

Please confirm receipt RE: CCUP21-0002 on Agenda for 1/25/24 P.C. 01/25/2024

C Clary <cclary8786@gmail.com>


Tue 1/16/2024 3:58 PM

To: Planning Department <planning@edcgov.us>

Cc: Mom <paulalice.clary@gmail.com>

Item # 4

3 pages

 1 attachments (207 KB)

ConcernsRegardingProjectCCUP21-0002.pdf;

Hi

We sent a signed document via Docusign but it appears to be unviewed and unopened.

Since there is a deadline to get this letter to the Planning Commission (which we believe is tomorrow), can you please confirm receipt of our letter (attached)?

Thanks so much,

Alice Clary and Carolyn Clary

January 15, 2024

TO: El Dorado County Planning Commission Members

RE: CCUP21-0002 – ORGANIC FARMING INNOVATIONS CANNABIS FARM

As third and fourth generations of Somerset family ranchers, we would like to take this opportunity to provide feedback and present our concerns regarding the proposed cannabis operation being discussed at the Planning Commission meeting on January 25<sup>th</sup>. After reviewing the EIR and proposed mitigation strategies, we appreciate the opportunity to address our concerns in a neighborly fashion before you decide whether to approve this application. Of note, we have been informed by Mr. Harde that he is considering a reduction in the size of his proposed operation and that may change some of your recommendations for mitigation. We request that we be kept informed of any changes.

The concerns we wish to address are

1. SECURITY
2. WATER CONSUMPTION
3. PUBLIC HEALTH CONCERNS/ QUALITY OF LIFE
4. CHEMICALS USED & ORGANIC CERTIFICATION

#### SECURITY

The security concerns of a marijuana operation are well documented, and our neighborhood witnessed firsthand the death of Sheriff's Deputy Brian Ishmael at another Somerset area marijuana grow. Despite the recommended specific measures being required (cameras, fencing) there is a high likelihood that criminals could utilize our property to unlawfully access the plants. Is the security plan proposed sufficient to protect our property from becoming an illicit access to Mr. Harde's operation? Is the access protected from all directions? Are all property line fences sufficient to keep criminals out? People are known to hike/trespass coming up from the Middle Fork of the Cosumnes. What kind of police monitoring will be employed, if any, and is law enforcement in support of a marijuana crop this large? We are very concerned about the lawlessness that a marijuana grow could bring with it.

#### WATER CONSUMPTION

There is a tremendous amount of water necessary to run this operation. The report states 1.2 million gallons per year. Mr. Harde has very good wells, deemed sufficient to provide for his use. Only one of Mr. Harde's wells output was known-measured at 25 gallons per minute. At what point in the year was the well's output measured? What was the duration of pumping? How might this impact adjacent wells and their water supplies? How would a drought affect the output? Our own wells do not produce anywhere near that same volume of water. Is it possible that his water consumption could compromise our own? What is the estimated impact on the aquifer? Though the EIR states the project is expected to have a "less than substantial depletion of groundwater", it seems an inadequate amount of information was available to make this determination.

#### PUBLIC HEALTH / QUALITY OF LIFE

We are very concerned regarding odor and potential chemical drift and its effect on humans, animals, walnut orchards, and forest lands on our properties. According to Mr. Harde, there will be two harvests per year, so we would experience odor mitigation for a minimum of 4 months out of a year, not 2 months as stated in the report. To our knowledge, El Dorado has approved only one marijuana production operation to date (CCUP20-0001). That operation is on a much larger parcel of land (206 acres) and the closest residences are over 2300-3000 feet from the planting area, according to the EIR for that project. This project is 962 feet west of Alice Clary's residence which is significantly closer.

Odor abatement has proven to be a significant regulatory and legal issue in other counties in California that have approved more operations. (See Santa Barbara.) There are relatively few studies we can find that analyze the health effects of the strong odors produced during the various phases of cannabis production, and the effects of the chemicals used in the mist produced to abate those odors, especially regarding outdoor grows. (Environmental Science & Technology 202, 56, 5, 2880 – 2896 Publication date: February 9, 2022, <https://doi.org/10.1021/acs.est.1c06372>) The odor nuisance factor and various health and quality of life complaints registered by neighbors in those counties is very well reported in the media and Mr. Harde's project presents a health and quality of life concern to us.

Mr. Harde is seeking a setback reduction waiver from the County with a setback of significantly less than 800 feet on the eastern property lines. Our property is adjacent, on the eastern property line. Due to less than an optimal setback, the report offers two mitigation suggestions: either a misting system that sprays odor neutralizer across the property lines or use a fan that flows the neutralizer across and towards the canopy. The report recommendation is that Mr. Harde uses fan-based mitigation towards the canopy. Yet it also suggests "the amount of odor neutralizer be adjusted to ensure the odors are neutralized" implying that they will be relying on both mitigation techniques to be used. Prevailing winds in our location are significantly different during the daytime and nighttime. Where are the three to six fans located? Are the number of fans and strength of air flow sufficient to accommodate this significant fluctuation in wind direction? What is the chemical that is used to neutralize the odor? And what noise factors do we need to be aware of with such fans?

Additionally, what are the procedures for monitoring efficacy of odor reduction and for registering any complaints that we may have in the future? How often is regulatory compliance monitored by the county? What triggers a regulatory investigation of neighbor complaints?

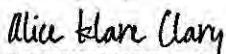
#### CHEMICALS USED / ORGANIC CERTIFICATION

Mr. Harde has been a dedicated organic farmer. We have appreciated his dedication to using best organic practices and integrated pest management compliant with Organic certification. Will this also be a fully Organic operation? Are the new chemicals used in the misting certified organic? Will the rest of his operation be able to remain organic? Can you provide any newly published studies indicating the safety of the odors produced, the odor abatement liquids and other potential hazards to human health or air quality caused by marijuana production?

While we prefer not to have marijuana cultivation happening at all next door to our property, we would be much more at ease with a significantly smaller project so that negative impacts could be better evaluated before approving a large-scale operation as currently described on the application. Thank you for the opportunity to communicate these concerns. We look forward to attending the meeting on January 6 25<sup>th</sup> via zoom.

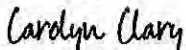
Sincerely,

DocuSigned by:



Alice Klare Clary (property owner 6600 Perry Creek Road, Somerset CA (owner- Parcel #093-032-086-000 Direct neighbor of project property with walnut orchard)

DocuSigned by:



Carolyn Clary (property owner 6500 Klare Road, Somerset, CA (owner – Parcel #093-032-080-000 with walnut orchards in close proximity of project property)