

**PRESS RELEASE**

MAY 31, 2023

HUMBOLDT COUNTY, CA

FOR IMMEDIATE RELEASE\*\*\*\*\*

**CONTACT:**

**NORTHCOAST ENVIRONMENTAL CENTER**

Larry Glass

phone: (707) 845-7136

**CITIZENS for a  
SUSTAINABLE HUMBOLDT**

Mary Gaterud

email: [marygaterud@gmail.com](mailto:marygaterud@gmail.com)

phone: (707) 845-2199

Robie Tenorio

Phone: (707) 986-7429

**Environmental Groups Appeal Court's Decision**

**CITIZENS for a SUSTAINABLE HUMBOLDT (CSH)**, the **NORTHCOAST ENVIRONMENTAL CENTER (NEC)**, and **REDWOOD REGION AUDUBON SOCIETY (RRAS)** have filed an Appeal from the Superior Court for the County of Humboldt, challenging the actions of the **County of Humboldt** and the **Humboldt County Supervisors** in approving **Rolling Meadow Ranch, LLC's** application for conditional use permits that allow for an expansive commercial cannabis project in a remote location near the community of McCann.

The County consistently relied upon Staff's desired conclusions about the project—**not facts**—in order to approve this project. As approved, it is an idealized, hypothetical project... with no basis in on-the-ground reality. Significant questions around the availability of appropriate PG&E power, woefully inadequate access roads (magically deemed category 4 equivalent despite their shockingly primitive state, and during winter rains, absolute non-existence), extreme impacts to hydrology and habitat, as well as dire and unacceptable response times in the event of emergency and wildfire, remain unaddressed.

This is in error of law.

CSH, NEC, and RRAS seek a court order requiring the County to rescind Project Approvals, and, if the Project is pursued, require that it adhere to the County's regulatory requirements and performance standards, and CEQA's more stringent Environmental Impact Review.

This out-sized, industrial scale project—a perversion of the intent of the Cannabis Ordinance and the Humboldt County General Plan—was approved by the Humboldt County Planning Commission in January of 2021. Neighbors of this egregious project brought an Appeal of this approval before the Board of Supervisors in March of 2021, only to have it denied by a 3-2 vote, despite enormous public outrage and opposition, and searing critique of Humboldt County Planning Department's inadequate environmental impacts analysis by the local Fruitland Ridge Volunteer Fire Department (FRVFFD), and California Department of Fish and Wildlife (CDFW).

Information disclosed during this meeting—and afterwards— pointed to an extraordinary conflict of interest by Supervisor Rex Bohn, who voted against the Appeal and *for* the cultivation permits, and who later admitted that his son was involved in this project. This appearance of an extremely compromised ethical quagmire was never examined further, and the applicant was given the green light to proceed developing and operating year-round cultivation in sixteen 20,000 square foot greenhouses with five processing structures, requiring up to 30 employees commuting daily in extremely remote, difficult to access wildlands, sprawling along five miles of the Main Stem Eel River Canyon, with no confirmed power supply.

In April of 2021, the NEC, RRAS, and CSH brought a lawsuit against the County for this approval, contesting the inadequate environmental analysis performed by County Staff. They contended that a full Environmental Impact Analysis, the higher level of review under the California Environmental Quality Act (CEQA), was required for a project of this magnitude, in this setting. Substantial evidence in the record supported a fair argument that the project *may* have unanalyzed impacts... thus triggering the need for an EIR.

Looking at the bare facts of this case, any sane and reasonable person would conclude that this scandalous project, as proposed, has outrageous flaws, inconsistencies, and unanalyzed environmental impacts... but the third judge assigned to the case, Hon. Barry Goode, failed to understand these facts, applied an erroneous interpretation of the law, and ruled against the Petitioners on December 29, 2022.

This miscarriage of justice was the climax of a repeated theme experienced by Petitioners throughout; the original judge assigned to the case failed in her duty to timely read through the material and ascertain the facts of the case, and disqualified herself deep into the process, wasting time and resources. The second judge assigned to the case deferred to the County and the Applicant during the proceedings for the Motion for Preliminary Injunction... in a “kangaroo court” -style, absurdly sycophantic display of capitulation, apparently without reading any of the material in the record... while the Counsel for the Applicant and the County openly and shamelessly misrepresented the project.

These misrepresentations were a consistent tactic on behalf of the Project Applicant; even during the original Appeal hearing, the Supervisors were misled regarding very basic precepts of the law.

CEQA places the burden of environmental investigation on the lead agency and not the public. The County failed in its duty to uphold the law. Therefore, the aforementioned environmental organizations continue in their quest to see justice served, and have filed an Appeal with the State of California First Appellate District Division One Court on the grounds that:

- The project has not been properly analyzed for significant environmental impacts related to hydrology and water quality.
- Conclusions regarding the use of lignin oil for dust suppression are unsupported by the record in error of law.
- Significant environmental impacts related to power infrastructure have not been analyzed.
- The project has not been properly analyzed for significant environmental impacts related to fire risk and safety.
- The project conflicts with Humboldt County’s General Plan and SRA Fire Safe Regulations.