

From: Kellincali 777 <kellincali345@gmail.com>
Sent: Wednesday, September 2, 2020 8:58 PM
To: Daniela Chavez
Subject: [EXT]DRC2019-00042 Copper Creek Farms, public comment
Attachments: To San Luis Obispo County Planning and Building Department Copper Creek Farms Public Comment.docx

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Please find attached our comments regarding the request by Copper Creek Farms LLC for a minor use permit. DRC2019-00042

Thank you for your attention to this matter,

Kellie Franklin
Linda Franklin
3175 Creston Road, Paso Robles

From: Robert Boneso <RBoneso@bonesobrothers.com>
Sent: Wednesday, September 2, 2020 8:26 PM
To: Daniela Chavez
Cc: Vicki Janssen
Subject: [EXT]FW: Farm Stand Letter
Attachments: Farm Stand Letter.PDF

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Daniela

See attached letter for Planning Hearing, County file # DRC2019-00042 please include for the record.

Rob



Gina Boneso <gina.boneso@gmail.com>

FW: Copper Creek Minor Use Permit DRC2019-00042

1 message

Robert Boneso <RBoneso@bonesobrothers.com>
To: "gina.boneso@gmail.com" <gina.boneso@gmail.com>

Wed, Sep 2, 2020 at 4:47 PM

From: Edwin Rambuski [mailto:edwin@rambuskilaw.com]
Sent: Wednesday, September 2, 2020 4:36 PM
To: ehughes@co.slo.ca.us
Subject: Copper Creek Minor Use Permit DRC2019-00042

September 2, 2020

VIA EMAIL ONLY: ehughes@co.slo.ca.us

Eric Hughes, Planner
County of San Luis Obispo

**RE: COPPER CREEK MINOR USE PERMIT
DRC2019-00042**

Dear Mr. Hughes:

I am the owner of Templeton Valley Farms, a California certified organic farm, located on the opposite side of Neal Springs Road from this proposed project. I just recently learned from a neighbor, on September 1, 2020, that this matter was on calendar before the Planning Department on Friday, September 4, 2020.

The purpose of this correspondence is to request that the matter be either denied or continued to a date in the future, so that I may review the project and determine whether the project will have any adverse impacts on my California certified organic farm.

I sincerely apologize for the late correspondence. However, when I received notice by USPS that the project was located at "2200 Neal Springs Road," I immediately drove to the property which bears the address of 2200

Neal Springs Road, which according to the numbers on the mailboxes on Neal Springs Road is a small beef cow operation located directly across from Vaquero Road. Once I verified that 2200 Neal Springs Road was located at the intersection of Neal Springs Road and Vaquero Road, I basically forgot about the matter based on the distance from Templeton Valley Farms.

When I was informed by a neighbor on September 1, 2020, that the project was located directly across the street from Templeton Valley Farms, I initially told the neighbor he was wrong because I had verified the location of 2200 Neal Springs Road. Further research led to my surprising discovery that there are at least two properties that bear the exact same address, 2200 Neal Springs Road located within approximately one mile of each other on Neal Springs Road. Even more odd is the fact that one of the properties is on the northeast side of Neal Springs Road and the other 2200 Neal Springs Road is on the southeast side of Neal Springs Road so that there is not even any consistency with the typical odd-even numbering of the properties.

The properties on the Templeton Valley Farms' side of Neal Springs Road bear even numbers and my property is in the 3600 block of Neal Springs Road.

I am still at a loss as to how there can be two properties with the exact same address on the same street within one mile of each other. However, that issue is no longer relevant as I currently know the location of the project.

Because of the confusion relating to the address of the applicant's property, it is my position that notice was not adequate. I am simply requesting that the matter, at a minimum, be continued and re-noticed so that I and other interested neighbors who are equally confused can review and have some input.

Obviously, I need the opportunity to review the negative declaration to determine at a minimum whether or not the project will have any adverse impacts on the C.C.O.F. status of Templeton Valley Farms.

I was able to briefly skim through the negative declaration last night and I did not see any mention of Templeton Valley Farms in the negative declaration, its certified organic status, nor any of the discussion one would expect in a negative declaration such as setbacks, buffers, and pesticide and herbicide drift.

If you have any questions whatsoever regarding this matter, please feel free to telephone me.

Very truly yours,

EDWIN J. RAMBUSKI

EJR:mr

cc: Mr. Robert Boneso
Mr. Lance Vande Hoef
Mr. Cliff Bianchine

Mr. Leo Tidwell III

--

Law Offices of Edwin J. Rambuski

1401 Higuera Street
San Luis Obispo, CA 93401

Tel.: (805) 546-8284

Fax: (805) 546-8489

www.rambuskilaw.com

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From: Robert Boneso <RBoneso@bonesobrothers.com>
Sent: Wednesday, September 2, 2020 8:32 PM
To: Daniela Chavez
Cc: Vicki Janssen
Subject: [EXT]FW: Resident's Letter
Attachments: Resident's Letter.PDF

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Daniela

See attached letter for the Planning Department Hearing, County file # DRC2019-00042 from the resident's.

Rob Boneso

September 2, 2020

Re: County of San Luis Obispo Planning Department Hearing

Re: Copper Creek Farms, LLC

Minor Use Permit #DRC2019-00042

APN # 020-301-010

Attn: Ryan Foster

We are addressing the Planning Department, as we have concerns as neighbors and property owners about the proposed Cannabis project on the September 4th agenda for approval. As property owners near the proposed project, we have a number of concerns that we need to have in the record that we hope will convince the Planning Department to deny the application of this Minor Use Permit. See below:

1. Increased criminal activity in a residential area
2. Potential odor caused by cannabis grow.
3. Potential decreased property values.
4. Water usage and depletion from existing basin
5. Lighting and noise issues
6. Safety for our children
7. Increased traffic
8. Allowing the Applicant to change the Zoning from (Ag to Commercial)
9. Allowing this project to come before the Planning Department for approval without going before the Planning Commission.

In addition to applicants meeting county guidelines, as concerned residents, we would hope that the county would also take into consideration the actions and character of people applying for a permit to grow Cannabis, because actions speak louder than words. Below are a few concerns and observations of the applicant since he has purchased the property in which the permit is being requested for:

1. Property taxes have been delinquent since 2018 (see attached)
2. Applicant has been residing on said property without proper permits from the County of San Luis Obispo (see attached)
3. There may be additional Code violations that have not been determined without investigation (sewage disposal, Fire and life safety and water use)

As you can see from above, how can you expect the applicant to follow guidelines and rules for a tightly regulated Cannabis Industry if he can't even follow the most basic guidelines that every resident has to follow.

In closing, we request that the application for this Minor Use Permit be DENIED.

Thanks

Concerned Residents

Roberto Bourn
John Becker
Lynn VanDerHorst
Annette Vardol Hox

Rita C. Kelly
Harry L. Kelly
A. N. Baker
Theresa Bunch
Judy Lujan
Regina Boren
Linda Franklin 805-674-4910
Kelli Buchanan
James Buchanan

From: Robert Boneso <RBoneso@bonesobrothers.com>
Sent: Wednesday, September 2, 2020 8:28 PM
To: Daniela Chavez
Cc: Vicki Janssen
Subject: [EXT]FW: Rob & Gina's Letter
Attachments: Rob & Gina's Letter.PDF

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Daniela

See attached letter for Planning department Hearing, County file # DRC2019-00042, please include for the record

Rob Boneso

County of San Luis Obispo Planning Department Hearing

September 2, 2020

Re: Copper Creek Farms, LLC

Minor Use Permit #DRC2019-00042

APN # 020-301-010

Attn: Ryan Foster

My name is Robert Boneso, I am addressing the Planning Department as I have concerns about the proposed cannabis project on today's agenda for approval. As a property owner that is adjacent to the proposed project, I have a number of concerns that I need to have in the record that I hope will convince the Planning Department to deny the application of this Minor Use Permit. See below:

1. Increased criminal activity in a residential area
2. Potential odor caused by cannabis grow.
3. Potential decreased property values.
4. Potential loss of grape contracts due to cannabis grow adjacent to my vineyard.
5. Concerns of pollination and contamination of existing vineyards adjacent to proposed projects that would have negative effects on grapes (such as smoke taint and eucalyptus trees can cause negative effects).
6. Concerns when the oils from cannabis migrate to grape skins, there may be negative effects which cannot be determined and may have negative effects.

In closing, I request that the application for this Minor Use Permit be DENIED.

Thanks

A handwritten signature in cursive script that reads "Robert M. Boneso".

Robert Boneso

From: Fritz Helzer <FHelzer@mesavineyard.com>
Sent: Wednesday, September 2, 2020 8:16 PM
To: Daniela Chavez
Subject: [EXT]Hearing for Copper Creek Farms DRC2019-00042
Attachments: Copper Creek Farms DRC2019-00042.pdf

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Thank you for including my comments in the hearing record.

Fritz Helzer

Mesa Vineyard Management
Vineyard Manager
Shandon Area
805-835-1442 Cell
805-434-4100 Office
805-434-4850 FAX
Please Visit Our Website
www.mesavineyard.com

To: County of San Luis Obispo Planning Department

Re: Copper Creek farms LLC

Hearing for Minor use permit # D2019-00042

As a property owner in the neighborhood surrounding this proposed Cannabis Grow we have several concerns about having this project in our neighborhood. Within a ¼ mile radius there are over 50 homes on rural property that expect a quiet rural lifestyle. There are more than one home within ¼ mile of this site. The characterization that this is a sparsely populated area is not correct.

This project will be an attractive nuisance in the area. Franklin Pond is a small lake and hot spring just ¼ mile north of this project used by families for camping, fishing and recreation. Just ¾ Mile to the NW there is the soon to be built Beechwood Subdivision within the city of Paso Robles. There will be over 900 new homes in that development.

There is a vineyard 1 mile NW that is used by the students of the Paso Robles Unified School district for student projects. And there is Virginia Peterson Elementary School within 1.3 miles of this project.

Further these types of operations have been an attraction for groups and individuals intent on stealing the plants, processed product and cash that is used in this industry. As you know this is a cash industry based on the Federal regulations prohibiting banking of drug related cash. There have been numerous cases of intrusions into these facilities for criminal intent in Monterey and Santa Barbera counties. Those of us living in this neighborhood fear being inadvertently caught up in these activities.

Night lighting of the greenhouses are a serious concern as we live in a area where we can enjoy the night darkness. There are proposed mitigations in this proposal but with the short record of failing to comply with county codes and failure to pay property taxes on this parcel we have little confidence they will be followed.

The observation was made by longtime neighbors that grading has been done on this property that alters the natural drainage of the area. This effects drainage of surrounding properties. This should be investigated further.

This type of operation is better suited to a remote location. We request that you deny this application

Frederic Helzer

Property owner

9/2/2020

From: John Bachellier <johnbachellier@att.net>
Sent: Wednesday, September 2, 2020 7:50 PM
To: Daniela Chavez
Subject: [EXT]Minor Use Permit #DRC2019-00042 APN # 020-301-010

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Please find attached my letter regarding this hearing, which I would like on record.

Besides the points outlined below, I would also like to complain at the lack of organization regarding the notices for this hearing, we were lucky to hear of it by word of mouth - no notice was sent to us and or being very close to this property it would be expected to have notice!

Also the address seems to be incorrectly numbered or located as 2210 Neal Springs Road, in any online search 2210 Neal Springs Road is shown located at the west end of Neal Springs Road - how can this be?

I request this hearing be denied or at least delayed until a later date and proper warning of the hearing issued in accordance with normal accepted procedures.

Sincerely,

Jonathan Bachellier

3310 Neal Springs Road

805-471-0447

September 2, 2020

Re: County of San Luis Obispo Planning Department Hearing

Re: Copper Creek Farms, LLC

Minor Use Permit #DRC2019-00042

APN # 020-301-010

Attn: Ryan Foster

We are addressing the Planning Department, as we have concerns as neighbors and property owners about the proposed Cannabis project on the September 4th agenda for approval. As property owners near the proposed project, we have a number of concerns that we need to have in the record that we hope will convince the Planning Department to deny the application of this Minor Use Permit. See below:

1. Increased criminal activity in a residential area
2. Potential odor caused by cannabis grow.
3. Potential decreased property values.
4. Water usage and depletion from existing basin
5. Lighting and noise issues
6. Safety for our children
7. Increased traffic
8. Allowing the Applicant to change the Zoning from (Ag to Commercial)
9. Allowing this project to come before the Planning Department for approval without going before the Planning Commission.

In addition to applicants meeting county guidelines, as concerned residents, we would hope that the county would also take into consideration the actions and character of people applying for a permit to grow Cannabis, because actions speak louder than words. Below are a few concerns and observations of the applicant since he has purchased the property in which the permit is being requested for:

1. Property taxes have been delinquent since 2018 (see attached)
 2. Applicant has been residing on said property without proper permits from the County of San Luis Obispo (see attached)
 3. There may be additional Code violations that have not been determined without investigation (sewage disposal, Fire and life safety and water use)
-

As you can see from above, how can you expect the applicant to follow guidelines and rules for a tightly regulated Cannabis Industry if he can't even follow the most basic guidelines that every resident has to follow.

In closing, we request that the application for this Minor Use Permit be DENIED.

Thanks

Concerned Residents

John Bechellie

Susan B...

3310 NEAL STRINGS RD

805-471-0447

Johnbechellie@att.net

Daniela Chavez

From: Jim Buchanan <jbuchananelectric@gmail.com>
Sent: Wednesday, September 2, 2020 10:20 PM
To: Daniela Chavez
Subject: [EXT]DRC2019-00042
Attachments: Concerns about Copper Creek Grow.docx

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Attached is a letter detailing our concerns regarding the proposed cannabis cultivation operation by Copper Creek Farms, LLC. DRC2019-0042

Thank you,

James and Hollie Buchanan
And
Dr. Gayle and Nita Cheatwood

8/28/2020

To: County of San Luis Obispo Planning & Building department,

Regarding:

County File Number: DRC2019-00042

Assessor Parcel Number(s): 020-301-010

Supervisorial District: District 1

Our family is concerned about how Copper Creek Farms, LLC propose cannabis cultivation operation will negatively impact our family living environment. Our family has lived and farmed all over the North County from Adelaida to San Miguel to Paso Robles for five generations. Coming from a long time farming family, we do not like the idea of someone telling another what to do with their property. In this situation though, where what is to be grown and the practices used to grow will severely negatively impact those around them, we are compelled to call upon our local government for help.

The following are our concerns:

Water: We are not exempt from water issues that have plagued our area. We and multiple neighbors have had to put in new, deeper wells in recent years. In addition there are plans to build 911 new living units less than a mile away from our property. Cannabis is a thirsty crop. Our water table will be negatively impacted by such a high water use crop.

Health/Air Quality: To the south of the proposed grow is a higher elevation hill, followed by a low lying creek (below the grow site), rising up slightly to our home on a lower hill. The nature of the topography and weather pattern causes the cool morning air flow toward our home. The foul odor and heavy chemical use from this crop would inundate our property. There are individuals with severe allergies and debilitating health problems that live here. Air Quality is a major concern for us. We are also concerned for our children and grand children's health, and how this grow would adversely affect their young growing bodies. One of the reasons we homeschooling our children is to provide the best environmental conditions we can. This grow would compromise all of our health.

Light Pollution: Light pollution is a major concern for us. Not only will it affect our sleep quality, but also the wildlife's natural nighttime activity will be disrupted. We are blessed to live on this beautiful country setting please help us keep it country.

Draw Trespassers: We are concerned people would try to cross over our property to sneak into this crop. The Franklin Hot Springs is on the opposite side of the grow property. There are a lot of travelers and various people coming in and out. Knowing this is a desirable crop for certain individuals, trespassers are a troubling concern for our family's safety. The property is not adequately fenced to prevent intruder access to the proposed grow property. Currently there is a low barbed wire fence enclosing the property. We are concerned others will view that as an open invitation and cross our property, potentially endangering our family.

Aesthetics: The aesthetics of this kind of grow is a big concern to us. Not only will it affect our views, but our property value will decrease too. There are multiple homes less than a half mile from the proposed grow site. We don't want this right next to where we live.

Daily operation and Harvest: We are concerned about the seasonal demand of staff and people coming on and off the property. Operational noise and dust creating by multiple daily trips in and out of the operation area will negatively affect our living conditions.

Land Use: The Notice of Tentative Action/Public Hearing states this would be a commercial use operation. This area is zoned for Agricultural use. Changing from Agricultural use to Commercial use could negatively impact our property.

Lack of Notification: There are multiple neighbors that did not receive a Notice of Tentative Action/Public Hearing.

This proposal would negatively impact multiple home owners and their families. Please take our concerns into consideration and please do not approve Copper Creek Farms Minor Use Permit.

Sincerely,

James and Hollie Buchanan

Dr. Gayle and Nita Cheatwood

Daniela Chavez

From: Rita Wells <ps.100rw@gmail.com>
Sent: Wednesday, September 2, 2020 9:22 PM
To: Daniela Chavez
Subject: [EXT]Minor use Permit #DRC2019-00042

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

As a concerned neighbor and land owner I would like to voice my concerns regarding Copper Creek Farms LLC.

Please deny the application for the Minor Use Permit.

Many of our neighbors have lived in this area for many years and it isn't right to have a large cannabis operation on this land.

some things to consider:

- 1.noise
- 2.smell
- 3.lights at night
- 4.water use
- 5.increased traffic
- 6.potential criminal activity trespassing on surrounding land

Seeing this land, should NEVER be zoned for commercial use.

We value our property and we don't want to see it lose value.

Thank you

Harvey and Rita Wells

Daniela Chavez

From: Annette Vande Hoef <annettevandehoef@yahoo.com>
Sent: Wednesday, September 2, 2020 11:52 PM
To: Daniela Chavez
Subject: [EXT]Letter to Planning Department for 9/4/2020 hearing
Attachments: 9-2-20 Cannabis Project letter to Planning Dept. .docx

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Dear Daniela,

Please see the attached letter re: Minor Use Permit #DRC2019-00042 that is scheduled for a hearing on Friday September 4, 2020.

Thank you,

Annette Vande Hoef

September 2, 2020

Re: County of San Luis Obispo Planning Department Hearing

Re: Copper Creek Farms, LLC – Jeff Nahial

Minor Use Permit #DRC2019-00042

APN# 020-30-010

Attn: Ryan Foster

We are writing as we have concerns regarding the above proposed Cannabis project.

First off, water is a major concern to everyone in the area. In the last two years, several people within a very close proximity to the proposed project have had their wells go dry and had to re-drill or lower pumps in order to reach the water table again. The other wells in the area that did not go dry, have seen a significant reduction in the water level. Allowing this project would further deplete our ground water. At a time when everyone is trying to conserve water, this does not seem like a responsible decision for the area.

Secondly, as they are proposing a marijuana grow, not hemp, it is highly likely there will be increased criminal activity in what is a very safe and friendly community thus far. Across the street on one side is an Organic Farm where families bring their children to see the chickens and pick their own vegetables and berries. On another side of the project is Franklin Pond where you also have families come to fish, ride jet skis and soak in the mineral water. I can only imagine what having a marijuana grow next door to these locations would do to their businesses once the families find out and stop coming to them.

Third, it has come to our attention that the applicant has asked to change the zoning from Ag to Commercial. We are NOT a commercial area, we are Ag! Interestingly, the applicant has asked for 3 acres to farm, yet he has almost completely lined his entire perimeter with trees to hopefully keep anyone from seeing his property.

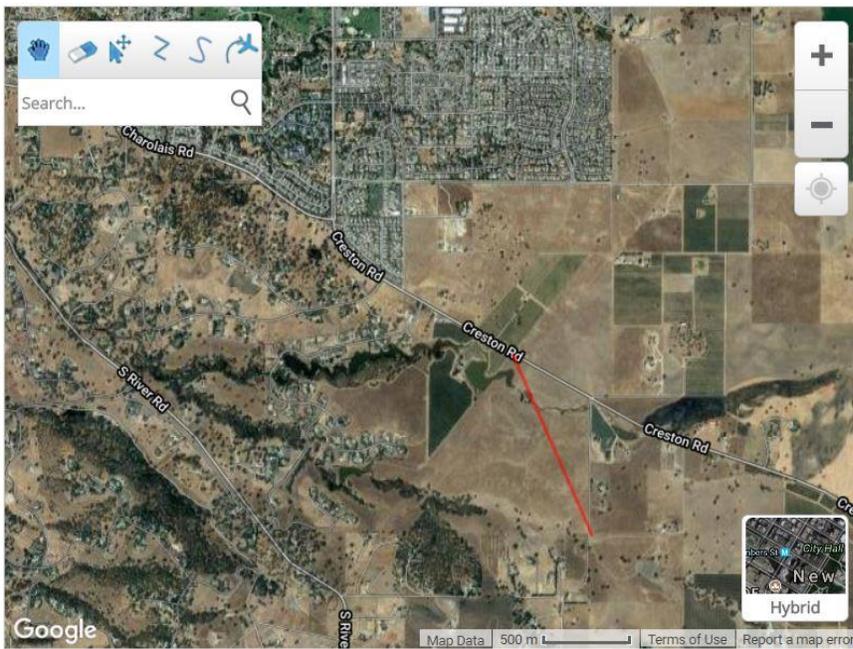
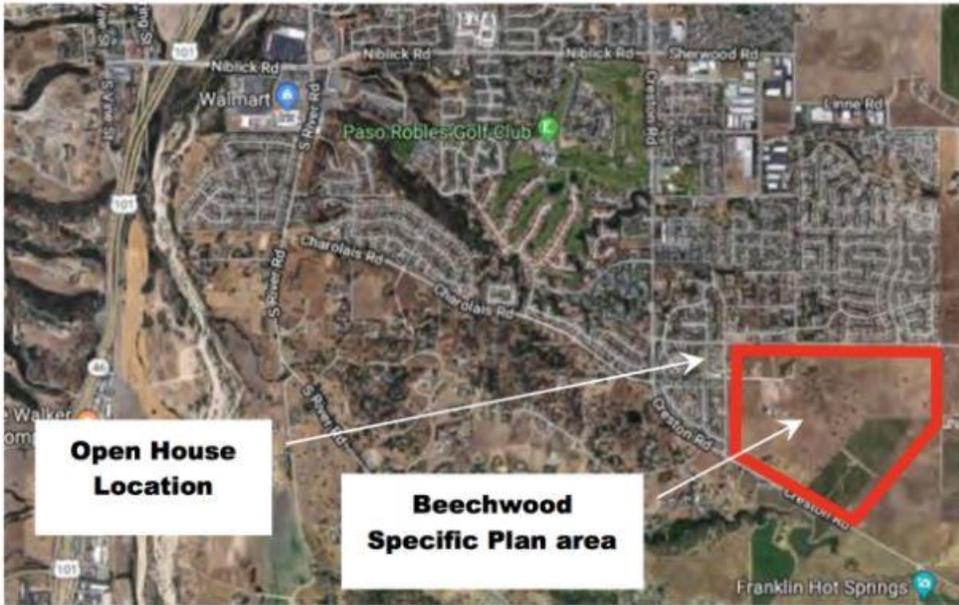
Fourth, we have found out that the applicant is behind on his property taxes for this piece of land. In fact, a search of the APN# shows he has been in default since 6/30/2018 and is delinquent in the amount of \$32,591.39. This alone shows he is not trustworthy of following simple rules the rest of us need to comply with, can we trust he will follow the rules the County puts out to operate this type of business?

Fifth, are you aware he has also been residing on the property without permits? There are a couple of motorhomes or trailers he and his family are living in. Where is the sewage going for all those people? Again, complete disregard for following the rules set out by the County.

Sixth, as we are an Ag community, we do not want the additional traffic or noise from the operations as well as all the lighting they need for this type of project. We have a right to enjoy our peaceful community without bright lights and noise 24 hours a day that this type of operations uses.

Seventh, The City of Paso Robles has plans to expand and build an additional 900 homes (The Beechwood Project) within .71 miles from this proposed Cannabis project. This would mean many, many families and children right next door to a marijuana grow! See pictures below:

Project Location Map



Total Distance

(Please draw or add points to map)

Metres: 1,137.65
Kilometers: 1.14
Feet: 3,732.45
Yards: 1,244.15
Miles: 0.71
Nautical Miles: 0.61

Draw, measure, and share with

DEMO PRO N

Hybrid

Eighth, Neighbors have complained they saw him bring in equipment to do grading already and in doing this, he filled in a natural stream that runs through the property. I have not confirmed this, but I'm sure a visit to the site would be able to confirm this.

Lastly, there seems to be some confusion with the address of this property. We found out from a friend who lives more than a mile down the road that there was a hearing for this project. They received a letter regarding this, however we live right here and never received such a notice. This project also appears to have been brought before the Planning Department for approval without ever going before the Planning Commission?

Considering all this, we request that the application for this Minor Use Permit be DENIED!

Sincerely yours,

Lance & Annette Vande Hoef

Daniela Chavez

From: Eric Hughes
Sent: Thursday, September 3, 2020 8:01 AM
To: Daniela Chavez
Cc: Brandi Cummings; Cassidy McSurdy; Steve Mc Masters
Subject: FW: [EXT]September 2,2020

Hi Daniela,

Please see the correspondence below and add it to the record for tomorrow's hearing regarding DRC2019-00042 Copper Creek.

Regards,
Eric

[Eric Hughes](#) | Senior Planner
County of San Luis Obispo Planning and Building
976 Osos Street, Room 300, San Luis Obispo, CA 93408
(p) 805-781-1591 ehughes@co.slo.ca.us

From: Nan Bianchine <templetonranchhouse@gmail.com>
Sent: Wednesday, September 2, 2020 9:47 PM
To: Planning Department hearing <pdh@co.slo.ca.us>; Eric Hughes <ehughes@co.slo.ca.us>
Subject: [EXT]September 2,2020

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

September 2,2020

Re: County of San Luis Obispo Planning Department Hearing
Re: Copper Creek Farms, LLC. Minor use Permit #DRC2019-00042
APN#020-301-010

Attn: Ryan Foster Supervised Planner City of San Luis Obispo
Eric Hughes, Planner City of San Luis Obispo,
Daniela Chavez, Secretary Planning Dept Hearing

We are writing today to go on record as well as express our serious concern over the negative impact of the proposed above referenced Minor use permit #DRC2019-00042. Cannabis cultivation operation.

We have the following concerns not limited to :

1 .The only access to the above referenced project is through an ingress /egress only easement through our property for which there is no road.

2. There is no security or fencing between our property and the proposed project, creating a serious security issue for our property, family, livestock and lifestyle.

3. This cannabis site will destroy the ambiance of ours and our neighbors properties with noxious odor, increased traffic, light pollution, noise pollution.

4. We are all as neighbors concerned over the potential of drawing trespassers and the increased risk of criminal activity. We moved to this town and rural setting to remove ourselves and our family from these types of destructive ventures.

5. Historically, there is extensive evidence that property values have been adversely affected by these types of operations.

6. The zoning is agricultural, yet this project is commercial.

In closing, we have many additional concerns regarding the applicant and respectfully request the above referenced application be denied.

Respectfully,

Cliff & Deborah Bianchine
2210 Neal Springs Rd
Templeton, Ca 93465

September 2, 2020

To San Luis Obispo County Planning and Building Department and

Whom it may concern,

Regarding Copper Creek Farms, LLC. Marijuana Cultivation Operation

Minor Use Permit DRC 2019-00042

Attn: Ryan Foster, Daniela Chavez

We reside on property which forms part of the northern property boundary for the land Copper Creek Farms is proposing to utilize for their marijuana cultivation operation. We have lived here in this beautiful peaceful place with our wonderful neighbors for over 40 years. We are very concerned that the marijuana grow which will be undertaken less than 1/4 mile from our home will extremely negatively impact our lives and the lives of our neighbors who all live less than 1/2 mile from the property boundaries of Copper Creek Farms, at least 6 homes, including homes of the elderly and young children.

We are very concerned about the odor/stench which will be produced by the operation, ruining the air quality of our home and property values and the potential health risks posed by it. Kellie has serious health issues, and Linda, 71, has asthma and severe allergies which could be triggered by the crop. The prevailing winds, contrary to claims, do flow on practically a daily basis from the direction of Copper Creek Farm's proposed operation to our home and property. Again we have observed this wind pattern for 40+ years of living here. We will not be able to open a window to keep cool in hot weather or be able to take a walk in fresh air anymore on our own land if this project is approved, without being subjected to the smell and potential allergens. Because we don't have central cooling it is essential to be able to open the windows of our home in hot weather.

We are also concerned about security. The fact that security measures are required for a marijuana operation indicates the risk to nearby homes and properties. Those with criminal intent will have to cross the boundary properties to access Copper Creek Farm's operation. What kind of risks to our health and safety and peace of mind will that create for all of us who live in the surrounding area? Will we be subjected to an invasion of our privacy as well, because of security measures that could need to be taken, i.e. cameras, drones, armed patrolling security personel, lights, etc., if such measures become necessary?

Also of concern, is traffic, operational noise and dust, with multiple daily trips in and out of the operation area. We are currently zoned for Agricultural use, but the proposal seems to change the land use to a commercial zone, which will affect our property value and general land use. There could be many negative impacts from these changes. There has been no notification of changing our area from Agricultural to commercial property zoning as the proposed operation seems to indicate.

Runoff from the operation into the creek near the proposed marijuana grow area and ground water quality and use on an already strained water basin is also a concern. Please do not approve this marijuana cultivation operation.

Sincerely,

Kellie Franklin and Linda Franklin

3175 Creston Road, Paso Robles

TO: Mr. Jeff Nahial

FROM: Civil Design Solutions

RE: Water use estimates for Neal Springs Road

The purpose of this document is to estimate the water demand and associated groundwater offset to the Paso Robles groundwater basin for the proposed Neal Springs Road cannabis cultivation project. The County of San Luis Obispo requires the applicant apply for a Use Permit for cannabis cultivation on this property. Water demand estimates are needed for the use permit to provide the necessary water offset as required for projects in the Paso Robles groundwater basin. The project is located at 0 Neal Springs Road Paso Robles, CA and is proposing the following cannabis operations:

- Outdoor/Hoop house Grow: 130,680 Sq Ft (3 acres).
- Self-Supporting Nursery Grow 2,000 Sq. Ft.

The recently adopted Cannabis Land Use ordinance for San Luis Obispo County requires that applicants submit a detailed water management plan as part of the application package. The water management plan shall include proposed water supply, proposed conservation measures and any water offset requirements. The following memorandum has been developed to outline the proposed water demand for Neal Springs Road Project

While published water use values have not yet been consistently established in the industry, the Central Coast Regional Water Quality Control Board (RWQCB) cannabis development team uses an estimate of 0.03 gallons per day per square foot of canopy for outdoor cannabis plants and an application rate of 0.1 gallons per square foot of canopy for indoor grow operations.

These values are derived from the Santa Cruz County Draft Environmental Impact Report (EIR) for the Commercial Cannabis Cultivation and Manufacturing Regulations and Licensing Program (August 2017)¹. In section 3.0, pages 3-16 and 3-17 of the EIR, it is described that the water application rates used are derived from a study in Humboldt County by Milewide Nursery. The water application rates referenced in the Milewide study and the Santa Cruz EIR are the rates used in this report for calculation of indoor and outdoor cultivation irrigation demand.

Water offset

This project is located in the Paso Robles Groundwater basin; therefore a 2:1 for water use is required. The property was historically vacant.

TABLE 1 indicates the proposed water demand for the project. Table 2 indicates the proposed monthly water use based on the total new water demand for indoor and outdoor grow operations. Local evapotranspiration data was used to extrapolate annual build out water use values to monthly estimates.

TABLE 1: Annual Water Estimates for SloBloom Farms

<u>USE</u>	<u>RATE</u>	<u>GROSS DEMAND (gal/year)</u>	<u>GROSS DEMAND (AFY)</u>
Outdoor/Hoop house Grow: 130,680 Sq Ft.	130,680 square feet Canopy area x 0.03 gal/sf/day x 220 days	862,488	2.65
? Self-Supporting Nursery Grow	2,000 square feet Canopy area x 0.1 gal/sf/day x 180 days	36,000	0.11
Total New Water Demand	TOTAL	898,488	2.76

TABLE 2: Estimated Monthly Water Demand for SloBloom Farms

Month	ETo (in)	Outdoor ETo**	Outdoor Water use Per month (AF)	Nursery Water Use Per Month (AF)	TOTAL Water Use Per Month (AF)
October	3.33	-	-	0.01	0.01
November	2.19	-	-	0.01	0.01
December	1.36	-	-	0.01	0.01
January	1.44	-	-	0.01	0.01
February	1.78	-	-	0.01	0.01
March	2.78	-	-	0.01	0.01
April	3.35	9.5%	0.25	0.01	0.26
May	6.13	17.3%	0.45	0.01	0.46
June	6.15	17.4%	0.45	0.01	0.46
July	8.15	23.0%	0.61	-	0.61
August	6.15	17.4%	0.45	-	0.45
September	5.47	15.5%	0.41	-	0.41
TOTAL	48.27	100%	2.65	0.11	2.76

** Evaporation Data from California Department of Water Resources. Nacimiento Dam Station T09 6056



Robert J. Montoya PE 9/2/2019



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

November 18, 2019

Henry Mancini
262 Phelan Ranch Way
Arroyo Grande, CA 93420
hsmancini@gmail.com

SUBJECT: Project Change Letter for Nahial Minor Use Permit (DRC2019-00042)

Dear Mr. Mancini:

I met with Mr. Nahial last week to discuss the proposed project description that I emailed to both you and Mr. Nahial on November 8th. From our meeting, it was apparent that there are several aspects of the project that were not represented in the application materials that Mr. Nahial would like included into the project.

A revised project description is included on the following pages, as is a list of additional information/revisions that are needed to the Operations Plan and/or Site Plan. Please review the project description carefully as only the activities listed will be permitted. If there other activities or project components that are not explicitly listed, please let me know so that they can be included (e.g. use of a generator, any temporary activities, etc.). Any activity or action undertaken that is not listed in the project description may jeopardize your permit status.

If you have any questions concerning these requirements, please contact me at Brandi.Cummings@swca.com or (805) 543-7095 x:6818.

Sincerely,

A handwritten signature in black ink that reads "Brandi Cummings".

Brandi Cummings
Project Manager

PROJECT DESCRIPTION

The proposed project is a request by **Copper Canyon LLC** for a Minor Use Permit (DRC2019-00042) to establish to establish a phased cannabis cultivation operation including outdoor cannabis cultivation, indoor mixed-light cannabis cultivation, ancillary cannabis nursery, ancillary cannabis processing, and ancillary cannabis transport activities on a portion of a 54-acre parcel. The proposed project would result in the disturbance of approximately 4.5 acres and would result in less than 50 cubic yards of grading. The project would be developed in two phases and at full-buildout would include approximately 3.0 acres (130,680 square-feet [sf]) of outdoor mature cannabis cultivation canopy, 22,000 square-feet of indoor mixed-light cannabis cultivation canopy, up to 5,000 sf of immature cannabis cultivation canopy (nursery) for use only onsite, and processing (trimming, drying, packaging) of the cannabis grown and harvested onsite. Access to the cannabis operation would occur via an existing graded dirt driveway that connects to the property entrance via an access easement across the east side of 2210 Neal Springs Road. The access driveway would be maintained with a Class II base (crushed aggregate). The project site is located on the north side of Neal Springs Road, approximately 1.3 miles west of the Neal Springs Road and Creston Road intersection, and approximately 1.2 miles east of the Neal Springs Road and South River Road intersection, 2.5 miles east of the Templeton Urban Reserve Area. The project site is located in the El Pomar-Estrella Sub-Area of the North County Planning Area.

Phase 1 of the project would include the establishment of 3 acres of outdoor cultivation canopy including 0.75 acres of walkway area (a total of 3.75 acres of cannabis cultivation area) and site security improvements. The outdoor cultivation would occur on an existing plowed field near the center of the property that is currently and has historically been used to grow grain crops. The outdoor cultivation of cannabis would in furrows covered with plastic to retain soil moisture, and temporary hoop structures would be utilized. Two 320 sf shipping containers (“seatrains”) would be installed near the west part of the operation for ancillary processing activities (drying, trimming, packaging) of the cannabis grown on site. New irrigation lines would be used for the irrigation of the plants and would connect to existing irrigation lines that connect to an existing 5,000-gallon water tank to the north of the property near the well. Two new 5,000-gallon water tanks would be installed to serve the cultivation operation, including one for irrigation and one for fire suppression purposes. No grading or vegetation removal would be required to implement Phase 1. A six-foot-six-inch-high oil pipe and chain-link fence with privacy slats would be erected around the perimeter of the operation (4.5 acres), including the areas proposed with Phase 2. Temporary restroom facilities (port-a-potties) and wash trailers would be provided inside the fenced cannabis operation area. A designated parking area would be located at the east end of the cultivation area, outside the fencing, on an existing graded area. The parking area would be covered with compacted base material. No electricity would be installed for Phase 1, and security cameras would run off individual solar panels.

Phase 2 would include the construction of seven (7) 3,000-sf greenhouses for indoor-mixed-light cultivation and a 5,000-sf greenhouse to be used for ancillary nursery activities. The two 320-sf shipping containers would be removed and a 3,000 sf pre-manufactured metal building would be installed to house the processing activities. Electrical service would be installed to the greenhouses and processing building via an existing PG&E easement to the west of the property.

Minimal grading of less than 50 cubic yards would be required to provide vehicle access around the facilities. The greenhouses and processing building would be built on-grade and not require grading.

The project would employ up to 2 full-time employees, with an average of 2 employees on site each day, and the hours of operation would be from sunrise to sunset, seven days a week. During peak harvest times, the operation could employ up to 10 additional part-time/temporary employees. The outdoor cultivation area would be harvested two times a year and the indoor mixed-light cultivation area would be harvested three times per year. The proposed onsite nursery would be utilized to support onsite cannabis cultivation only and would not be distributed offsite. The project is expected to generate a maximum of 6 daily trips including up to 0.6 vehicle trips during the PM peak hour (4:00 PM – 6:00 PM). The project would not include sales on-site and no exterior signage is proposed.

Ordinance Modification: The project request includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County Land Use Ordinance (LUO), which describes parking requirements for agricultural uses. The type of commercial agricultural use that is most similar to the proposed cannabis cultivation is “Nursery Specialties.” A ratio of one parking space per 500 square feet of floor area is the minimum requirement for nursery specialties. The proposed greenhouse would total approximately 5,000 square feet, which with the application of this parking standard, would require the applicant to provide 10 parking spaces. The project proposes 3 parking spaces (including 1 ADA space), and additional room for parking is available adjacent to the access driveway. An additional ADA space will be required adjacent to the processing building. Up to 2 employees may be on site at any time during a regular day, and additional area along the driveway would be available for seasonal workers; therefore, the 3 permanent spaces proposed are sufficient to meet the parking demands of the project.

ADDITIONAL INFORMATION NEEDED

Please revise the site plan and operations to match the activities and actions listed in the Project Description, including, but not limited to:

Site Plan: Please revise the site plan (both sheets) to address the following:

- Clearly identify on the site plan Phase 1 v. Phase 2 activities
- Label the seatrain containers for processing on the site plan
- Show/label where the butler building for processing will be located when sea trains are removed
- The processing use (seatrains and butler building) requires a permitted ADA restroom (no port-a-potties). Please show the location of a septic tank and leach field
- Show and label the indoor mixed-light cultivation greenhouses
- Show the path of the proposed electrical utility line.
- Update the note that shows total disturbed acres (from 3.75 to 4.5) and clarify the outdoor cultivation area
- Show ADA parking space at the processing building/seatrain
- Update or remove your hoop house detail (currently references pots, but project description says will be grown in-ground)
- Identify compost area

Operations Plan:

- Provide documentation of the PG&E easement that will be used to bring in power (the parcel maps do not show this easement)
- Revise to include details on the nursery activity and indoor-mixed-light cultivation activity
- Need to explain the phasing plan
- Update proposed fencing (6'6" v. 8') and delete duplicate fencing for outdoor cultivation area
- Page 5 – clarify water tanks (one or two new?)

E. Murray Powell
Vice Chair – Templeton Area Advisory Group (TAAG)
Templeton Resident

September 2, 2020

VIA EMAIL

Trevor Keith – SLO County Planning Director

Rita Neal – SLO County Counsel

Brian Stack – SLO County Deputy Counsel

Wade Horton – SLO County Administrator

Eric Hughes – SLO County Planner

Ramona Hedges - Supervising Administrative Clerk II

Daniels Chavez - Supervising Administrative Clerk II

Re: Opposition to Cannabis Project No. DRC2-2019-00042 scheduled September 4, 2020 Minor Use Permit Planning Department approval hearing.

I am the Vice Chair of the Templeton Area Advisory Ground (TAAG) and the Chair of TAAG'S Cannabis Project Review Committee (CPRC). I am writing today as a Templeton area private citizen not representing TAAG for the reasons discussed below. This cannabis project's April 5, 2019 Land Use Permit application was not referred to TAAG on the basis that the project is located outside of TAAG's defined boundaries. However, it is TAAG's policy to review Land Use Permit applications located outside of TAAG's defined boundary lines that may impact Templeton's residents, neighborhood areas and the community in general.

Due the untimely notification of this project's scheduled September 4th Planning Department hearing, TAAG was unable to convene its publicly noticed full Board and Cannabis Project Review Committee meetings prior to the September 4th hearing date in order to review and approve recommendations regarding this project. I request that the September 4, 2020 scheduled hearing be continued to a later date for the reasons discussed below in order to allow the public and TAAG to review and respond to the project's proposed revised expanded operations that have not been properly noticed in accordance with existing Title 22 Chapter 22.40 Public Notice requirements.

My following comments deal with several but not all issues concerning this cannabis project and with the manner that tomorrow's hearing will be conducted.

1. The hearing relies on a 25 page substantially incomplete April 5, 2019 Land Use Application that does not represent the scope of the project's operations that will be considered for approval during tomorrow's hearing.
2. County Planning's failure to require the submission of a publicly noticed revised project Land Use Permit application based on the expanded scope of project that will be considered at tomorrow's MUP approval hearing.

3. County, state and federal agencies were not advised of the unnoticed subsequent substantial expansion of the project's operations. Every referral response included in hearing Attachment 6 clearly refers to the original April 5, 2019 application's 3 acre outdoor cultivation proposed activity and is the basis for their comments and recommendations.
4. County Planning's failure to accurately assess the project's impact on the Paso Robles Groundwater Basin. The project is located within the PRGWB, which is categorized as being in a state of critical overdraft and is located within the area that is categorized as being in severe decline that requires a 2:1 water use offset.
5. The County and the MND's reliance on the inaccurate annual 2.76 AFY estimated project water use estimated not calculated on the basis of the unnoticed expanded scope of the project. See attached Civil Design Solutions report. This inaccurate estimate is relied upon in the project MND, the hearing Staff recommendation report and the hearing's proposed Conditions of Approval – Attachment 2 page 1 stating that "j. **Maximum annual water demand for all uses on the project site of 2.76 AFY.** "

My comments are based on detailed reviews of the following documents, materials and other information:

- Project related documents provided in response to a Public Record Request received from Planning on July 15, 2020.
- The incomplete April 5, 2019 25 page Referred SLO County Land Use Permit application package that apparently represents the only existing application considered as "complete and accepted for processing" by the County Planning Department.
- The ten (10) hearing record attachments to the September 4, 2020 hearing agenda item # 6
- The project's July 10, 2020 114 page revised MND
- The project's Althouse- Meade June 2. 2019 Biological Report
- The project's Civil Design Solutions September 2, 2019 "water use estimates for Neal Springs Road" 3 page report.
- Detailed review of hearing Attachment - 6 Referral Responses

Incomplete Land Use Permit Project Application

A 25 page Land Use Permit application package was referred out to County, State and federal agencies on April 5, 2019. This application briefly indicates **the scope of the project to be limited to only a 3 acre outdoor cultivation operation** according to a Planning staff comment on page one of the referred application document. This application was incomplete and failed to provide information such as an operating plan, a water management plan, an odor management plan and other information required by existing Title 22 Chapter 22.60 and Chapter 22.40 ordinance Land Use Permit application requirements. The April 5, 2019 application package appears to be the only existing Land Use Permit application processed by County Planning. It appears, based on PRA record response information, that the scope of this project was substantially expanded possibly during November 2019 to incorporate nine new 27,000 square feet indoor cultivation facilities, a new processing building and other activities.

The scope of the project's operations and project description being considered for approval during tomorrow's permit approval hearing consists of the following greatly expanded activities and newly constructed facilities that were not disclosed in the April 5, 2019 application. According to the project

hearing's proposed Conditions of Approval (Attachment 2), the project's revised July 10 MND (Attachment 7), and the hearing's September 4, 2020 Planning staff report recommending approval of the project, the following project cannabis operations and facilities will be considered for approval tomorrow. The project's existing April 5, 2019 application only proposed that the project consist of item a. below as 3 acres (not 3.75 acres) of outdoor cannabis cultivation area.

- a. 3 acres (130,680 square feet) of outdoor cannabis cultivation canopy and 3.75 acres of cultivation area. (expanded from 3 acres to 3.75 acres)
- b. 22,000 square feet of mixed light (indoor) cannabis cultivation canopy.
- c. 5,000 square feet of indoor ancillary nursery canopy.
- d. Construction of 22,000 square feet (7 – 3,000 sf each) of greenhouses for mixed-light (indoor) cultivation.
- e. Construction of 5,000 square feet of greenhouses for ancillary nursery.
- f. Construction of a 3,000 square feet of pre-manufactured metal building for ancillary processing activities.
- g. Use of 640 square feet of temporary shipping containers for ancillary processing activities during construction of the pre-manufactured metal building.
- h. A maximum of 33 daily trips including up to 10.7 vehicle trips during the PM peak hour (4:00 PM – 6:00 PM).
- i. A maximum of 2 full time and 10 seasonal part-time employees. j. Maximum annual water demand for all uses on the project site of 2.76 AFY.
- k. Phasing. The project shall be subject to the following phasing plan (see hearing Attachment 2, pages 1 and 2.)

Tomorrow's hearing is considering the expanded scope of this project that was never publicly noticed to the public until this hearing was noticed about 10 days ago. This expansion of the project size and scope of operations required the submission of a new application for processing and should have been publicly noticed for public review through the submission of a revised Land Use Permit application submitted to County Planning. Title 22 Section 22.40 040 P.1 - Public Notice requires that applications (initial or revised) be noticed, at least 10 days prior to submission, to all property owners located within a minimum of 1,000 feet of the project's property lines. A revised application was not submitted to Planning for processing and obviously the project's expanded operations were not publicly noticed.

None of project's expanded operating information was disclosed in the existing April 5, 2019 referred application that County Planning has determined is "COMPLETE AND ACCEPTED FOR PROCESSING". Obviously, tomorrow's consideration of the expanded scope of this projects operations and project description is a violation of various County Land Use Permit applications ordinances, policies and guidelines. This project requires the submission of a revised referred and publicly noticed complete SLO County Land Use Permit application that has not been submitted to or processed by the County Planning Department.

Failure to Refer Project Revisions for Comments and Recommendations

The current proposed expanded project scope was obviously not referred out to the various County, State and Federal agencies indicated on the April 5, 2019 referred application document. Hearing Attachment 6 – Referral Responses and other documents, studies and information all clearly indicate

that the referral comments and recommendations we based on the initial proposed project operation limited to a 3 acre outdoor cultivation operation. Attachment 6 referrals include the following response dates:

SLO APCD - April 15, 2019
Assessor's Office – April 8, 2019
Bldg. Department (Michael Stroker) – April 11, 2019
SLO Environmental Heath – April 16, 2019
Northern Chumash Tribe AB 52 – 4/8/19
SLO Public Works – April 11, 2019
US Fish and Wildlife Department – November 4, 2019

Other Reports and Studies not included as part of the September 4, 2020 hearing record also indicate that the basis for their comments are limited to the proposed 3 acre outdoor cultivation activity only.

Althouse Meade Biological Report – April- May 2019
Civil Design Solutions – Project Estimated Use Estimate – September 2, 2019

Please note that a number of reports, studies and other required information and materials referred to the MND, Staff report such as a Water Management Report, a Water Conservation Plan, a traffic study, CAL Fire responses and other information has not been disclosed in the hearing document records and were not provided in the Public Record Request responses mentioned above.

It appears, based on Public Record Request documents, that this project's operations were substantially expanded from the original April 5, 2019 application's 3 acre cultivation project to the expanded project around November 2019. The proposed Conditions of Approval (hearing Attachment 2) includes approximately "20 Bio" conditions that do not consider the environmental impacts of the project's greatly expanded design and operations that will be considered for approval tomorrow.

Failure to Consider Paso Ground Water Basin Water Use Restrictions

The project MND (page 57 and 58) recognizes that the project's location is subject to the following Paso Ground Water Basin restrictions. "The project is located within the PRGWB, which is categorized as being in a state of critical overdraft, and is located within **the area that is categorized as being in severe decline (County of San Luis Obispo 2018) and is required to offset water usage at a 2:1 ratio per LUO requirements.**"

The hearing's Staff report (page 5) makes the following comments confirming the project property location as being in the Paso Basin's area of severe decline requiring a 2:1 water use offset. These comments cite the inaccurate Civil Design Solutions estimated water use amount of 2.76 AF "Water Usage. **The projected annual water use for the project is 898,488 gallons per year (2.76 acre-feet).** The project proposes to use water from an existing onsite well that pumps approximately 67 gallons per minute. The onsite well draws water from the Paso Robles Formation aquifer within the Paso Robles Groundwater Basin (PRGWB), which is categorized as being in a state of critical overdraft. **It is also**

located within the area that is categorized as being in severe decline and is required to offset water usage at a 2:1 ratio per LUO Requirements.”

The project applicant engaged Civil Design Solutions to “estimate the groundwater demand and associated groundwater offset to the Paso Robles groundwater basin”. Civil Design Solutions reported their estimate in a 3 page September 2, 2019 report with the comment that **“Water offset. This project is located in the Paso Robles Groundwater basin; therefore a 2:1 for water use is required. The property was historically vacant.”** This report indicates the project will require 2.76 acre feet of annual water use. The report indicates the calculations for this estimate to be based solely on the water use of the 3 acre proposed outdoor cultivation area only. No consideration was made for the proposed indoor cultivation water use demands required by the addition of 27, 000 sq. ft of indoor greenhouse cultivation activities.

Existing SLO County cannabis ordinances require that a detailed water management plan be submitted with cannabis Land Use Permit applications. This Plan, if it exists, has not been made available for public review or otherwise disclosed to the public or as part of Friday’s hearing record. Existing SLO County ordinances require the following:

Section 22.40.050 C.1. - Application Requirements A detailed water management plan including the proposed water supply. Proposed conservation measures, and any water offset requirements.

Section 22.40.060 C.1.- Application Requirements A detailed water management plan including the proposed water supply. Proposed conservation measures, and any water offset requirements

There are various references in the project documents implying that a project Water Management Plan exists, but a plan is not provided as a required April 5, 2019 application document. This Plan is also referred to, but not disclosed in the project’s MND, in the proposed Conditions of Approval, and in the September 4, 2020 hearing Staff report recommending approval of the project.

Findings - Attachment 1 makes the following claim.

“1. The cannabis cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site. Additionally, as conditioned, the project will offset the water use related to the project at a 2:1 ratio.” There is no evidence in the hearing records, in the project MND or in the hearing Staff report that supports the conclusion that the project has the ability to comply with the 2:1 water offset requirement.

Proposed Condition of Approval No. 47 (Attachment 2) states the following:

Hydrology and Water Quality 47. WQ-1 Prior to issuance of building permits (or prior to establishment of the use), all applicants for cannabis related activities within the Paso Robles Groundwater Basin shall provide to the County of San Luis Obispo Department of Planning and

Building for review and approval a **Water Conservation Plan** with a package of measures that, when implemented, will achieve the water demand offset required by Land Use Ordinance Sections 22.40.050 D. 5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). The **Water Conservation Plan** shall include the following:

- a. The quantification of water demand expressed in total acre-feet per year, consistent with the **Water Management Plan** required by Land Use Ordinance Sections 22.40.050 C. 1 and 22.40.060 C.1.
- b. A program for achieving a water demand offset of the quantified water demand as required by Land Use Ordinance Sections 22.40.050.D.5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section.

Where is the Water Conservation Plan that has not been provided for public review or produced for tomorrow's hearing as evidence of the project's ability to comply with the Paso Groundwater 2:1 offset requirements?

The Project's MND fails to determine the negative environmental impact of its water use on the Paso Ground Water Basin.

The 2.76 Acre Feet (AF) estimated water use is significantly understated for the expanded project operation and facilities that will be considered for approval during tomorrow's hearing. The project's July 10, 2020 revised MND fails to support its conclusion (page 57) that the project will be able to offset its estimated water use in compliance with the Basin's 2:1 water offset. The MND makes the statement that **"The project's total estimated annual water use is approximately 898,488 gallons (2.76-acre-feet),** which would be drawn from an existing on-site well." The water estimate was determined by Civil Design Solutions as reported in its September 2, 2019 3 page Water use estimate report (attached). This report was based on the original 3 acre outdoor cultivation project application plus an unknown 2,000 sq. Ft. "Self-Supporting Nursery grow". As previously discussed, the project being considered during tomorrow's hearing is a substantially expanded project in terms of operations and facilities not considered by this Civil Design Solutions estimate report.

Applying the revised project description that is being considered tomorrow and applying the Santa Cruz EIR estimated water use factors referred to in the Civil Design Solutions water estimate September 2, 2019 report indicates that project estimated annual water use is 4.97 AFY not 2.76 AFY. An 80% increase over the Civil Design Solutions estimate. Accordingly the 2:1 required offset will require water savings (2:1) of 9.94 AFY of basin water per year. My revised estimated water use calculations are as follows.

3 acres (130,680 square feet) of outdoor cultivation canopy	0.03 gal/sf/day x 220 days	=	842,488
gals			
22,000 square feet of mixed light (indoor) cultivation canopy	0.10 gal/sf/day x 270 days	=	594.000
gals			
5,000 square feet of indoor ancillary nursery canopy	0.10 gal/sf/day x 365 days	=	<u>182,500</u>
<u>gals</u>			

Total Gallons per year	<u>1,618,988</u>
<u>gals</u>	
Total Acre Feet per Year (AFY)	<u>4.97 AFY</u>
Original Incorrect Estimated AFY Usage	<u>2.76 AFY</u>
Increase in Annual Water Use	<u>2.21 AFY</u>
<u>80%</u>	
Total 2:1 AFY required water offset (4.97 x 2)	<u>9.94 AFY</u>
<u>3,238,740 gals</u>	

The project MND and the hearing's Staff report conclude that the project is required to offset its estimated water use at a 2:1 ratio through installation of efficient water systems and fixtures and/or participation in an approved water conservation program, as detailed in mitigation measures WQ-1 and WQ-2. Measure WQ-1 could only have an effect if the project qualifies for any Basin water use whatsoever which is doubtful. The project property appears to have not conducted regular irrigated crop production on the property for more than five years. The applicant's water use report states that "the property was historically vacant." In this case, no Basin water use would be allowed for cannabis activities. No evidence exists that irrigated crop production activities are being conducted on the property in any of the project application documents or the hearing record documents that should be considered during tomorrow's approval hearing.

WQ-1 requires the **submission of Water Conservation Plan** that intends to comply with various County Land Use Ordinances Sections. See MND pages 58 and 59. This program has not been disclosed for public review and is not a part of Friday's hearing record. Such a program may include items defined in MND pages 57 and 58. None of which the MND has determined will succeed in satisfying the annual **required water quantity offset amount of 9.94 AFY (3,238,740 gals)**. Participation in an undefined, undisclosed and unapproved Water Conservation Plan of some sort does not provide any evidence to support the County's approval of the project's ability to comply with Basin offset requirements.

Mitigation measure WQ-2 is not a mitigating factor controlling project water use. WQ-2 is merely a County quarterly project monitoring inspection process performed four times a year. Unless the project's approved Conditions of Approval require the immediate termination of the project's operations in the event of excessive water use, the so-called mitigations factor has no immediate effect in mitigating the potential negative environmental impacts on Paso Groundwater Basin water supplies. Enforcement based on four days a year of a monitoring inspections does not result in a project's daily water use savings. The MND relies, apparently, on these unproven and irrelevant "mitigation" measures with no evidence whatsoever presented to support the MND conclusion that "Offsetting the water demand of the proposed project in accordance with the CWWCP would result in a net-neutral water demand on the groundwater basin. **Therefore, impacts related to available surface or ground water would be less than significant with mitigation.**"

Please contact me if you have any questions.

Murray Powell

Templeton Resident
September 3, 2020

Ramona Hedges

From: Daniela Chavez
Sent: Thursday, September 3, 2020 3:10 PM
To: Sarah Sartain; Ramona Hedges
Subject: Fwd: [EXT]Opposition to Copper Creek grow

Correspondence received
Get [Outlook for iOS](#)

From: Robin Sanny <rbnsanny@gmail.com>
Sent: Thursday, September 3, 2020 1:47:29 PM
To: Daniela Chavez <dchavez@co.slo.ca.us>
Subject: [EXT]Opposition to Copper Creek grow

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

I oppose the proposal made by Copper Creek farms to insert a cannabis crop and marijuana processing facilities next door to Paso Robles residences off of Creston Road and nearby areas. Among the fact that such a crop is proven to add stench, exacerbate health conditions and drive down neighboring property values, this particular crop also invites extreme criminal activity and everyone knows it, including the owners of Copper Creek who've proposed to set up an entire security system along with guards for protection. Who's going to protect the nearby residents from the criminals this crop will attract? Criminals will be cutting across the resident's property to get to the cannabis crop. The county needs to review the claims Copper Creek Farms have made about the distances between the proposed crop and the 6 residences nearby, the prevailing winds and the watershed, and address concerns about the already strained aquifer. The account Copper Creek has given in their report on these matters are erroneous. County officials are responsible to protect the citizens who elected them. We are confident you will. It is obvious that this crop should not be allowed in this area.

Thank you for your time.

Sincerely,
R.L. Sanny