

EMERALD LAW GROUP

280 North Oak Street Ukiah, CA 95482
Tel: (707) 468-8300 Fax: (707) 937-2209

Mendocino County

MAY 17 2023

Planning & Building Services

May 17, 2023

Mendocino County Department of Planning and Building Services
860 North Bush Street
Ukiah, CA 95482
pbscommissions@mendocinocounty.org

Re:

CASE#: R_2021-0002

DATE FILED: September 7, 2021

OWNER: VARIOUS

APPLICANT: EASTSIDE RESIDENTIAL REDWOOD VALLEY

AGENT: KATHLEEN GILLEY

REQUEST: Rezone request to establish a Cannabis Prohibition (CP)
Combining District over 207 Assessor's Parcels in Redwood
Valley. See attached map.

ENVIRONMENTAL DETERMINATION: Exempt – CCR Section 15061(b)(3)

LOCATION: 0.1± miles north of the Redwood Valley town center, bound
generally on the west by East Road (CR 230), on the north by
Madrone Drive (private) and Road I (CR 234), on the east by
Colony Drive (CR 232-A), and on the south by Road D (CR 232).

SUPERVISORIAL DISTRICT: 1 (McGourty)

STAFF PLANNER: RUSSELL FORD

To whom it may concern,

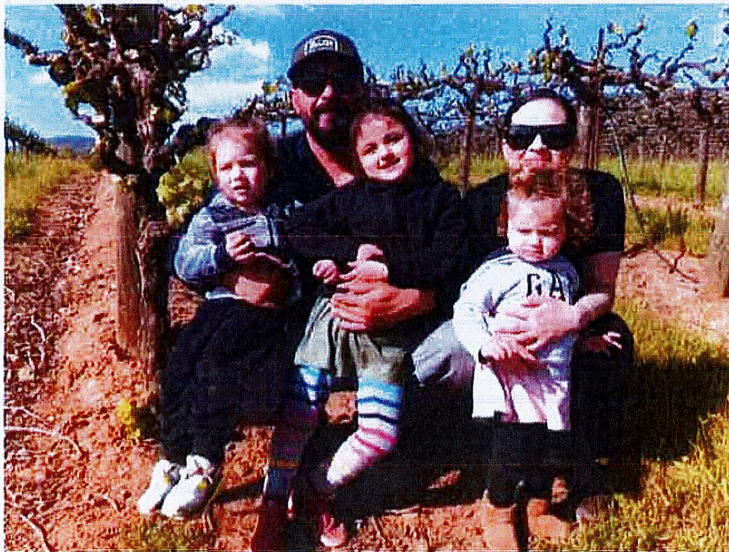
My name is Ruben Ruiz, I am the permittee at two parcels in Redwood Valley, 1750 Road D and 1900 Road D. I am always open to listening to any complaints that I may resolve. If they are not brought to my attention, I cannot make the changes in my operations necessary to satisfy my neighbors.

I obtained a permit to operate (an application receipt) from Mendocino County and a provisional State Cultivation License, which allowed me to begin operations. Since that time I have done my best to be a good neighbor to everyone, while also running a

business in a highly regulated industry that has a never-ending list of hoops I must jump through to comply. Needless to say, the cost of obtaining a permit is exorbitant; I have spent close to \$250,000 to comply with all of the regulations, not including consultants and attorney's fees.

Regardless of the cost and difficulty in getting a permit from Mendocino County and the State of California, I have remained in compliance with all regulations since the inception. In fact, during one county inspection at my facility, I was told that our farms are exemplary, and should be a model for other Mendocino cultivators to strive towards. That gives me great joy, as I have strived to be an exemplary farm throughout the time I have been operating.

I am a family man, I have three young children and would never operate my facility in a manner that is illegal, as I would never want to endanger my family. I would never allow any unsafe conditions to exist at my facility, as that would not only be contrary to laws and regulations, but it would put myself and my family at risk.



It is unfair that people are alleging I am involved in numerous unlawful activities, including selling cannabis unlawfully and allowing people to walk around armed, among many other egregious and unfounded allegations. To set the record straight, firearms are prohibited on any cannabis cultivation site. All cannabis is tracked from seed to sale through California's METRC system. It would be impossible to sell any cannabis produced at my facility unlawfully, as everything on site must be entered into the METRC system and the records must be corroborated, and are monitored by the Department of Cannabis Control ("DCC").

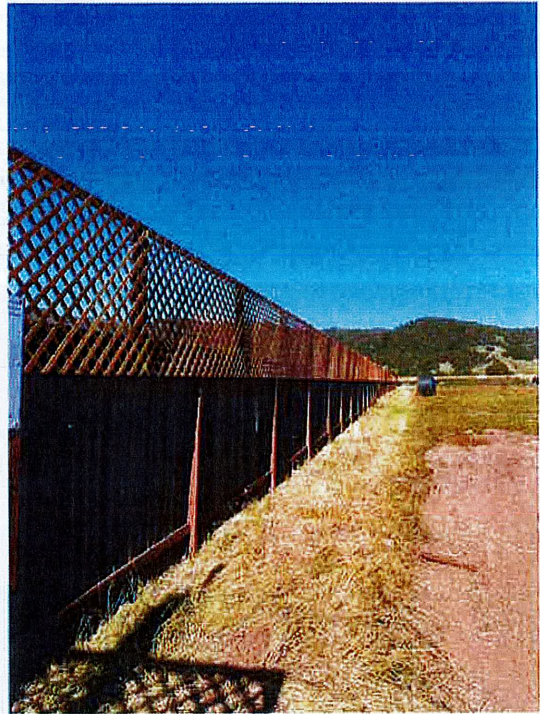
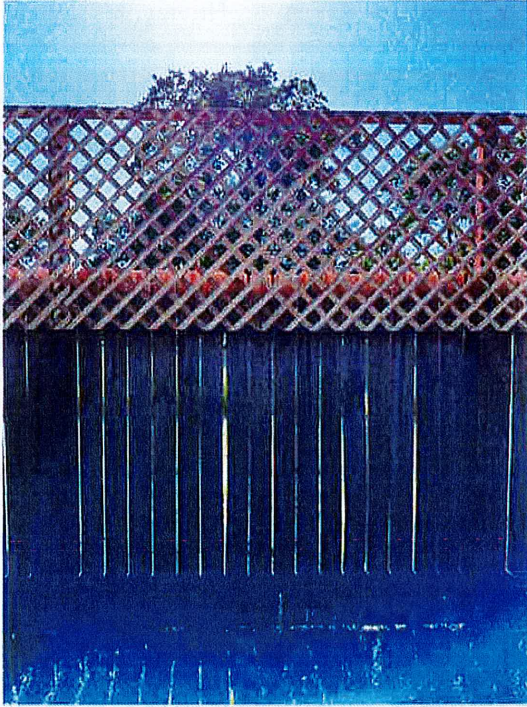
As for the complaints that are valid, I hear them, and I have undertaken actions to alleviate those concerns. For example, odor was one of the more prevalent complaints I

saw in reading through the letters provided. To that end, I have we selected cannabis stock that produce less skunk like odors, but we also planted odiferous plants such as lavender around the perimeter of both cultivations, to mask the odor. There is no regulation requiring me to do this. This was an expensive endeavor. However, I am doing so in hopes that it be good for my neighbors.



Another major complaint I saw from neighbors was their view of our hoop houses. To address this issue, at great cost to myself, I have installed an additional 2+ feet of lattice to the top of the entire perimeter of fencing surrounding the cultivation. While only 6 feet of fencing is required by the regulations, I took it upon myself to go above and beyond to help quell neighbor's concerns. With the additional lattice fencing, the view of the hoop houses is obscured if not eliminated from many viewpoints.





Finally, the issue of the cultivation resulting in additional dust was raised, and I understand neighbor's concerns. I believe the dust is created when worker's for the vineyard on the two properties go back and forth between 1750 Rd. D and 1900 Rd D on the dirt path that runs between the two parcels. Although this transportation is related to the vineyards, not the cannabis cultivation, in an effort to be the best possible neighbor I can be, I ordered and installed signs limiting the speed on that dirt path to 5 mph, to keep the dust down. If vineyard workers comply, then I believe the problem of dust will be eliminated. To clarify, I rent the land where the cultivation is located from the vineyard owner. The vineyard is fully operational and has employees, most likely the same vineyard workers that work at many of the other vineyards in the area. These workers are not employed by me.



I would point out that I believe my cannabis operations have been unfairly targeted. I am a Hispanic man, and therefore, one of the few minority permit holders in Mendocino County. I know there are at least 7 other permits directly surrounding the proposed CP Zone, and they are not facing the threat of losing everything they worked so hard for. However, for all I know, they may be the cause of many of these complaints. I want to make it clear, my farm has never received any notice of violation from any permitting or licensing agency, nor have the police been called out to my cultivation sites. I have been in compliance with all regulations at all times.

I also want to make it clear that establishing this CP zone will put me out of business. I have expended everything I have into obtaining these permits and complying with all of the regulations; if this zoning modification passes, my farm will not be grandfathered in and I am unable to move my permits and licenses to another location. Accordingly, I hope you will all consider this when rendering a decision. I am doing my very best to not only comply with the laws and regulations, but to be a good and attentive neighbor as well.

Thank you for taking the time to listen. Please vote against establishing a CP Zone in this area.

Sincerely,

Ruben Ruiz,

Permit and License Holder at 1750 and 1900 Road D