

# 32

**Kim Dawson**

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**From:** Marsha Burch <mburchlaw@gmail.com>  
**Sent:** Monday, October 9, 2023 9:39 AM  
**To:** Evan R. Mattes; BOS-Clerk of the Board  
**Cc:** David A Livingston; BOS-District I; BOS-District II; BOS-District III; BOS-District IV; BOS-District V  
**Subject:** Appeal Hearing - Green Gables Commercial Cannabis Use Permit and Variance, Mitigated Negative Declaration, October 10, 2023  
**Attachments:** 2023.10.09 Green Gables Appeal Letter.pdf; 2023.10.04 Continuance and PRA Green Gables Appeal.pdf; Property Flyer 1.pdf; Property flyer 2.pdf

Please see attached letter regarding the above-referenced appeal.

-Marsha

**MARSHA  A. BURCH**  
LAW OFFICE

131 S. Auburn Street  
Grass Valley, CA 95945  
530/272.8411  
fax: 530/272.9411

[mburchlaw@gmail.com](mailto:mburchlaw@gmail.com)  
<https://www.marshaburchlawoffice.com>

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MARSHA  A. BURCH  
LAW OFFICE

131 South Auburn Street  
GRASS VALLEY, CA 95945

Telephone:  
(530) 272-8411

www.marshaburchlawoffice.com

mburchlaw@gmail.com

October 9, 2023

Via email: [evan.mattes@edcgov.us](mailto:evan.mattes@edcgov.us)  
[edc.cob@edcgov.us](mailto:edc.cob@edcgov.us)

Evan Mattes, County Planner  
County of El Dorado  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667

El Dorado County Board of  
Supervisors  
330 Fair Lane  
Placerville, CA 95667

Re: Appeal Hearing - Green Gables Commercial Cannabis Use Permit  
and Variance, Mitigated Negative Declaration (SCH# 2023020165)  
El Dorado County Board of Supervisors, October 10, 2023

Dear Mr. Mattes and Supervisors:

This letter is submitted in support of the appeal filed by Sun Ridge Meadow Homeowners Association ("HOA") regarding the above-referenced Initial Study and Negative Declaration ("MND") for the Green Gables Commercial Cannabis Use Permit and Variance ("Project"). For the reasons set forth below, approval of the Variance and the Conditional Use Permit ("CUP") by the Planning Commission was in error.

The MND for the Project falls short of compliance with the California Environmental Quality Act ("CEQA") (Public Resources Code ["PRC"] § 21000 *et seq.*). Additionally, the findings for the Variance are not detailed enough to support judicial scrutiny, are not supported by substantial evidence, and do not support the granting of the variance.

This matter is also going to hearing on October 10, 2023, despite prejudice to the appellants and the public related to a lack of transparency and lack of compliance with the California Public Records Act. On October 4, 2023, this

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office submitted a request for continuance of the appeal hearing based upon the County Planning Department's inability to provide Project documents in a timely way that would allow the appellant to prepare for the hearing. A copy of the letter is attached.

**1. Procedural errors.**

**a. Failing to allow appellants access to the public records that make up the Project file.**

During the administrative process, the public was not granted access to the Project file as required by CEQA and the California Public Records Act. As described in detail in the attached letter from this office dated October 4, 2023, the Planning Department prevented the HOA from receiving and/or reviewing the Project documents and records as requested.

In response to my request on October 4, suddenly the Project file was available, and late on Friday, October 6, 2023, I received an email from Mr. Mattes with a link to the County Project file. The link did not open the Project file but stated that access should be requested. The requested access was not forthcoming as of the completion of this letter, and so the public records requested were never made available to my clients.

This office also requested the file from Helix Environmental Consulting, Inc., and a link to that file was also provided. Those documents have been reviewed, and as set forth in detail below, there is no substantial evidence to support some of the critical conclusions made by the consultant, and therefore by the County, in the MND.

**b. Failure to disclose full Project description and intent of applicant to sell the Project site for operation by another party.**

On October 6, 2023, Mr. Mattes noted in an email message that the applicant had refused to agree to a continuance of the appeal hearing. This is likely due to the fact that the applicant is planning to list the Project property for sale immediately after the meeting on October 10, 2023. The applicant seeks approval of the Commercial Cannabis permit in the hopes of increasing the value of the Property, not for the purpose of actually building and operating the Project.

The application materials submitted by Robert Sandie indicate that Green Gables Growers will operate the cannabis facility, and provided information regarding the CEO, quality control personnel, the operations manager, environmental manager, etc. The mission statement of Green Gables Growers includes a commitment to "strictly follow bio-dynamic and organic practices with no exceptions." Unfortunately, Mr. Sandie and his team so committed to

excellence have no intention of operating a commercial cannabis facility on the Project site. Attached to this letter are the flyers for the property listing, and local realtors have already had the opportunity to tour the property. It is being advertised with a "horticulture license," and this license is presumably contributing to the \$5,600,000 listing price.

As set forth in detail below, this is not a situation where a property owner is seeking a variance in an effort to make a viable use of a property. It is a situation where a property owner is already making beneficial use of a property, has represented to the County decision makers that *he will oversee* a successful, responsible cannabis operation, and yet has no intention of doing so.

**2. Errors in compliance with the State Planning Laws.**

**a. The Project is inconsistent with neighboring land uses.**

The MND, the staff report, and the findings made by the Planning Commission omit the fact that the Project is bordered by fully developed residential communities. Vague references are made to "scattered single family residences" and "rural residential neighborhoods." In fact, there are fully developed residential neighborhoods to the North and the West of the Project.

The County must find that the Project is consistent with the adjoining land uses, and if there is potential incompatibility, that the project is designed in a manner that avoids any incompatibility. Rather than addressing what is required, the findings adopted by the Planning Commission are vague, and address only whether the Project is compatible with the adjoining *zoning*, not with adjoining land uses. The findings do not mention the actual land uses present on adjoining properties. This does not meet the standard and the findings are insufficient.

The Planning Commission findings state as follows:

The project site is currently developed for agricultural uses. The adjoining properties to the south and east are similarly within the AG zone district. Other surrounding zones include Rural Lands (RL), Limited Agriculture (LA) and Planned Agriculture (PA). The project is consistent with the development standards within Section 130.41.200 of the Zoning Ordinance -Outdoor and Mixed-Light Cultivation of Commercial Cannabis. Therefore, the project has been located and designed to be compatible with adjoining land uses.

The applicable General Plan Policy 2.2.5.21 provides as follows:

Development projects shall be located and designed in a manner that avoids incompatibility with adjoining *land uses* that are

permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing *adjoining uses* shall be designed in a manner that avoids any incompatibility or shall be located on a different site. (Emphasis added.)

Throughout the Project documents, the existence of the adjacent residential communities is obscured, and this is improper. In order to meet the mandate of General Plan Policy 2.2.5.21, the County must provide findings that illuminate the proper relationship between the evidence, findings, and ultimate agency action. The facts of the situation, that the Project is immediately adjacent to residential neighborhoods, is not even acknowledged in the findings made by the Planning Commission, nor is it acknowledged or analyzed in the MND.

**b. The Variance is not supported by the findings or substantial evidence in the record.**

The Planning Commission adopted findings in support of the Variance that are so vague and conclusory that they do not begin to meet the requirements that have been confirmed by the California Supreme Court in *Topanga Canyon Ass'n for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506 ("*Topanga*"). There may be no room for speculation as to the agency's basis for decision, and the logical connection between the evidence and the conclusions must be shown. (*Id.* at 516.)

In the present case, the Planning Commission made conclusory findings that do not meet this standard.

Finding 5.1 relates to special circumstances or exceptional characteristics, and the finding simply notes that some parcels in the vicinity of the Project are located near a bus stop, and others are not. This means that the situation is far from "exceptional" because there are other properties with the same limitation. This finding is insufficient.

Special circumstances have not been shown. Mere hardship is not enough, and the special circumstances must result in unnecessary hardship to the property owner. (*Broadway Laguna Assn. v. Board of Permit Appeals* (1967) 66 Cal.2d 767, 777-778.) Loss of potential profit is not a special circumstance, and a variance should not be granted on this basis alone. (*Id.* at 774-775.) In the present case, the applicant does not even intend to operate a cannabis facility, but simply wants the permit approved to increase the listing price of the property. This is, without a doubt, purely a question of profit. The facts necessary to support this finding have not been shown and cannot be shown by this applicant.

Finding 5.2 relates to the deprivation of privileges based upon a “strict application” of the ordinances. The findings here are sparse, and state that some other properties may be further from the bus stops and would therefore be able to obtain a cannabis permit under the current regulations and that somehow this means the other properties are enjoying a “privilege” that the applicant would be deprived of. This makes no sense. Commercial Cannabis is a use that is allowed only with a conditional use permit, *and* so long as the project meets the distance requirements from the bus stops. This does not deprive the applicant of all the other myriad uses allowed under the zoning ordinances (uses the applicant is already making and advertising in the property listing). The finding is so thin it does not hold up on the slightest scrutiny.

Finding 5.3 is intended to confirm that the applicant will not be receiving a special privilege through the granting of the variance. The finding here makes the rather circular argument that other properties in the area could theoretically obtain a commercial cannabis permit, and so such a permit is not a special privilege. Arguably, being allowed to obtain a cannabis permit where the County Code clearly states it is not allowed (within 1,500 feet of a school bus stop), is a special privilege. From the point of view of the parents and teachers who are concerned about the enforcement of this requirement, it is a special privilege indeed to be allowed to bypass this protective requirement.

Finding 5.4 is intended to ensure that the Variance is compatible with the General Plan and other applicable policies and objectives and will not be injurious to public health and safety or the welfare of the neighborhood. The findings here simply state that the greenhouses will be difficult to see from the public way, and that for some reason this meets the “intent of the setback.” There is no analysis of what the intent of the setback is, nor whether a mere visual “screening” is sufficient to meet that intent. It is the obvious intent of the setback requirement to protect public welfare, and the Planning Commission made no findings at all regarding how the public welfare will be protected despite the variance.

To make this finding, it is necessary to make a determination of the purpose of the regulation from which the variance is sought. (*Zakessian v. City of Sausalito* (1972) 28 Cal.App.3d 794, 801.) Once the agency has determined the purposes of the particular regulation, then it must determine if the applicant’s proposed deviation is in harmony with that purpose. (*Id.*) The Planning Commission’s findings do not even mention the purpose of the setback. Further, the presentations to the Planning Commission making a commitment on the part of Green Gables Growers to operate the facility with the utmost care rings hollow in light of the fact that the applicant has no intention of operating the facility. The County cannot reasonably make findings regarding whether the intent of the setback regulation will be met when it has no idea who will be operating the facility.

The *Topanga* case makes clear that the approving body must make findings that demonstrate how the agency bridged the analytical gap between raw evidence and the ultimate decision. (*Id.* at 574.) The Planning Commission's findings fall well short of this standard.

### **3. Flaws in the Initial Study and Mitigated Negative Declaration.**

My client and other members of the public have submitted a number of comments regarding the insufficiency of many areas of analysis in the MND. This letter is intended to supplement, and not replace, those comment letters. Below is a discussion of the inaccurate conclusion in the MND that water for fire suppression is "adequate", and of woefully inadequate analysis of water supply for Project operations, and how the MND's analysis of water supply fails to meet the requirements of CEQA.

The community and the State have endured years of drought, and concerns about water supply are well founded. It is imperative that the County conduct a complete and legally adequate analysis of all areas of impact, but especially important in El Dorado County in 2023 is an adequate analysis of water supply. As set forth in detail below, this issue requires further analysis, and there is substantial evidence to support a fair argument that the Project may have significant environmental impacts, triggering the need for a full environmental impact report ("EIR").

#### **a. Failure to adequately analyze impacts related to adequate water supply for fire suppression.**

The MND states that two 5,000-gallon storage tanks and a fire hydrant will be installed to provide adequate water for fire protection. (MND, pp. 4, 56, and 62.) The MND reports that the groundwater onsite comes from a well that produces 11 gallons per minute. (*Id.*) The well report provided on October 6, 2023, indicates that the production of this well was measured without a pump in place in 2012, more than a decade ago. Since that time California has gone through many years of drought, with every foothill community seeing well production reduced and some wells failing entirely. A conservative estimate of irrigation needs for the Project is approximately 1,825,000 gallons per year. There is no substantial evidence in the record to indicate that the well still produces 11 gallons per minute today, nor that it could possibly supply the water demand of thousands of cannabis plants, while at the same time providing domestic water and adequate fire protection.

Latrobe Fire Protection District Station 91 prepared a Fire Prevention Plan that was revised on March 11, 2021. It describes two 5,000-gallon storage tanks and a fire riser as the fire suppression for the property.

On June 14, 2021, the El Dorado Hills Fire Department wrote a letter regarding the Green Gables permit application. This letter was prepared three months *after* the Fire Prevention Plan. The letter states as follows: "The project area is not currently provided with an adequate means of emergency water supply, storage or conveyance facilities. Prior to new buildings or structures being placed on one or more of these parcels the applicant will need to demonstrate that they can meet the required emergency water supply provisions found in Chapter 5 of the California Fire code, along with local ordinances and the standards of the EDHFD." (Emphasis in original.) There is nothing in the MND or the record showing that the applicant has demonstrated they can meet the required emergency water supplies.

The June 14, 2021 letter stating that there is not an adequate means of fire protection on the property is substantial evidence of a potentially significant impact, requiring an EIR for the Project. At the very least, the County must obtain current, accurate, well production information, and develop mitigation requirements determined by the appropriate fire agencies to provide adequate water supply for fire protection. The current MND is inadequate.

**b. Failure to adequately analyze impacts related to water supply for Project operations.**

The MND contains unsupported conclusions stating that the operation of the project will require approximately 150,000 gallons of water per year. (MND, p. 4.) There is not a single fact discussed in the MND nor available in the consultant's file to support this arbitrary figure. In fact, according to a peer reviewed study prepared by U.C. Berkeley, the average greenhouse cannabis plant in California consumes 2.5 gallons of water per day.<sup>1</sup>

The square footage of the greenhouses is 7,825 square-feet (sf). (MND, p. 1.) The MND does not disclose the number of plants that will be grown in the eight greenhouses. The application, however, states that "Green Gables will have the ability to vegetate up to 873 plants and flowers concurrently, will grow up to 42 strains of marijuana and will have the ability to grow from seedling to finished product."

Despite the estimate in the application, the greenhouses will have the capacity to house several thousand plants, depending upon the growing technique. There is no disclosure in the MND regarding the growing technique (nor could there be since the applicant does not intend to actually grow cannabis), but greenhouses often average between 1 and .65 plants per square foot.<sup>2</sup> With a conservative estimate of .5 plants per square foot, and assuming

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<sup>1</sup>[https://ourenvironment.berkeley.edu/sites/ourenvironment.berkeley.edu/files/user/profile2/main/publications/Wilson%20et%20al.%202019\\_Cal%20Ag.pdf](https://ourenvironment.berkeley.edu/sites/ourenvironment.berkeley.edu/files/user/profile2/main/publications/Wilson%20et%20al.%202019_Cal%20Ag.pdf)

<sup>2</sup> <https://www.greenhousegrower.com/production/finding-the-balance-between-cannabis-plant-density-and-crop-health/>

that 25% of the greenhouse area would be used for walkways or other purposes, the eight greenhouses could accommodate 2,934 plants. If each plant requires 2.5 gallons of water per day, that will mean the annual water consumption would be over 2,677,275 gallons per year. The County is guessing how many plants Mr. Sandie would have cultivated, and in any case, CEQA requires that the County analyze the full buildout and use of the eight greenhouses by the future owner.

Even if the use permit is conditioned to limit the grow to the number of plants applied for, 873, the annual water consumption would be 701,000 gallons per year, and none of this accounts for any other water use on the property.

The MND and all the materials surrounding the processing of the permit have obscured the number of plants and the actual water use. The water demands could easily be calculated if the County complied with the disclosure requirements of CEQA and provided the public and the decision makers with enough information to understand the tremendous water consumption that will occur if this Project is approved.

The MND falls well short of meeting CEQA's requirements. To disclose the facts and to analyze the actual impacts, the current well production must be determined and disclosed, the actual number of plants disclosed, and an accurate measure of required irrigation per year must be determined and revealed, and the impacts to adjacent domestic wells must be analyzed.

Reliance upon vague estimates with no basis in fact does not comply with CEQA. The County is essentially expecting the public and the decision makers to accept the idea that the number of plants that will be grown in 7,825 square feet of greenhouse will be only 186 plants. That is the number of plants that would actually require approximately 150,000 gallons of water per year. The public and the decision makers deserve better than a slapdash estimate that is designed to make it look like the grow would consume the same amount of water as a typical residence.

#### **4. Conclusion.**

The MND and the surrounding documents show two things for certain: (1) there is insufficient water and storage/conveyance facilities on the Project site for fire suppression; and (2) there is no reliable information that has been developed to determine whether the onsite well is capable of providing sufficient irrigation water for the Project, while meeting all of the other water needs on the property. This falls far short of CEQA compliance, and if the Board of Supervisors moves forward with the MND, would result in an ill-informed and irresponsible decision.

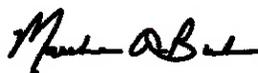
With respect to the Variance, the approval made by the Planning Commission is "supported" by findings that are so thin it is difficult to

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understand what the reasoning was that resulted in approval. In addition to the faulty findings, the Planning Commission did not take into account the fact that the applicant has no intention of operating the facility, and so various "facts" assumed by the Planning Commission are not facts at all.

For the reasons set forth above, we request that the appeal be granted. The Variance request should be denied, the MND should be withdrawn, and, and a revised environmental document should be prepared and circulated as required under CEQA.

Very truly yours,



Marsha A. Burch  
Attorney

cc: David Livingston, County Counsel (via email: [david.livingston@edcgov.us](mailto:david.livingston@edcgov.us))  
John Hidahl ([bosone@edcgov.us](mailto:bosone@edcgov.us))  
George Turnboo ([bostwo@edcgov.us](mailto:bostwo@edcgov.us))  
Wendy Thomas ([bosthree@edcgov.us](mailto:bosthree@edcgov.us))  
Lori Parlin ([bosfour@edcgov.us](mailto:bosfour@edcgov.us))  
Brooke Laine ([bosfive@edcgov.us](mailto:bosfive@edcgov.us))  
Sun Ridge Meadows Homeowners Association

MARSHA  A. BURCH  
LAW OFFICE

---

131 South Auburn Street  
GRASS VALLEY, CA 95945

Telephone:  
(530) 272-8411

www.marshaburchlawoffice.com

mburchlaw@gmail.com

October 4, 2023

Via email: [evan.mattes@edcgov.us](mailto:evan.mattes@edcgov.us)  
[edc.cob@edcgov.us](mailto:edc.cob@edcgov.us)

Evan Mattes, County Planner  
County of El Dorado  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667

El Dorado County Board of  
Supervisors  
330 Fair Lane  
Placerville, CA 95667

Re: Request for Continuance of Appeal Hearing  
Green Gables Commercial Cannabis Use Permit and Variance

and

**CALIFORNIA PUBLIC RECORDS ACT REQUEST**

Dear Mr. Mattes and Supervisors:

I am writing on behalf of the Sun Ridge Meadow Homeowners Association ("HOA"). My client, along with the Latrobe School District, appealed the Planning Commission's August 24, 2023, approval of the Commercial Cannabis Use Permit and Variance CCUP20-0004 and V23-0002 / Green Gables Growers (Mitigated Negative Declaration) ("Project").

The day after the Planning Commission approval of the Project, on August 25, 2023, Elizabeth Lewicki, on behalf of the HOA, left several phone messages for Mr. Mattes requesting access to documents. She received no response to the messages.

On September 6, 2023, Ms. Lewicki visited the Planning Department and requested a meeting with Mr. Mattes. He was not available. Ms. Lewicki spoke with another staff member and explained that she had been trying to reach Mr. Mattes about the Project file, but she was unable to speak with Mr. Mattes or to see the Project file.

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On September 8, 2023, Ms. Lewicki received a phone message from Mr. Mattes that was not entirely intelligible, but it stated that documents were attached to the public Planning Commission file for the August 28 hearing, on Legistar El Dorado County.

On or about September 18, 2023, my client received notice that the appeal hearing would be held on October 10, 2023. No time for the hearing was specified.

On September 20, 2023, Ms. Lewicki sent an email to Mr. Mattes requesting a list of documents referenced in the Project review, a list that included documents that had *not* been made available on Legistar or elsewhere on the County website. She included citations to pages in the Mitigated Negative Declaration ("MND") where the missing documents were referenced.

A week later, on September 27, 2023, Ms. Lewicki sent another email to Mr. Mattes stating that she had received no response to her September 20, 2023, document request. Ms. Lewicki pointed out that the delay in responding was impeding the ability of the HOA to prepare for the October 10, 2023, Board of Supervisors hearing. Ms. Lewicki copied her message to two supervisors in the Planning Department.

Approximately two hours later, Ms. Lewicki received an email from Rob Peters, Deputy Director of Planning, stating that Mr. Mattes was working on a response to her request. Approximately one hour later, Mr. Mattes called Ms. Lewicki.

The following day, on September 28, 2023, Mr. Mattes sent a few of the requested documents. He sent a well report, a Fire Prevention Plan from Latrobe Fire Protection District Station 91, and a letter from the El Dorado Hills Fire Department. Mr. Mattes also stated that Ms. Lewicki could make arrangements to review the Project file after giving Mr. Mattes enough notice to remove confidential information.

The well report provided by Mr. Mattes created some confusion. The report was for a street address that did not correspond to the Project property, *and* it showed a surprising well production rate of 1.5 gallons per minute ("gpm"). The MND based its analysis of water supply on a well producing *11 gpm*. Ms. Lewicki questioned whether the report was for the correct parcel, and Mr. Mattes responded on September 29, 2023, that it was indeed the correct report, the street address had been input incorrectly, but the APN was the same.

The Planning Department has not provided access to the Project file in a timely way that would allow the HOA to prepare for the appeal hearing, and by this letter the HOA requests a continuance of the hearing. We also request that

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you coordinate with this office to schedule the hearing on a date when the appellant and counsel can be present.

The Planning Department continues to withhold documents relating to the septic system, the capacity of the solar panels, and other items. We would like to schedule a meeting with County Counsel and Planning staff to determine how we can arrange for review of the Project file before the appeal hearing.

It bears noting that the three documents Ms. Lewicki was able to obtain pointed to significant environmental issues, and considerable shortcomings in the environmental document. The El Dorado Hills Fire Department letter states that the Project site does not have adequate means of fire protection. We do not know what, if anything, has changed since that time, but this is a critical issue for the neighbors and the County. Additionally, the MND's analysis of water supply relies entirely upon an assumption that the well has a capacity of 11 gpm. The well report provided by Mr. Mattes shows that the well on the Project site produces just 1.5 gpm. This is a significant environmental issue. To compound the matter, the MND makes the assumption that the cannabis grow will require just 150,000 gallons of water per year, without reference to *any* evidence. In fact, the grow will likely require ten times this amount (per industry and state water agency data). There is little chance that a well producing 1.5 gpm could meet the water demand of even one of the proposed greenhouses.

If the handful of documents that have been produced, very slowly, to Ms. Lewicki show that the MND contains assumption that are unsupported by the facts, it stands to reason that the rest of the assumptions in the MND should be verified through a review of the Project file.

To this end, this letter is also a request under the California Public Records Act for the following documents:

1. The County's file for the Project.
2. A copy of the consulting agreement between the County and HELIX Environmental Planning, Inc.
3. The Project file maintained by HELIX Environmental Planning, Inc.

We request that these documents be provided at least two weeks in advance of the appeal hearing.

With regard to any documents that may be withheld by the County we request the County's full and fair compliance with Government Code section 6255 by providing a written reply (1) identifying the type or nature of the record, or portion thereof, being withheld, and (2) demonstrating that the record in question is exempt under the express provisions of the PRA, or that, on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

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Finally, before taking any action that might result in charges for reimbursement (*i.e.*, fees established by statute or the "direct cost" of copying of documents or electronic formatted data), we request that you provide an estimate of the costs involved. We will not accept liability for any costs incurred by the County taken in complying with this PRA request unless such costs are (1) authorized in the first instance by the PRA, and (2) disclosed to and approved by our office *before* the County incurs such costs.

We appreciate your consideration with respect to our request for a continuance of the appeal hearing so that we may obtain the necessary documents from the County, and we look forward to hearing from you regarding our records request.

Very truly yours,



Marsha A. Burch  
Attorney

cc: David Livingston, County Counsel (via email: [david.livingston@edcgov.us](mailto:david.livingston@edcgov.us))  
Sun Ridge Meadows Homeowners Association

6914 S SHINGLE RD  
SHINGLE SPRINGS

+415-312-6232

+916-801-9433

ALAA.HUSSEIN@C21SELECTGROUP.COM  
KIMBERLY.WOOD@C21SELECTGROUP.COM



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415-312-6232

ALAA.HUSSEIN@C21SELECTGROUP.COM

916-801-9433

KIMBERLY.WOOD@C21SELECTGROUP.COM





# ABOUT THE PROPERTY



Exceptional California Jewel! Rarely does a property of such grandeur grace the market. This splendid "Yellowstone Style" Ranch estate spans over 105.9 acres, situated just moments from El Dorado Hills. Boasting four generously appointed ensuite bedrooms, a dedicated office, and a meticulously designed temperature-controlled wine cellar, all conveniently located on the main floor. An additional bonus room with a full bath resides upstairs. Immerse yourself in panoramic vistas that encompass snow-capped mountains and breathtaking eastern sunrises, perfectly complemented by valley views and enchanting western sunsets. This property emanates tranquility and seclusion.

Enjoy exhilarating zip-line adventures in both directions to access three guest tree-houses, each capable of accommodating 10 or more guests. These tree-houses feature separate heating and cooling units and are equipped with 1 full and 2 half baths. For those with an affinity for equestrian pursuits, there is a meticulously appointed horse barn complete with paddocks, a round pen, a riding arena, and ample acreage for crafting your own trails. Outdoor amenities include an outdoor kitchen fit for a chef with a pizza oven, an automatic backup generator, a 1.3-acre fenced garden, a custom pool and spa boasting a slide, swing, and grotto, as well as a 24KW solar array, which is owned.

Moreover, you will find a three-bedroom, two-bathroom caretaker's residence situated on the property. Consider the thrilling potential of establishing a vineyard, hosting weddings, equestrian events, or exploring various licensing opportunities to truly highlight this exceptional estate. We strongly recommend connecting with the listing agents to thoroughly explore potential income-generating avenues, including the ones mentioned earlier and additional licensing possibilities.

Conveniently positioned just one hour away from Sacramento International Airport, less than an hour and a half from the enchanting South Lake Tahoe, and a mere two hours from the vibrant city of San Francisco. This isn't just a property, it is a lifestyle.



CENTURY 21  
SELECT REAL ESTATE

# 6914 S SHINGLE RD

INVESTMENT/INCOME POTENTIAL OVERLOOK

2023



**COUNTRY LIVING**

PLEASE CALL TO DELVE INTO A COMPREHENSIVE DISCUSSION ABOUT THE PROPERTY; THERE COULD BE ADDITIONAL INCOME-GENERATING POTENTIAL BEYOND WHAT'S CURRENTLY LISTED.

# T(H)REE HOUSE OASIS

INCOME-GENERATING OASIS:  
THREE LUXURIOUS TREE  
HOUSES READY FOR RENTAL  
ADVENTURE



## INCOME & TREE HOUSE INSIGHTS

This property features three income-generating tree houses expertly designed by the Tree House Masters. Additionally, there are two zipline platforms connecting to two of the tree house platforms. The main tree house is equipped with air conditioning, a full bathroom, a kitchenette, an indoor-outdoor shower, a loft bed, and a compact dining area. The secondary tree house includes a bed, loft, full bathroom with air conditioning, and a scenic wine-drinking pad overlooking the tranquil babbling brook.

Furthermore, the third tree house is designed with children in mind, providing air conditioning and a bathroom with amenities tailored to them. The tree houses are interconnected by double bridges and feature multiple slides and climbing walls that offer a delightful view of the peaceful babbling brook. These tree houses serve as a significant source of income and can be utilized for Airbnb or individual rental purposes.

# CARE TAKERS HOUSE

The property includes a caretaker's house with its own separate address, providing both privacy and functionality. Additionally, a root cellar is also part of this arrangement, further enhancing the amenities and features available. These elements contribute to the overall appeal and utility of the property, providing a complete and well-rounded living experience.



Furthermore, the additional caretaker's home is an income-generating asset, with the potential to yield between \$2000 to \$2500. This adds a significant financial benefit to the property, enhancing its investment value and making it a lucrative opportunity for potential buyers or investors. The dual functionality of providing residence for a caretaker while generating substantial income underscores the versatility and financial potential of this property.

# EQUESTRIAN CENTER

TRAILBLAZING HORIZONS

## A Visionary Equestrian Center Or Enchanting Riding Trails

The possibilities for this property are boundless, tailored for those passionate about equestrian pursuits. We envision creating a haven for equestrian enthusiasts by offering a range of services such as riding lessons, educational workshops, and clinics, fostering a culture of growth and expertise. Additionally, the prospect of hosting events, horse shows, and recreational activities will extend an invitation to the community, allowing them to immerse themselves in the enchanting world of horsemanship. The property lends itself to immaculate stables, grooming areas, tack rooms, and arenas, meticulously designed to facilitate optimal training. Moreover, envisioning trail riding further expands the horizons of what this exceptional location can offer.



# Investment Opportunity in Wedding Venues



This property holds immense potential to become a coveted wedding venue, featuring the option to construct a stunning barn/diminium, an exquisite horse arena, and a charming secluded venue. Additionally, the main house, tree houses, and guest house present attractive accommodation options for wedding guests. Further enhancements could include additional units or an event hall, showcasing profitable opportunities within the wedding venue sector.



## winery & vineyard

This property is zoned to accommodate various types of agriculture, presenting an exciting opportunity for a winery and vineyard venture. It holds the potential to be an exceptional investment for individuals eager to enter this domain. Envision crafting an elegant vineyard spanning over 100 acres, offering breathtaking scenic views of the property. The possibilities and creative potential with this investment property are truly boundless.

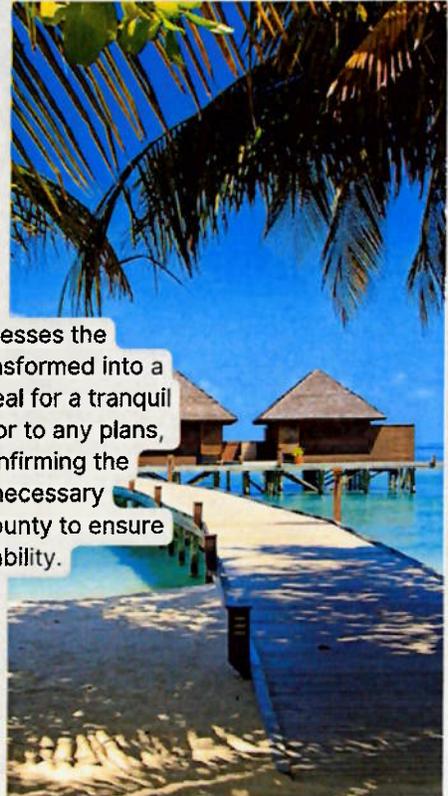
# 1 CONTAINER ADU UNITS



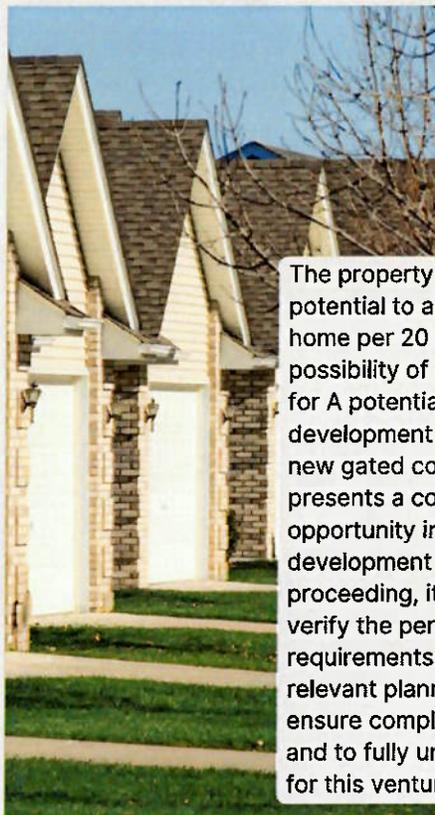
In addition, the property allows for possible construction of additional Accessory Dwelling Units (ADUs), offering a compelling opportunity to create an ADU resort-style income generator. These additional units can serve as an attractive source of revenue or provide housing for extended family members, further enhancing the versatility and value of the property. This flexibility opens doors to a range of possibilities for maximizing the potential of the land \*Prior to any plans, we recommend confirming the feasible uses and necessary permits with the county to ensure compliance and viability..

# RESORT 2

This property possesses the potential to be transformed into a splendid resort, ideal for a tranquil retreat space. \*Prior to any plans, we recommend confirming the feasible uses and necessary permits with the county to ensure compliance and viability.



# 3 DEVELOPMENT



The property currently has the potential to accommodate one home per 20 acres , suggesting the possibility of creating a subdivision for A potential LARGER development and establishing a new gated community. This presents a compelling investment opportunity in a sizable development project. \*Prior to proceeding, it is highly advisable to verify the permissible actions and requirements with the county and relevant planning authorities to ensure compliance with regulations and to fully understand the potential for this venture.

# AGRICULTURE

## *your very own Yellowstone*

This property provides an abundance of agricultural possibilities, granting the freedom to cultivate and grow according to your preferences on this stunning land. It's an ideal setting for individuals in the farming and ranching industry, offering a luxurious ranch lifestyle. With its myriad amenities and features, this ranch embodies the essence of rural farming living, all within a convenient 15-minute drive to the town center. Enjoy the perfect blend of countryside tranquility and urban accessibility—a true fusion of the best of both worlds.



# HORTICULTURE LICENSE

For further details on this exclusive property license and its exceptional high-profit potential, we invite you to make inquiries directly. Feel free to reach out for comprehensive information about the horticulture license and to explore the myriad opportunities that await. Your inquiries are valued and will be promptly addressed.



**EXPLORE  
ENDLESS  
INVESTMENT  
OPPORTUNITIES  
ON  
THIS UNIQUE  
100-ACRE  
PROPERTY!**

Boasting a diverse range of possibilities, this land is a canvas for your imagination and entrepreneurial spirit. From equestrian centers and wineries to resort developments and agricultural ventures, the options are limitless. With the ability to accommodate one home per 20 acres and the potential for creating a gated community or a resort-style ADU income generator, the property offers flexibility like no other. Envision a luxury-style ranch, perfect for those in the farming and ranching industry, providing a blend of rural tranquility and urban convenience. Additionally, the inclusion of a caretaker's home, complete with a separate address and a root cellar, adds both practicality and income potential to the equation. Generating \$2000 to \$2500, the caretaker's home as well as the Tree houses are a lucrative asset, further enhancing the financial appeal of this investment. If you're eager to delve into the myriad investment opportunities this property offers, we invite you to inquire further. Our team is ready to provide comprehensive information, answer your questions, and guide you toward realizing the full potential of this exceptional property. Reach out today to unlock the endless possibilities awaiting you on this unique 100-acre canvas.



**KIM WOOD & ALAA HUSSEIN**

DRE: 01435946,02220805



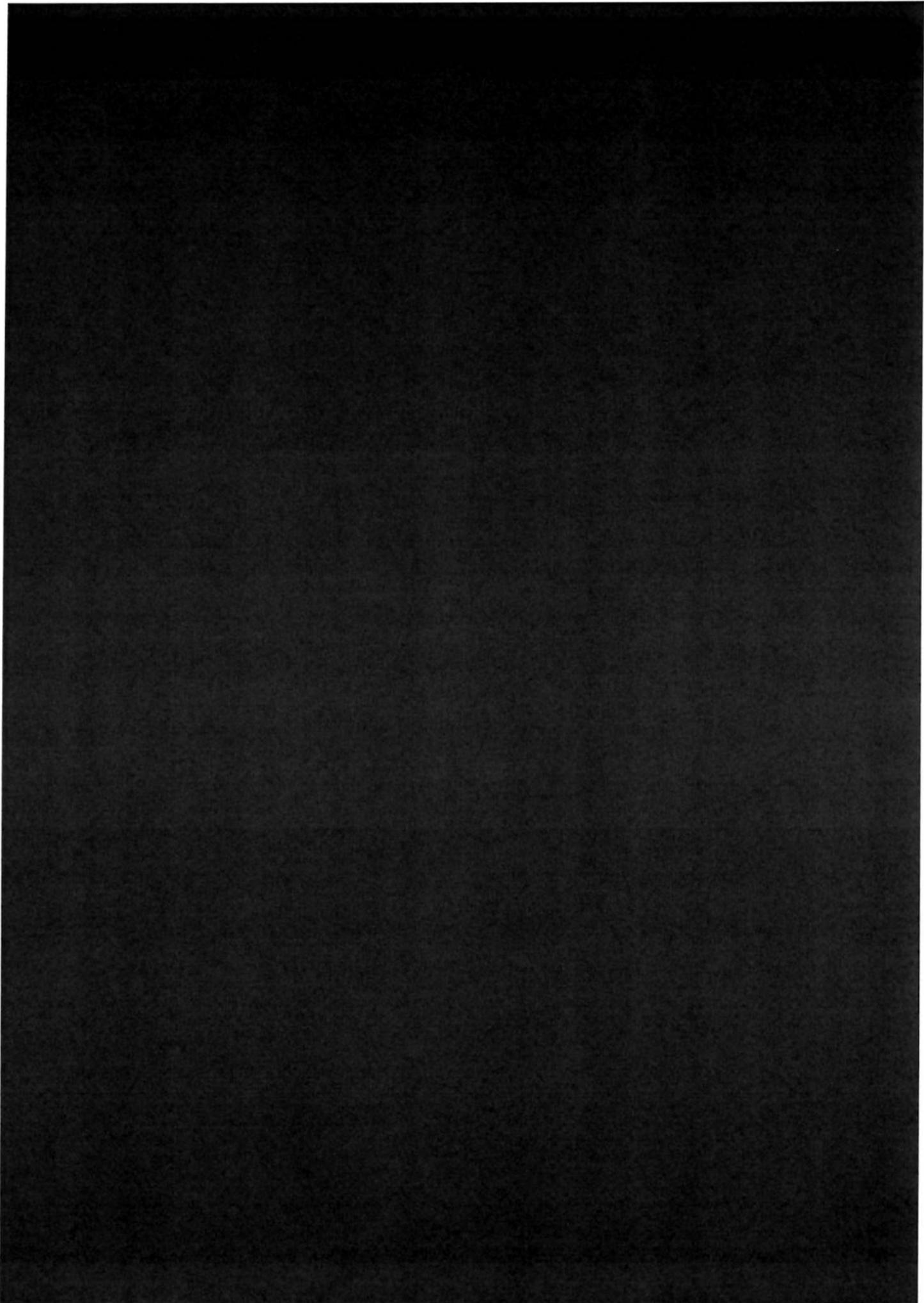
ALAA.HUSSEIN@C21SELECTGROUP.COM

KIMBERLY.WOOD@C21SELECTGROUP.COM



KIM:916-801-9433

ALAA:415-312-6232



## Kim Dawson

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**From:** Margaret Chabot <margaret.chabot@gmail.com>  
**Sent:** Monday, October 9, 2023 9:32 AM  
**To:** BOS-Clerk of the Board  
**Subject:** Fwd: Proposed Cannabis Grow - Position Statement for Steve Ruhnau  
**Attachments:** Proposed Cannabis Grow Position Statement - Steve Ruhnau 20231008.pdf

Tuesday agenda item

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

From: **Steve Ruhnau** <[steve.ruhnau@gmail.com](mailto:steve.ruhnau@gmail.com)>  
Date: Sun, Oct 8, 2023, 10:46 PM  
Subject: Proposed Cannabis Grow - Position Statement for Steve Ruhnau  
To: The BOSTWO <[bostwo@edcgov.us](mailto:bostwo@edcgov.us)>, <[bosthree@edcgov.us](mailto:bosthree@edcgov.us)>, <[bosfive@edcgov.us](mailto:bosfive@edcgov.us)>, <[bosfour@edcgov.us](mailto:bosfour@edcgov.us)>, <[bosone@edcgov.us](mailto:bosone@edcgov.us)>  
Cc: <[evan.Mattes@edcgov.us](mailto:evan.Mattes@edcgov.us)>, <[aaron.mount@edc.gov.us](mailto:aaron.mount@edc.gov.us)>, <[robert.peters@edc.gov.us](mailto:robert.peters@edc.gov.us)>, <[andy.nevis@edcgov.us](mailto:andy.nevis@edcgov.us)>

Dear Supervisors,

Thank you for taking the time to consider input from this resident of the Latrobe area of El Dorado County. El Dorado County is one of the true treasures of California and the Blue Oak Savannah foothills of the western slope where we live is one of its gems. The El Dorado trail runs from the county line near Folsom and winds through some of the most beautiful country near Deer Creek, Latrobe Creek, Clark Creek, and many other tributaries of the Cosumnes River. That trail runs through Latrobe and very near to the proposed commercial cannabis project property and continues to Placerville and beyond.

**Please VOTE to NOT APPROVE this cannabis grow facility for at least the following reasons:**

- **Precedent** - Please prevent the precedent of allowing commercial cannabis grows in this region. The bay area property owner is purposely trying to set a precedent for their own short-term profit and the long-term demise of this region. A small approval will bloom to full use of that property for cannabis... and a large region of cannabis grows will result. This is a pattern that is very well documented.
- **Negative Impacts & False Promises** – There are now numerous studies on the impact of cannabis grows with actual data to push back on the false promises made to counties inside and outside of California. These included:
  1. **Excessive Water Use** – where water demand for growing cannabis typically exceeds that of commodity crops by nearly double... in a Region Known For Very Low Water Availability.
  2. **Failed Economic Promise** – where in county after county the promises of profits and tax revenue are often overtaken by deeper, unexpected costs and impacts that rural counties were not expecting. The County balance sheet is not positive.
  3. **Criminal Attraction & Unexpected County Costs** – where cannabis grows invite a population with very different values leading to escalated security and crime issues and costs.
  4. **Oak Loss & Deforestation** – where such environmental losses result from these grows that expand to utilize every square foot of a property along with the water loss and waste management problems.
  5. **Light Pollution** – where cannabis grows expand their season for profitability and grow light pollution becomes a severe problem for communities.
  6. **Short-Term Profit vs Sustainability** – where these grow businesses are focused on short term profitability and not on sustainable use of the land or the impacts to neighboring communities.

This proposed cannabis grow facility **should be denied** by El Dorado County to protect the long-term interests of the County and its residents. Please do the right thing and **say NO** to this cannabis grow proposal.

Thank You for Your Consideration

Steve Ruhnau

<< Position Statement Attached as a PDF >>

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Steve Ruhnau  
Latrobe, California  
(916)849-9714 cell  
[steve.ruhnau@gmail.com](mailto:steve.ruhnau@gmail.com)

Steve Ruhnau  
5463 Dodson Court  
Latrobe, CA 95682  
[steve.ruhnau@gmail.com](mailto:steve.ruhnau@gmail.com)  
916-849-9714

**October 8, 2023**

**El Dorado County Supervisors**

**Regarding:**

**Feedback regarding the proposed commercial cannabis grow facility in my neighborhood off of South Shingle Road – for your consideration in the Board of Supervisors Meeting on Tuesday October 10, 2023**

Dear Supervisors,

Thank you for taking the time to consider input from this resident of the Latrobe area of El Dorado County. El Dorado County is one of the true treasures of California and the Blue Oak Savannah foothills of the western slope where we live is one of its gems. The El Dorado trail runs from the county line near Folsom and winds through some of the most beautiful country near Deer Creek, Latrobe Creek, Clark Creek, and many other tributaries of the Cosumnes River. That trail runs through Latrobe and very near to the proposed commercial cannabis project property and continues to Placerville and beyond.

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Thank You for Your Consideration

Steve Ruhnau

## Kim Dawson

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**From:** BOS-District I  
**Sent:** Monday, October 9, 2023 7:19 AM  
**To:** BOS-Clerk of the Board  
**Subject:** FW: Please fix the commercial cannabis program

## *Cindy Munt*

Assistant to Supervisor John Hidahl, District 1  
Board of Supervisors, County of El Dorado  
Phone: (530) 621-5650

[Link to Facebook page](#)

[Link to Nextdoor](#)

[Link to Supervisor Hidahl's webpage](#)



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**From:** RoberthamScotthamGM <alfredegov@gmail.com>  
**Sent:** Friday, October 6, 2023 2:36 PM  
**To:** BOS-District I <bosone@edcgov.us>  
**Subject:** Please fix the commercial cannabis program

Dear Supervisors;

Please follow the will of the voters and allow cannabis growers to get licenses. Two years into the program the County has issued zero commercial cannabis licenses. The result of not allowing licenses is the loss of jobs, money in the local economy, and taxes to support County needs. Γεια σου, ήθελα να μάθω την τιμή σας.

When growers get legal licenses they:

- Hire employees
- Build security features - fences, cameras, lights, and alarms
- Build buildings, driveways, sheds, and greenhouses
- Build environmental protection features

- Add rural fire fighting features with water tanks, fire hydrants, and better access driveways
- Contract for construction
- Contract for accounting and legal services
- Buy supplies and equipment

Cannabis could be an instant anti-COVID business stimulus. Had the County allowed 150 cultivation licenses there would have likely been 1000 new jobs, \$10m in new taxes, and millions of dollars in economic activity in the depressed rural areas. Cannabis operations have a small environmental imprint that is similar to the imprint from other types of agriculture.

Please fix the commercial cannabis program by allowing cultivators to get licenses as soon as possible and reduce useless '800 and 1,500' setbacks to the setbacks appropriate for individual sites.

When cannabis cultivators get licenses our community will improve because of less illegal activity, new community support and less neighbor to neighbor prejudice.

Thank you for making positive changes in El Dorado County.

Sincerely,

Robertham ScotthamGM

[alfredegov@gmail.com](mailto:alfredegov@gmail.com)

## Kim Dawson

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**From:** BOS-District I  
**Sent:** Monday, October 9, 2023 7:08 AM  
**To:** BOS-Clerk of the Board  
**Subject:** FW: Proposed Cannabis Grow - Position Statement for Steve Ruhnau  
**Attachments:** Proposed Cannabis Grow Position Statement - Steve Ruhnau 20231008.pdf

## *Cindy Munt*

Assistant to Supervisor John Hidahl, District 1  
Board of Supervisors, County of El Dorado  
Phone: (530) 621-5650  
[Link to Facebook page](#)  
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**From:** Steve Ruhnau <steve.ruhnau@gmail.com>  
**Sent:** Sunday, October 8, 2023 10:46 PM  
**To:** BOS-District II <bostwo@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District V <bosfive@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District I <bosone@edcgov.us>  
**Cc:** Evan R. Mattes <Evan.Mattes@edcgov.us>; aaron.mount@edc.gov.us; robert.peters@edc.gov.us; Andy Nevis <Andy.Nevis@edcgov.us>  
**Subject:** Proposed Cannabis Grow - Position Statement for Steve Ruhnau

Dear Supervisors,

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Thank You for Your Consideration

Steve Ruhnau

<< Position Statement Attached as a PDF >>

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Steve Ruhnau  
Latrobe, California  
(916)849-9714 cell  
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Steve Ruhnau  
5463 Dodson Court  
Latrobe, CA 95682  
[steve.ruhnau@gmail.com](mailto:steve.ruhnau@gmail.com)  
916-849-9714

**October 8, 2023**

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Thank You for Your Consideration

Steve Ruhnau

## Kim Dawson

---

**From:** Carolynne Smith <caspixel@yahoo.com>  
**Sent:** Sunday, October 8, 2023 11:25 AM  
**To:** BOS-Clerk of the Board; BOS-District V; BOS-District IV; BOS-District III; BOS-District II; BOS-District I  
**Subject:** Green Gables Growers: Application for Variance V23-0002/ CCUP 20-0004  
**Attachments:** GreenGablesCannabisFacilityRebuttal.pdf

Dear Sir or Madam:

On August 24, 2023, the Planning Commission narrowly approved an application from Green Gables Growers for a Variance and Commercial Cannabis Use Permit, V23-002/CCUP 20-0004, at 6914 South Shingle Road in Latrobe. My family lives in the Shadow Hawk subdivision, just north of this property.

I urge the Board of Supervisors to reject the Variance and CCUP application. The application must be denied because it can not satisfy the requirement in the County's cannabis ordinance that no cannabis operation can be located within 1,500 feet of, among other things, a school bus stop. In fact, the applicant is directly adjacent to three school bus stops. The Latrobe school superintendent corrected the record at the Planning Commission hearing to show there are three active bus stops. The applicant and staff persist in ignoring the third bus stop directly across the road from the project. The analysis should end here, because there is no possibility of mitigation for the location of three school bus stops. Nor is there any reason to grant a variance from this requirement, which was adopted by the Board and approved by the voters as part of the cannabis legalization process. The setback requirements were enacted to protect the health and safety of our sensitive populations. Indeed, granting the variance requested would confer special benefits to the applicant's property to the detriment of the community.

In addition, there are numerous other problems and deficiencies in the application and MND. The MND should be vacated, and the applicant should prepare a appropriate full Environmental Impact Report.

The project will likely negatively impact Shingle Springs homeowners in numerous ways, as previously detailed in the attached letter sent in March to Evan Mattes.

As a long time resident who enjoys the rural lifestyle, tranquility, and privacy of our beautiful county, I am appealing to you, hoping to persuade you that what we all need to be mindful of protecting Shingle Springs and our beautiful El Dorado County.

It feels like the rural community we all cherish and strive to keep secure, and safe, is being invaded by commercial investors, who want to make a quick buck turning over property ultimately at our community's expense.

Again, I urge the Board of Supervisors to vacate V23-0002 and CCUP 20-0004.

In addition, the Mitigated Negative Declaration should be vacated, and the applicant directed to complete a full EIR.

Thank you for your attention to this matter.

Concerned Homeowner,

Carolynne Smith



Attention: Evan Mattes, county planner

Response Regarding: Notice Of Intent to adopt a mitigated negative declaration

Project CCUP20-0004/ Green Gables Growers

I am a resident of the Shadow Hawk subdivision on South Shingle Road and would like to express serious issues of concern regarding the environmental issues associated with the proposed commercial Project. Our multiple home association is located adjacent to the Parcel Number 087-021-057.

Marijuana is a growing industry but the promises of profits and tax revenue are often overtaken by deeper, unexpected costs and impacts that rural counties were not expecting. This proposed marijuana farm should be denied by El Dorado County to protect the long term interests of the County and its residents. The primary concerns that residents and representatives of El Dorado County should have with the proposed commercial marijuana operation adjacent to our community include but are not limited to the following:

**Water Use** – this region of the county is known for its low yield fractured rock well water supply. It has been and remains a key reason why so many land owners have had to resort to above ground storage and/or drilling new wells as each year the groundwater supply diminishes, especially in the dry summer and fall months, which are the primary growing months for Marijuana.

Per information links below water use concerns include the following...

*“A study reviewing environmental impacts of cannabis cultivation shows that growing the plant in both indoor and outdoor environments is water-intensive and that the high demand for water ultimately leads to water pollution and diversion.*

*Three Illinois State University researchers reviewed literature about cannabis cultivation and its environmental impacts on water, air, soil, energy consumption and carbon footprint.*

*They found that the water demand for growing cannabis typically exceeds that of commodity crops by nearly double.*

*As water scarcity continues to be a problem because of agricultural demands, population growth and climate change, the higher water needs for cannabis crops will challenge the marijuana and hemp industries while burdening the environment, researchers concluded.”*

References - <https://mjbizdaily.com/cannabis-requires-more-water-than-commodity-crops-researchers-say/>

<https://jcannabisresearch.biomedcentral.com/articles/10.1186/s42238-021-00090-0>

**Criminal Attraction** – Marijuana grows are well known to attract crime including but not limited to inventory theft. Typical security plans require substantial security surveillance and substantial 24 hour illumination for surveillance. This proposed grow opens the door to criminal access through our community as an indirect access point for theft as well as an opportunity to bring criminals into a wealthy community for other crimes. This is all proposed in a region of the county that is well away from any county sheriff presence. Even El Dorado County published a related criminal attraction profile related to marijuana grows in 2019 (see link below). Although it focuses on the theft of hemp, the point of the profile was to show that criminals are attracted to anything that appears to be Marijuana.

References - <https://www.cannabisbusinesstimes.com/article/cultivation-security-16-theft-prevention-tips-strategies/>

<https://www.edcgov.us/Government/ag/Documents/Meeting/Hemp%20Presentation%202-24-2021.pdf>

**Light Pollution** – As noted above, typical marijuana grow security plans require substantial security surveillance and substantial 24 hour illumination for surveillance. Our community residents did not invest in this rural corner of the county to stare at night-time light pollution due to a criminally attractive marijuana grow. In addition to security lighting, many cannabis cultivation experts suggest that extended artificial lighting for typically off-season grows can create even more crop yield year around

References - <https://www.cbc.ca/news/science/cannabis-greenhouses-light-pollution-1.4993407>

<https://stratcann.com/insight/growing-cannabis-debunking-the-light-leak-myth/>

<https://whdh.com/news/light-from-marijuana-farm-fills-sky-with-strange-purple-haze/>

Wildfire Threat – A 2022 study noted the following...

*“Our findings highlight cannabis' particular vulnerability to wildfire in California and may in fact underestimate wildfire risks given the potential indirect impacts of smoke to crops and farmworkers, which were not evaluated in this study. In light of the sector's growing economic importance in the state, these vulnerabilities should be considered in future cannabis and rural development policies.”*

References - <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1002/ecs2.4205>

<https://onlinelibrary.wiley.com/doi/full/10.1111/ropr.12460>

**Oak Loss & Deforestation** – The proposed marijuana grow will result in a loss of native blue and live oaks on the rural property. As the grow continues, more and more acreage will be converted to growing areas for marijuana and more trees will be removed along with those that are stressed and die due to the grow operations. These will be irreversible changes to the blue oak savannah hills that represent this unique rural corner of El Dorado County. Commitments by the proposers to constrain their growth and its impacts will surely be broken and the gem that is this region will soon be lost.

The following excerpt from one of the references listed below speaks to the reality of land clearing that comes with marijuana grows...

***“Community concerns - Environmental harm***

*Like other forms of agriculture, cannabis grow operations may clear existing greenery to expand farming, potentially yielding deforestation, forest fragmentation, wetland loss, soil erosion, and impacts to sensitive ecosystems (Bauer et al., [2015](#); Butsic, [2018](#); Wartenberg et al., [2021](#)). An aerial survey of more than 4000 grow operations in Humboldt County, California, showed that more than 60% were over 500 meters from developed roads, suggesting significant landscape fragmentation (Butsic & Brenner, [2016](#)). Deforestation and land clearing can also destroy important carbon sinks (Mills et al., [2022](#)).”*

References - <https://esajournals.onlinelibrary.wiley.com/doi/10.1002/fee.1634>

<https://onlinelibrary.wiley.com/doi/full/10.1111/ropr.12460>

**Traffic** – South Shingle Road is a narrow, winding rural road in El Dorado County. This proposed development would result in increased traffic including, but not limited to, slow and heavy 2500 gallon water trucks to supply thirsty marijuana plants when summer/fall well productivity is insufficient to keep them watered. This pattern will only get worse as climate swings become worse.

**Precedent and the Williamson Act**– The El Dorado County Board of Supervisors were very sensitive to the rare and unique rural setting that is reflected in this corner of the County when they ruled in favor of preserving its character by denying a proposal to subdivide a Williamson Act parcel adjacent to the Sun Ridge Meadow Community. They recognized that their decisions regarding use in these limited parcels could cause a precedent of development with the loss of this rare rural gem in El Dorado County. This proposed marijuana grow would likely set a precedent for further abuses of this rural land.

Sincerely,  
Carolynne A Smith  
Shadow Hawk Subdivision  
1161 Shadow Hawk Drive  
Shingle Springs, CA

## Kim Dawson

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**From:** Margaret Chabot <Margaret.Chabot@kp.org>  
**Sent:** Sunday, October 8, 2023 9:56 AM  
**To:** BOS-Clerk of the Board; BOS-District V; BOS-District IV; BOS-District III; BOS-District II; BOS-District I  
**Cc:** Margaret Chabot  
**Subject:** Re: Green Gables Growers: Application for Variance V23-0002/ CCUP 20-0004  
**Attachments:** image001.emz

Dear Sir or Madam:

On August 24, 2023, the Planning Commission narrowly approved an application from Green Gables Growers for a Variance and Commercial Cannabis Use Permit, V23-002/CCUP 20-0004, at 6914 South Shingle Road in Latrobe. My family resides to the west in the residential neighborhood adjacent to the applicant property for close to 30 years.

I urge the Board of Supervisors to reject the Variance and CCUP application. The application must be denied because it can not satisfy the requirement in the County's cannabis ordinance that no cannabis operation can be located within 1,500 feet of, among other things, a school bus stop. In fact, the applicant is directly adjacent to three school bus stops. The Latrobe school superintendent corrected the record at the Planning Commission hearing to show there are three active bus stops. The applicant and staff persist in ignoring the third bus stop directly across the road from the project. The analysis should end here, because there is no possibility of mitigation for the location of three school bus stops. Nor is there any reason to grant a variance from this requirement, which was adopted by the Board and approved by the voters as part of the cannabis legalization process. The setback requirements were enacted to protect the health and safety of our sensitive populations. Indeed, granting the variance requested would confer special benefits to the applicant's property to the detriment of the community.

In addition, there are numerous other problems and deficiencies in the application and MND. The MND should be vacated, and the applicant should prepare a appropriate full Environmental Impact Report.

The project will likely negatively impact Shingle Springs homeowners in numerous ways. I have previously detailed several of the problems in my letter sent March 10, 2023 to Evan Mattes.



Evan Mattes march  
10.docx

On a very personal note..... Shingle Springs is my home. I am appealing to you, hoping to persuade you that what we all need to be mindful of is protecting Shingle Springs and our beautiful El Dorado County.

It feels like the rural community we all cherish and strive to keep secure, and safe, is being invaded by those individuals like commercial investors, who want to make a quick buck turning over property ultimately at our community's expense.

Again, I urge the Board of Supervisors to vacate V23-0002 and CCUP 20-0004.

In addition, the Mitigated Negative Declaration should be vacated, and the applicant directed to complete a full EIR.

Thank you for your attention to this matter.

Concerned Homeowner,

Margaret Chabot

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## Kim Dawson

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**From:** BOS-District I  
**Sent:** Monday, October 9, 2023 2:03 PM  
**To:** BOS-Clerk of the Board  
**Subject:** FW: Project Green Gables  
**Attachments:** ProjectGreenGables.docx

Cindy Munt  
Assistant to Supervisor John Hidahl, District 1 Board of Supervisors, County of El Dorado  
Phone: (530) 621-5650  
[Link to Facebook page](#)  
[Link to Nextdoor](#)  
[Link to Supervisor Hidahl's webpage](#)

-----Original Message-----

**From:** Margaret Azevedo <marjuazee@gmail.com>  
**Sent:** Monday, October 9, 2023 1:54 PM  
**To:** BOS-District I <bosone@edcgov.us>  
**Subject:** Project Green Gables

Enclosed: Copy of letter written by Margaret Azevedo opposing Project Green Gables letter.  
Thank you.

Margaret Azevedo  
5481 Bryant Rd  
Shingle Springs, CA 95682

October 9, 2023

Margaret Azevedo  
5481 Bryant Rd. O  
Shingle Springs, CA 95682  
[marjuazee@gmail.com](mailto:marjuazee@gmail.com)  
530-677-7140

October 9, 2023

Regarding:  
Project Green Gables  
6914 South Shingle Road

The proposed Green Gables Project is unconscionable. It will affect negatively all residents and families living in the nearby area, be they homeowners or renters. All will be specifically affected related to:

- Well water, septic capacity and power supply, often current problems for just the residents within the Sun Ridge Community. The addition of 7,825 square feet growing area and 8 large greenhouses will only exacerbate these problems for this Community and for residents in surrounding areas.
- Potential air pollution for nearby residents with health problems related to unhealthy air conditions.
- Increased traffic caused by this Project which poses danger to the many school children who get on or off a school bus along South Shingle Road.
- Increased traffic along Shingle Road, already a problem for the many residents who daily exit onto and from South Shingle Road. In addition, there is more traffic currently because of new residential construction and the large trucks that use this road for that construction.
- Visual eyesore: Eight large and tall greenhouses will destroy a currently beautiful bucolic landscape. Many residents chose to live in this area because of its pristine un-polluted ambience.

As elected Representative for our region, please do what you can to stop the Green Gables Project now and for any time in the future.

Thank you.  
Margaret Azevedo

**Kim Dawson**

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**From:** Andy Nevis  
**Sent:** Monday, October 9, 2023 2:09 PM  
**To:** BOS-Clerk of the Board  
**Subject:** Fw: Project Green Gables  
**Attachments:** ProjectGreenGables.docx

This was sent to me but I believe it is meant for the Board hearing tomorrow. Thanks!

---

**From:** Margaret Azevedo <marjuazee@gmail.com>  
**Sent:** Monday, October 9, 2023 1:56 PM  
**To:** Andy Nevis <Andy.Nevis@edcgov.us>  
**Subject:** Project Green Gables

Enclosed: Copy of letter written by Margaret Azevedo opposing Project Green Gables letter.  
Thank you.

Margaret Azevedo  
5481 Bryant Rd  
Shingle Springs, CA 95682

October 9, 2023

Margaret Azevedo  
5481 Bryant Rd. O  
Shingle Springs, CA 95682  
[marjuazee@gmail.com](mailto:marjuazee@gmail.com)  
530-677-7140

October 9, 2023

Regarding:  
Project Green Gables  
6914 South Shingle Road

The proposed Green Gables Project is unconscionable. It will affect negatively all residents and families living in the nearby area, be they homeowners or renters. All will be specifically affected related to:

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As elected Representative for our region, please do what you can to stop the Green Gables Project now and for any time in the future.

Thank you.  
Margaret Azevedo

## Kim Dawson

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**From:** BOS-District I  
**Sent:** Monday, October 9, 2023 3:37 PM  
**To:** BOS-Clerk of the Board  
**Subject:** FW: Green Gables Growers: Appeal of CCUP 20-0004 and V23-0002; Failure to disclose public record.

## *Cindy Munt*

Assistant to Supervisor John Hidahl, District 1  
Board of Supervisors, County of El Dorado  
Phone: (530) 621-5650  
[Link to Facebook page](#)  
[Link to Nextdoor](#)  
[Link to Supervisor Hidahl's webpage](#)



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**From:** Elizabeth Lewicki <elewicki@gmail.com>  
**Sent:** Monday, October 9, 2023 3:30 PM  
**To:** BOS-District II <bostwo@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District V <bosfive@edcgov.us>; BOS-District I <bosone@edcgov.us>  
**Cc:** Evan R. Mattes <Evan.Mattes@edcgov.us>; aaron.mount@edc.gov.us; Robert J. Peters <Robert.Peters@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>  
**Subject:** Green Gables Growers: Appeal of CCUP 20-0004 and V23-0002; Failure to disclose public record.

Dear Sir or Madam:

I previously wrote to the BOS in this matter to urge the Board to vacate: the variance from the school bus stop setback; the CCUP permit; and the adopted Mitigated Negative Declaration.

I am compelled to write again because, notwithstanding many attempts to obtain access to the project file, I have been almost fully denied the access to which the public is entitled. I made my first request just after the August 24, 2023, Planning Commission hearing. The long story is detailed in the October 6, 2023, letter from Marsha Burch, who represents my homeowners association in this appeal. Ms. Burch made a formal public records request.

Late last Friday afternoon, Ms. Burch obtained access to the Helix (consultant's) file. However, the county project file was still unavailable.

The county file was not made available until this morning, the day before the hearing. On opening the dropbox link, I was dismayed to count about 125 documents. No one could possibly begin to review this project file before the hearing tomorrow. I doubt I could even download and open so many files in a day.

This delay of more than six weeks is absurd and inexcusable. All of the files could have been electronically transmitted within 24 hours of my first request.

Even without the project file, we have identified many factual errors, inconsistencies, misleading statements, and unsupported conclusions in the applicant's submissions, the MND, the variance findings, and the CCUP. Taken together, these errors more than justify vacating the variance, the CCUP, and the MND.

I urge you to reverse the variance and CCUP, and send this matter back for the proper environmental review.

Thank you,

Elizabeth Lewicki