEN:	Licensed Growers
WHITE:	No Response



Deborah Rogge

From: Scott Dias <[REDACTED]>
Sent: Monday, March 8, 2021 3:06 PM
To: Info.Planning; [REDACTED]
Subject: RE: Stop the grows

Good day. I am righting to you about loss of water. This Appeal of Planning Director's Decision (P 20-31) #5. All of us in Grass valley want this STOPPED! Every year now around fall we run out of water. I have been hear sense 1996. Never had water problems until the past 4 years. The more water they take for there grows the less we in the valley! It needs to stop now.

Thanks.

Scott & Renee' Dias.

Deborah Rogge

From: Megan Moon [REDACTED]
Sent: Monday, March 8, 2021 12:25 PM
To: Info.Planning
Cc: [REDACTED]
Subject: Appeal Hearing

In support of the Friends of Grass Valley Creek request to the Planning Department to deny the renewal of permit CCL-453 located on 4790/4798 Lewiston Road.

To whom it may concern:

I am writing this letter in hopes to finally be heard

I love spending time in Lewiston, it gives you the country life vibe that Weaverville does not offer. Unfortunately though, the marijuana grows that surround my in-laws home makes it unbearable for visits at times. They have this beautiful yard on Lewiston Rd just a couple driveways down from the grow in question that I find vacant when the kids and myself should be playing outside on it. How are you to enjoy the outdoors when all you can smell is "skunk?" (as I refer the smell to my children). Or how can you enjoy watching the kids play when they are continuously complaining of the awful smell? And on top of the smell, why should I be explaining to my 7 year old about marijuana cultivation?

Before myself and the kids would go to visit Lewiston, we actually spent some time living there with the in-laws on and off for a couple of years. In that time, I personally have had to deal with random cars driving up the long driveway, somewhere where they didn't need to be, and just sit there. And when you're home alone with two kids, it isn't a very welcoming feeling to see these large men just sit in their trucks looking at the house as if they are lost, and yep you're lost, the garden is 2 driveways down. Get out of here!

I am not naive to the fact that in these present days marijuana is present in a lot of places. But, to not be able to sleep with your windows open on a cool night, not to be able to enjoy a backyard barbecue, or simply not to be able to sit on the porch to listen to the crickets and frogs because it is interrupted more times than not with the pungent odor and the sounds of equipment running, is simply unfair.

No one should have to be stuck inside when you live in this beautiful county. These marijuana grows have made us all feel like we are grounded to the inside of our homes with air purifiers running.

Megan Moon

Sent from my iPhone