

Public Comment #19
BOS Recd. 11-6-23

From: Adam Savakus <adamsavakus@gmail.com>
Sent: Friday, November 3, 2023 8:42 PM
To: BOS-Clerk of the Board
Cc: Kim Dawson; Kyra Scharffenberg
Subject: FW: Opposition to CCUP20-004 and V23-0002 by Sun Ridge Meadows Owners Association - BOS item 23-1823, Nov 7, 2023
Attachments: EDC Planning Meeting Aug 2023 Sun Ridge Meadow HOA OPPOSITION.pdf

Dear Sir or Madam-

The attached letter was submitted to the Planning Department for consideration PRIOR to the August 24, 2023, Planning meeting... Unfortunately it was never attached to the meeting, as it does not appear in Legistar, now 11 weeks later.

The matters discussed in this letter are directly germane to the Appeal of planning action on CCUP20-004 & V23-002 and therefore we request this be considered during the appeal 23-1823.

Please include this document to this BOS meeting of November 7, 2023. (Agenda Item 23-1823)

Please confirm this has been done at your earliest convenience.

I have been told letters have been submitted by others that do not show up on the county website. Specifically, letters of opposition submitted to the originally scheduled October 10 2023 (prior to the county rescheduling the meeting) appear to not be 'attached' to the new meeting. This is troubling.

Thanks you

Adam Savakus

From: Adam Savakus <adamsavakus@gmail.com>
Sent: Wednesday, August 23, 2023 9:15 PM
To: 'planning@edcgov.us.' <planning@edcgov.us.>; 'andy.nevis@edcgov.us' <andy.nevis@edcgov.us>
Subject: Opposition to CCUP20-004 and V23-0002 by Sun Ridge Meadows Owners Association

Dear Sir or Madam-

I am the President of the Sun Ridge Meadows Owners Association. We represent 58 homes on 580 acres immediately adjacent to the above referenced, proposed cannabis grow facility. Many of our children would be impacted by the above school facility variance if it were granted.

We oppose this project and urge you to disapprove this project. Our rationale for this request is provided in the attached latter.

Please add this submission to the planning commission materials

Thanks you for your attention in this matter.

Regards,

Adam Savakus
President
Sun Ridge Meadow Owners Association
Shingle Springs



Virus-free www.avast.com

Sun Ridge Meadow Owners Association

August 22, 2023

El Dorado County Planning Commission
2850 Fairlane Ct
Placerville, CA 95667

REFERENCE: Planning Commission Meeting, August 24, 2023
Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002 for Green
Gables Growers

Dear Sir or Madam-

I am the president of the Sun Ridge Meadows Owners association. As you may know, this is a gated, 580 acre planned development community consisting of 58 lots. Our members have chosen to live in this area for the uniquely rural character of the area, and as a PUD we have invested a great deal in achieving a unique rural character within our community.

We are strongly in opposition to the above referenced Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002 for Green Gables Growers.

We strongly oppose the placement of any commercial enterprise adjacent to our community. In particular, we oppose the proposed commercial cannabis grow facility (Project CCUP20-0004/Green Gables Growers). We were apprised of this project only when a resident brought this to our attention; disturbingly the County failed to do so.

This response is on behalf of the Sun Ridge Meadows Owners Association, providing our objections to findings identified in our review of the proposed project.

Our objections involve 5 specific areas:

- 1. Water Use**
- 2. Impact on Surrounding Properties- Criminal Activity, visual impact, lighting impact**
- 3. Wastewater impacts**
- 4. Impact on School Facilities**

1. Water Use –

Background:

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 cannabis.

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://j cannabisresearch.biomedcentral.com/articles/10.1186/s42238-021-00090-0>

Issues identified in the project documents

In documents supporting this project, it claims a well delivering “11 gallons per minute” will be sufficient. It is notable that this well appears to currently be in use to provide water for a large existing residence and barn, with significant external landscaping. There is no discussion of the current well use, and how the existing use may impact the ability of this marginal well to deliver the needed irrigation, processing and sanitation needs of the project.

- There is a failure to address how this water well will be adequate to support this use AND the addition of a commercial marijuana grow facility.
- The documents include NO support to the assertion that this grow will only need 150,00 gallons per year. Such a claim is unsupported. Indeed, this calculates to a hard-to-believe 410 gallons each day of total water use for the entire 7500 sq ft of growing space. The report does not include any rationale nor source for this information. Indeed, published data states that cannabis plants consume up to 2.5

gallons per day- with one plan per square foot a 7500 square foot greenhouse would need 18,50 gallons per day. *Even cutting the planning density in half, this facility will require over THREE MILLION gallons a year.*

- Our review found nothing to support the assertion the well produces 11 GPM, nor does it state when that well produced 11GPM if indeed it ever did. As those in the county know, as wells age water production drops. How many years has this well been in use?

As residents in the area for many decades, a well that perhaps at one time produced 11 GPM, is simply not enough to support a large home with landscaping; let alone a water- intensive project like that being proposed. Our issue is that once the project starts, and it is determined the well is inadequate, we will be faced with either (a) more wells being drilled, impacting our aquifers, or (2) commercial water trucks trundling up and down South Shingle Road, filling from the El Dorado Irrigation water tap on Motherlode Drive in Shingle Springs. By not fully describing the likely impact of water use and water supply fluctuation, this project may indeed dramatically impact El Dorado Irrigation District supplies. In addition, please note that this failure to fully describe this potential need results in the 'traffic impact' being understated.

Again, as residents, we know an 11 GPM well is inadequate, and the sequelae to our community will be felt AFTER the project is built.

In summary:

- Water production is not justified with a current well production report
- A well that produces 11 GMP for a large existing residence will not be able to support the additional needs described
- There is no documentation supporting the claim that only 150,000 gallons of water will be used by this project
- Additional water needs may impact the El Dorado Irrigation District (EID), and this has not been addressed.
- Traffic from these likely future water needs has not been considered.

- 2. Criminal Attraction/ Visual Impact/Lighting/Noise**– 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.

In addition, the Applicant describes a bland series of 14 foot tall industrial buildings surrounded by a "An 8-ft tall security fence with 6 ft of chain link and an additional 2 feet of barbed wire". This is utterly unsuitable for a rural/residential areas.

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. Despite the applicant claiming they will comply with outdoor lighting such that lights will point down and only illuminate the ground, it is undeniable that a massive area on this property will be illuminated for security purposes and such lighting must be 'dusk to dawn'. 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. While the applicant makes an offhand comment that 'they will use tarps', unfortunately the residents will have little recourse when said tarps are not used.

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/>

The county findings states that light pollution is "less than significant". This is an astonishing assertion. Indeed, the California Code, 14 section 15064 notes that what may be significant in one community may not be in another- in this case, a glowing multi-acre commercial site (ringed with razor wire no less) on a rural hillside in the middle of a dark, rural expanse presents a gross and jarring reality to consider. This is absolutely a "significant impact" based on California law. (This may not be significant in a business park, where large areas are lighted overnight, however the proposed project will be a glowing eyesore to neighbors for miles around.

We therefore believe the county has erred in declaring a "Less than Significant" impact in the section ENVIRONMENTAL IMPACTS; I. AESTHETICS; section (c)

In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

We believe this structure, project and lighting WILL have a 'potentially significant Impact'

Noise Impacts -We believe noise will be a significant nuisance in the area. Apparently, closed cannabis grow facilities need constant, 24 hr a day ventilation. It is surprising to read that despite not knowing what ventilation equipment is going to be employed, a negative declaration included a very limited analysis.

“Rationale: The specific model of greenhouse ventilation fans to be used by the project, and the proposed fan locations, was not known at the time of this analysis. A typical ventilation fan for greenhouse applications would be a Schaefer 54 inch Galvanized Light Trap Box Exhaust Fan Model 545B2G-LT. This specific exhaust fan model has a reference noise level of 73 dBA at a distance of 10 feet. Because noise generated near the ground attenuates at six (6) dBA for every doubling of distance, the predicted noise from a single example fan at the closest residence (over 800 feet) would be 35 dBA.”

It seems that a ventilation fan that ‘might be the same’ was then subject to a back-of-the-envelope calculation to assure the public it would be fine. Notably, this facility will be perched on a hillside, and the calculation for ground transmission employed by the county is not appropriate for free air sound transmission. Indeed, people quite some distance beyond 800 feet will be subject to constant, unrelating droning of ventilation fans.

3. Wastewater

Increasingly, wastewater from marijuana grows is a very significant concern. We note there is a septic system to be installed, but this appears to be for a pre-fab restroom. The described ‘wastewater’ in the application seems to be only limited to effluent from a single pre-fab bathroom- and no other wastewater is discussed. . Importantly, marijuana grows by necessity use an extraordinary amount of chemicals and fertilizers- to assist in growth and to control infestations that occur in high intensity growth environments. (Not only applied pesticides and herbicides, but chemicals in the irrigation water which will- by necessity- create run off.) Will this chemical laden effluent be discharged into Clark Creek on the property? Or will it be held in tanks and trucked off site?

4. Impact on School Facilities

El Dorado County has established that no Cannabis facility may be within 1500 feet of any school facility. (County Zoning Ordinance section 130.41.200.5.B) There are TWO school bus drop off locations within this county proscribed limit. Both of these locations are areas here students congregate- unsupervised- at multiple times during the day, and involve a large range of age groups with multiple buses servicing these locations. It is unacceptable to grant a variance to this long standing ordinance.

We urge you in the strongest terms to not approve variance V23-002. This is not a 'close call', one stop is directly adjacent to the propose cannabis grow. The county has established these restrictions for good reason; these are not secret- the applicant was well aware of the country rules when they undertook this project. They do not deserve special treatment which this variance would grant.

Again, the Sun Ridge Meadows Owners Association is opposed to this project and urges you to not approve this project.

Thanks for your time in this matter.

Sincerely

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Adam Savakus

President

Sun Ridge Meadow Owners Association

Shingle Springs

From: Margaret Chabot <Margaret.Chabot@kp.org>
Sent: Sunday, November 5, 2023 1:50 PM
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: Re: Green Gables Growers: Application for Variance V23-0002/ CCUP 20-0004

Resending for the November meeting.

From: Margaret Chabot
Sent: Sunday, October 8, 2023 9:56 AM
To: edc.cob@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; bosone@edcgov.us
Cc: Margaret Chabot <margaret.chabot@gmail.com>
Subject: Re: Green Gables Growers: Application for Variance V23-0002/ CCUP 20-0004

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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From: Carolynne Smith <caspixel@yahoo.com>
Sent: Sunday, November 5, 2023 2:03 PM
To: BOS-Clerk of the Board; BOS-District V; BOS-District IV; BOS-District III; BOS-District II; BOS-District I
Subject: Fw: 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

From: Margaret Chabot <margaret.chabot@gmail.com>
Sent: Sunday, November 5, 2023 2:09 PM
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

November agenda item position statement for Steve Ruhnau.

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

From: Steve Ruhnau <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>, <bosthree@edcgov.us>, <bosfive@edcgov.us>, <bosfour@edcgov.us>, <bosone@edcgov.us>

Cc: <evan.Mattes@edcgov.us>, <aaron.mount@edc.gov.us>, <robert.peters@edc.gov.us>, <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

Steve Ruhnau
5463 Dodson Court
Latrobe, CA 95682
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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- **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

From: BOS-District I
Sent: Monday, November 6, 2023 6:12 AM
To: BOS-Clerk of the Board
Subject: FW: CCUP20-0004 MND Response and Concerns
Attachments: Re CCUP20 0004 Draft MND updated 8.9.23.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](#)
[Link to Nextdoor](#)
[Link to Supervisor Hidahl's webpage](#)



From: Steven Tankersley <steve@tankersleybuilds.com>
Sent: Friday, November 3, 2023 8:01 PM
To: BOS-District V <bosfive@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District II <bostwo@edcgov.us>
Cc: Aaron D. Mount <aaron.mount@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>; Evan R. Mattes <Evan.Mattes@edcgov.us>
Subject: Fwd: CCUP20-0004 MND Response and Concerns

To whom it may concern,

Attached is my letter opposing this project submitted in August. I request that this letter be included for consideration in the 11/7 appeal hearing.

Thank you

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

From: Steven Tankersley <steve@tankersleybuilds.com>
Date: Wed, Aug 9, 2023 at 9:04 AM
Subject: Re: CCUP20-0004 MND Response and Concerns
To: Planning Department <planning@edcgov.us>
CC: Evan R. Mattes <Evan.Mattes@edcgov.us>, Aaron D. Mount <aaron.mount@edcgov.us>

Hi Evan,

Please see attached updated letter in reference to the Notice of Public Hearing dated 8/4/23. I will be attending, and will be raising these comments at the meeting. Please include in the meeting agenda, and confirm receipt.

Thank you

On Tue, Feb 14, 2023 at 1:44 PM Planning Department <planning@edcgov.us> wrote:

Good Afternoon,

We have received your email regarding CCUP20-0004.

Thank you,

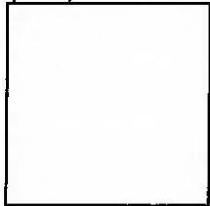
County of El Dorado

Planning and Building Department (Planning Services)

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5355



From: Steven Tankersley <steve@tankersleybuilds.com>

Sent: Tuesday, February 14, 2023 12:34 PM

To: Planning Department <planning@edcgov.us>

Cc: Evan R. Mattes <Evan.Mattes@edcgov.us>; Aaron D. Mount <aaron.mount@edcgov.us>

Subject: CCUP20-0004 MND Response and Concerns

You don't often get email from steve@tankersleybuilds.com. [Learn why this is important](#)

Mr. Mattes,

Please review the enclosed response regarding the NOI for the MND for CCUP20-0004.

Please confirm receipt of this email.

Thank you,

--

Steven Tankersley

President

Tankersley Construction, Inc.

We've moved! Our new address is:

11415 Sunrise Gold Cir, Ste 1

Rancho Cordova, CA 95742

O: (916) 538-6579
C: (916) 467-2678
CSLB #1022150

Find us on: [Houzz](#) [Guild Quality](#) [Yelp](#) [Facebook](#) [Instagram](#)
www.TankersleyBuilds.com

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--
Steven Tankersley
President

Tankersley Construction, Inc.

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Find us on: [Houzz](#) [Guild Quality](#) [Yelp](#) [Facebook](#) [Instagram](#)
www.TankersleyBuilds.com

Steven Tankersley
6600 Heffren Dr
Shingle Springs, CA, 95682
(916) 467-2678

August 9, 2023

Attn: Evan Mattes
County of El Dorado
2850 Fairlane Cr, Placerville, CA 95667

Re: NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION CCUP20-004/Green Gables Growers (8.9.23 updates in red)

Dear Mr. Mattes,

This is an updated letter in response to the Notice of Intent to Adopt a Mitigated Negative Declaration for project CCUP20-0004/Green Gables Growers and the "Notice of Public Hearing" for the reduction in the 1,500ft setback from (2) school bus stops. I am a resident and property owner of the property located at 6600 Heffren Dr, Shingle Springs CA, which is two properties adjacent, and will be directly impacted by the development of this project which includes a 7,825 sqft cannabis cultivation operation in (8) greenhouses. I have (2) children who attend Latrobe Elementary School, and are use the bus stops being affected by this review.

After careful analysis of the draft MND, I have concluded El Dorado County has not accurately or entirely analyzed the environmental effects of the proposed project. As both a concerned citizen, steward of the environment, and construction industry professional, my basis for this conclusion is summarized in the following key areas:

- 1) Oak tree impact
- 2) Hydrology/water quality impact
- 3) Substantial damage to scenic resources – trees
- 4) Air quality impact – cannabis emissions
- 5) Energy consumption
- 6) Public Services

While the report is though, it severely lacks a detailed analysis of the critical environmental impacts listed. Specifically, these impacts are minimized or not addressed at all based on the following concerns.

1) Oak tree impact

County Finding: *"Oak Woodland In-Lieu Fee, would reduce any impacts to protected oak resources to less than significant levels. For this Biological Resources evaluation, impacts would be less than significant with mitigation incorporated."*

Response: Per the MND, page 31, "Two oak trees that are located within the footprint of the cannabis facility would be removed. The project would also indirectly impact six trees ranging from 17 inches dbh to 35 dbh by grading within one-third or more of the root zone, and one Heritage tree would be indirectly impacted by grading within the root zone". Per page 24, Blue Oaks are the dominant tree species within this habitat type. Blue Oak woodlands are increasingly threatened by climate change, and according to "Frontiers in Climate"² California's iconic blue oak (*Quercus douglasii*) woodlands have also decreased by more than 1,200 km². By another metric, which reflects the altered or deteriorating condition of the tree cover, the blue oak range has lost over 600 km² in addition. Any loss of Blue Oak woodland should be considered significant by the county, and any removal or impact to heritage trees should not be permitted.

2) Hydrology/water quality impact

County Finding: *Water would be obtained from an existing private well on the project site. The proposed project is estimated to demand approximately 150,000 gallons of water per year (or 0.46 acre-feet of water per year) for cannabis cultivation and support and sanitary needs. For comparison, the average unit demand for water for a single-family residential unit located in the western supply area of El Dorado County is 0.45 acre-feet of water per year (El Dorado Irrigation District 2019). The well is 260 ft deep and can provide approximately 11 gallons per minute of water to support the proposed project. Additionally, the applicant would provide two (2) 5,000-gallon water storage tanks and a fire hydrant on-site for fire suppression. There is adequate water supply to irrigate the proposed project, and the proposed project would not introduce substantial impervious surfaces that would interfere with groundwater recharge in the area of the proposed project. Therefore, impacts to groundwater supplies and recharge would be less than significant*

Response: The report's calculations for water usage are factually incorrect, and dramatically under estimate the required water usage for the proposed project. Accordint to "Cannabis H₂O: Water Use & Sustainability in Cultivation," a 2021 report published by the Research Innovation Institute (RII), New Frontier Data and the Berkley Cannabis Research Center, found that, on average, indoor cannabis facilities use 209 gallons/square foot/year for irrigation³. Using this data, we can estimate the proposed project will use 1,635,425 gallons of water annually, nearly 11x the proposed estimate.

According to <https://mydrywell.water.ca.gov/report/a> this year nearly 1,400 household wells have been reported dry statewide — a nearly 40% increase over the same period last year, and the highest annual number reported since 2013. California is dealing with a crippling drought with no end in sight. Property owners in this region are 100% reliant upon wells for their domestic, farming, and potable water use as there is no utility water supply. A commercial cannabis cultivation operation will have a disastrous affect on the water supply in the vicinity, and should not be approved based upon ground water usage. If this project is approved, well water should NOT be permitted, and water shall be supplied by extension of municipal supply, at the developer's expense.

3) Air quality impact – cannabis emissions

County Finding: *"The El Dorado County Cannabis Ordinance, Section 130.41.200 contains a minimum setback of 800 feet from the property line of the site or public right-of-way which allow cultivation and processing activities. In addition, the ordinance includes standards for maximum allowable odors measured by the County at the property line using a field olfactometer"*

Response: A 800ft setback is inadequate for mitigate of cannabis orders. In many cases, cannabis odors have been detected over a mile from their source. ⁴ While the proposed project is located in a rural area, there are several homes within a 1,000 ft distance of the property which will be severely impacted, especially during harvesting season. The county's determination of the air quality impact being less than significant is factually incorrect.

4) Energy consumption: :

County Finding: *"Use of the existing solar renewable energy system on-site to power proposed project operations and conformance with statewide mandatory energy requirements as outlined in Title 24, Parts 6 and 11, and Title 3 of the California Code of Regulations, as well as the County's zoning ordinance, would reduce the potential impact the project would have on energy resources to less than significant."*

Response: Per county records, the existing PV solar system installed at the property is a 75 module, ground mount system installed in 2016. The total Kw output of the system is not specified in permit records available, however assuming a 250watt panel x 75 panels, the system is assumed to be approximately 18.75Kw. Per MA Department of Energy Resources Energy ¹ and Environmental Affairs, Cannabis grow operations require approximately 360Kwh per 25 sqft of grow area. The proposed grow area of this project is 7,825sqft which by some estimates would require 112,680 kWh of power annually. Assuming the existing solar system is operating at 60% maximum efficiency on average daily, this would result in an annual output of 4,106kWh, generating a 96% shortfall of energy production.

5) Public Services:

County Finding: *The project would not result in a significant increase of public services to the project. The potential impact to increased demand for services would be reduced through the payment of established impact fees. Impacts to public services would be less than significant.*

Response: The county's determination that the construction of a (8) greenhouse cannabis cultivation facility will have "less than significant" impact to public services is factually incorrect. It is no secret that Cannabis cultivation has attracted criminals and opportunists over the last two decades in California. Per the application, an 8' high chain link fence with barb wire will be installed surrounding the facility, presumably to keep out and mitigate unwanted intruders. Cannabis cultivation attracts theft of equipment such as water pumps, irrigation lines, tractors. According to a recent *Lompoc Record* article, *"We'll see an increase in the theft of chemicals and*

drip irrigation lines at the start of the marijuana season," McCarthy said. "That will be taken out into the backcountry for the illicit grows."⁵

While this proposed project is located less than 2.5 miles from a K-8 elementary school, it is more than 7.3 miles from the nearest police facility. The police substation is sparsely staffed, and as a resident of the region it is known that police response times can be too late. According to the reports own findings, page 74; *"Development of the project site **could potentially result in a need for police protection services to respond to any potential incidents that may occur at the site.**"* If this project is approved, the expansion of police/Sherriff services (including an additional substation) should be required, at the developer's expense.

In response to the applicants' request for a reduction of the 1,500 ft setback from (2) school bus stops, this request should be denied. Per EDC Ordinance No. 5111: *"Location. A commercial cannabis activity authorized under this section shall not be located within 1,500 feet from any school, school bus stop, place of worship, park, playground child care center, youth-oriented facility, pre-school, public library, licensed drug or alcohol recovery facility, or licensed sober living facility."*

Our County ordinances are in place for a reason – to protect the well being and status of El Dorado County as one of the best places to live in California. The County has a duty to its' citizens to uphold established ordinances and only consider variances under special circumstances such as life and safety of it's citizens, or when the proposed variance benefits the greater good of the County. This proposed project only benefits the property owner and it's agents. I have (2) elementary school children who use this bus stop, and I should not have to worry about whether my children are safe from the potential people this facility brings – this is the exact reason County Ordinance No. 5111 exists.

Furthermore, it should be brought to the County's attention that the property in question is currently listed for sale for \$5,600,000⁶. Based on the applicant's actions of selling the property, it brings into question whether their motive is to actually develop the property for Cannabis cultivation, or whether it is to push the project through planning approval to boost the sale price and marketability of the property. Ultimately, the applicant may not even be in control of the facility should it sell.

Approval of the 1,500ft setback variance would not only harm the rural and innocent nature of the area, but it would also create a precedent for future Cannabis developers to circumnavigate established County ordinances for their own gain.

Conclusion

I understand and appreciate the need for Cannabis in the State of California, as well as recognize the positive impacts the legalization has had on our State. I do not believe in the "Not In My Backyard" mentality, however this project should not be permitted at in the Latrobe area due to the concerns

described. At a minimum, the County should require a much more detailed analysis of the impacts this project will have on the environment and community.

Per page 15 of the report, the County concludes the project could have a significant impact on the environment, but the revisions proposed mitigate the impacts. I urge the county to re-assess it's findings and select the box that states: *"I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required"*.

By requiring an Environmental Impact Report, the County can be assured due diligence has been completed to the full extent of the law to protect our air, water, land, and resources.

Thank you,

Steven Tankersley
(916) 467-2678

Resources:

¹https://mass-cannabis-control.com/wp-content/uploads/2018/03/Presentation_Cannabis-Energy-Overview-to-CCC.pdf

²<https://www.frontiersin.org/articles/10.3389/fclim.2021.689945/full>

³<https://catalog.resourceinnovation.org/item/cannabis-h2o-water-sustainability-cultivation-407548#tabDescription>

⁴https://ecosorbindustrial.com/wp-content/uploads/2018/11/ECO_EBook_Science-of-Cannabis-Odors.pdf

⁵https://lompocrecord.com/news/local/will-legalized-recreational-cannabis-increase-rural-crime-rates/article_6d083994-62c8-576a-950b-3f1e7bb3c899.html

⁶<https://www.redfin.com/CA/Shingle-Springs/6914-S-Shingle-Rd-95682/home/167336738>

From: Marsha Burch <mburchlaw@gmail.com>
Sent: Monday, November 6, 2023 7:54 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, November 7, 2023
Attachments: 2023.11.06 Green Gables Appeal Letter.docx.pdf

Please see attached letter regarding the above-referenced appeal.

-Marsha

MARSHA  A. BURCH
LAW OFFICE

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530/272.8411
fax: 530/272.9411

mburchlaw@gmail.com
<https://www.marshaburchlawoffice.com>

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November 6, 2023

Via email: evan.mattes@edcgov.us
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, November 7, 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").

As explained in my letter of October 10, 2023, 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 and are not supported by substantial evidence, and do not support the granting of the variance.

This letter supplements my previous comment regarding the MND's inadequate analysis of water supply for the Project. It has come to our attention that the applicant maintains at least three unpermitted residential structures on the property. As an initial matter, it is surprising that the County would consider granting a cannabis permit for a property where there are multiple existing code and zoning violations. Further, the MND does not include any

Evan Mattes, County Planner
El Dorado County Board of Supervisors
November 6, 2023
Page 2 of 2

analysis of the water supply required for the cannabis permit *and* four residential units.


What we know is that on June 14, 2021, the El Dorado Hills Fire Department wrote a letter regarding the Green Gables permit application, stating that “[t]he 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.” What we do not know is when the applicant constructed the unpermitted residential units.

The MND contains faulty information about the water supply necessary to support the cannabis grow, as described in detail in my October 10, 2023, letter. Additionally, the MND does not contain any information about the residential structures on the property that will share the meager water supply coming from the well. The MND assumes the well produces 11 gallons per minute, but there is no evidence that the well production rate has been tested for the purposes of the environmental review. Well production fluctuates over time, and after a long period of drought, it is not reasonable to make assumptions about the well’s current capacity.

The fire officials noted in 2021 that there was insufficient water supply to provide for emergency water supply. If the cannabis permit is issued, the County is compounding an already dangerous situation. Additionally, now the County is aware that there are several unpermitted residential structures on the Project site, so the inhabitants of those structures will not only be living in a unit that has never been inspected by the building department, but at a location where it is known that there is insufficient water supply to fight a fire if the need arose.

For the reasons set forth above, and in my October 10, 2023 letter, we believe the variance request should be denied, the MND should be withdrawn, 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)
Sun Ridge Meadows Homeowners Association