



March 3, 2024

**VIA EMAIL**

Kings County Community Development Agency  
Planning Division  
1400 W. Lacey Blvd.  
Hanford, CA  
Email: chanda.jackson@co.kings.ca.us

RE: Sandridge Cattle Project CUP No. 23-05

Dear Kings County Planning Commission,

The purpose of this letter is to respond to 4-Creeks, Inc.'s ("4-Creeks"), letter dated February 5, 2024 (the "4-Creeks 2/5/24 Letter"), and the letter from Sandridge Partners dated February 22, 2024, and addressed to Deputy Director Chuck Kinney (the "Sandridge Letter").

As a reminder, People's Farming, LLC ("People's"), owns and operates the fully-licensed and compliant cannabis agricultural operation located at 1805 S. 19th Avenue, in the City of Lemoore (the "People's Farm"), which will be profoundly negatively impacted if Sandridge Partners, L.P. ("Sandridge Partners"), is permitted to move forward with its beef processing plant (hereinafter, the "Sandridge Project") without additional research, investigation and careful consideration including ensuring that CEQA guidelines are followed by Sandridge Partners and the Kings County Planning Commission (the "Commission").

**EXHIBIT F (ADDENDUM TO 2021 MND) TO THE KINGS COUNTY PLANNING COMMISSION STAFF REPORT.** Since the last hearing on February 5, 2024, the Planning Commission Staff (the "Staff") prepared an addendum to the 2021 Mitigated Negative Declaration (the "2021 MND") which is attached as Exhibit F to the Staff Report. The Addendum is an explicit acknowledgement that a further environmental review is required. The problem, however, is that People's does not believe that the County, as a responsible agency under CEQA, devoted the appropriate amount of time, **independent** research, study and transparency in order to come to its conclusion that the People's Farm would not be significantly impacted by the dust, flies and other factors inherent in the Sandridge Project.

It appears that the Staff came to this conclusion based on one single factor; namely, wind patterns. <sup>1</sup> First, this ignores the obvious...flies fly. Just because the wind may not be helping the flies along their journey, that doesn't mean flies won't travel the very short distance to the People's Farm and do what flies do, pollinate. As easy as bees can make the short journey, so can flies.

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<sup>1</sup> The exact language from the "Conclusions" portion of the Addendum is as follows: "The concerns related to dust, flies, and their potential effects on People's Farm were extensively examined through a wind pattern analysis, which underscored the negligible environmental impact expected from the project."



Second and more concerning, it appears that without any independent study, confirmation, review or testing, the Staff blindly accepted **the Sandridge Partners' wind pattern analysis**. Included in the Addendum as the only “proof” that the prevailing wind patterns will not push flies to the People’s Farm is Attachment B. Attachment B is a “Wind Pattern Analysis” (the “Wind Analysis”) prepared by Sandridge Partners and apparently provided to the Staff. On page 4, in Section 2 of the Addendum, the Staff says “A wind pattern analysis was conducted to evaluate the potential impacts of the proposed beef plant project on People’s Farm, with a specific focus on concerns regarding dust and flies. The wind pattern analysis is provided in Attachment B.” Apparently based solely on Attachment B, the Staff concluded that:

“The analysis of prevailing wind patterns and speeds in relation to the proposed project and People's Farm indicates that the environmental impact, particularly concerning dust and flies, is expected to be negligible. The predominant wind directions do not align with the path between the project site and People's Farm, and the average wind speeds are likely insufficient to carry potential contaminants over the distance involved. ***These findings, supported by meteorological data and the natural barriers of wind direction and speed, provide a substantial basis for concluding that the concerns raised by People's Farm regarding the project are not substantiated by the current environmental conditions. As such, reanalysis of the project has not identified any new significant impacts or increase in the severity of previously identified impacts. No additional mitigation is required.***” (Addendum, p. 3, Section 2).

Attached hereto as **Exhibit A** is a February 14<sup>th</sup> email sent by Mr. Nordstrom to Mr. Colby that includes the **exact same** wind analysis report that the Staff relies on as the **reanalysis** of the project and to conclude that there are no new significant impacts.<sup>2</sup> The question then is whether the County (not Sandridge Partners) has met its burden to rigorously and transparently conduct its own **independent** environmental review of the potential impact? Is the burden met by blindly accepting the applicant’s unsigned, unverified report that contains conclusions without reference to who conducted the analysis, the qualifications of that person or group or even when and how the analysis was conducted? The very document that the Staff relies on to conclude this is a “no harm, no foul” situation is a self-serving 1 ½ page set of conclusions without actual support. People’s respectfully suggests that this doesn’t come close to meeting the County’s burden.

In the section entitled “Summary of this Document” the Staff acknowledges that as a responsible party under CEQA, it has the obligation to ensuring that the Sandridge Project undergo a “rigorous and transparent environmental review process.” There has not been a rigorous review of the impact on the People’s Farm in the few weeks since the last hearing.<sup>3</sup>

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<sup>2</sup> The same wind analysis report is attached to Sandridge Partners’ letter addressed to Deputy Director Kinney dated February 22, 2024, and attached hereto as Exhibit E.

<sup>3</sup> It is unfortunately impossible to tell how many days the Staff spent putting together the



There certainly has not been a transparent review process as People's Farm has not been contacted or consulted. No one from the County or the Staff has reached out to People's Farm for information or input yet the Staff accepts Sandridge Partners' analysis without question. How can the review process be transparent and complete with zero contact with the People's Farm? The answer is it cannot.

There is no doubt the People's crop (cannabis) is unique. There is no question that there are only a select few experts (including those that work with People's Farm) that understand the unique aspects of the crop, the environmental factors that can have a significant impact on, and in some cases destroy, the crop. This includes the inherent danger of cross-pollination and pesticide overspray. Unless there is a cannabis crop expert on the Staff, it seems obvious that a CEQA compliant review of the environmental impact **must** include consultation and coordination with People's Farm and its industry experts. Without that, the Staff conclusions are mere guesswork.

The Staff came to the conclusion that an Addendum (versus a new MND or an EIR) was sufficient under Sections 15162 and 15164 because the Staff found that:

- No new significant impacts will result from the project or from new mitigation measures;
- No substantial increase in the severity of environmental impact would occur; and
- No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have been found to be feasible. (Addendum, p. 2).

The Staff further acknowledged that a subsequent EIR or MND would be required if there are **any** new significant environmental impacts associated with the Sandridge Project. Despite this, the Staff found that no subsequent EIR or MND is required here because the reassessment of the project did not identify **any** new significant environmental impacts. But how can the Staff reach this conclusion in mere days and without consulting with People's or any other cannabis expert? The answer is it's impossible to come to that conclusion without, first, understanding the crop, and then only after understanding, studying the impact of the Sandridge Project from an informed and knowledgeable standpoint. This was not done and needs to occur before the Staff can say it rigorously and transparently reviewed the environmental impact of the Sandridge Project on the People's Farm.

Given the foregoing, it is People's position that it is **mandatory** (not discretionary) that the Staff prepare an EIR or negative declaration. (*See* CEQA Section 15162(b)). Moreover, a subsequent EIR or subsequent negative declaration **shall** be given the same notice and public review. (*See* Section 15162(d)).

People's Farm has spent millions of dollars on developing its infrastructure to support its ongoing agricultural operations and its future manufacturing. People's Farm is ramping up its 5-10 year, \$30-70M development project involving approximately 600 acres entitled for cannabis growing and manufacturing. The manufacturing project will rely on the viability of

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Addendum because the Addendum is not dated and does not say the number of days or hours spent on the environmental review.



the crops. People's has a lot at stake and so does the County in meeting its CEQA obligations. This is too important to give it a passing glance. Without following the appropriate process, the Commission would be merely "rubber stamping" Sandridge Partners' renewed CUP application relying only on Sandridge Partners' own wind pattern analysis and without consulting with People's Farm. This would deny People's Farm its due process and certainly lead to expensive and time-consuming litigation.

**PEOPLE'S EFFORTS TO INFORMALLY ADDRESS ITS CONCERNS.** Since the last hearing on February 5, 2024, People's has gone to great lengths in an effort to meet with John Vidovich and his farm manager, Craig Andrew. Every step of the way People's has been met with broken promises and cancelled meetings.

Immediately after the hearing, Deron Colby, People's counsel, contacted Mike Nordstrom, Sandridge's counsel. An initial in-person meeting was set for February 14<sup>th</sup>. John Vidovich cancelled the first meeting. Another in-person meeting was scheduled in Lemoore for February 15<sup>th</sup> at 11 a.m. Mr. Vidovich and Mr. Nordstrom knew that the People's principals, Jay Yadon and Bernard Steimann, moved their schedules around to accommodate the meeting on the 14<sup>th</sup> and did the same to accommodate the meeting on the 15<sup>th</sup>. Mr. Vidovich and Mr. Nordstrom also knew that Mr. Colby was driving 4 hours in the early morning hours to attend the meeting. At 10:30 a.m., 30 minutes before the meeting was to begin, Mr. Vidovich called Mr. Colby and cancelled the second meeting.

Despite People's offering several alternatives for **a third** in-person meeting, the best Mr. Vidovich could do was a Zoom meeting on February 27<sup>th</sup>. Unfortunately, Mr. Vidovich refused to discuss the People's concerns about the Sandridge Project, saying only that "the flies are not a problem." The Zoom was unproductive and Mr. Vidovich was extremely dismissive. Given Mr. Vidovich's refusal to discuss the Sandridge Project, People's requested that Mr. Vidovich make his farming manager, Craig Andrew, and his 4 Creeks project manager, Molly Baumeister, available on March 4<sup>th</sup> so that the parties could have a substantive conversation about the Sandridge Project's impact on the People's Farm. Despite the fact that Mr. Vidovich agreed and an in-person meeting was calendared for March 4<sup>th</sup>, on February 29<sup>th</sup> Mr. Vidovich sent the email attached hereto as **Exhibit B** wherein Mr. Vidovich makes it very clear that because People's objected to the Sandridge Project he would not meet until the project was either approved or denied. This effectively put an end to the illusion that Mr. Vidovich or members of his team cared to discuss People's Farm's concerns.

It is very clear to People's that Mr. Vidovich is not interested in taking People's' concerns seriously and is not interested in working in a constructive, neighborly way. This apathy causes People's additional concerns about the relationship going forward. All People's wants is to have a reasonable, substantive conversation with Mr. Vidovich and/or his team and work through the concerns. Mr. Vidovich is not interested in making this happen.

**SANDRIDGE'S FLY ABATEMENT PLAN.** Mr. Nordstrom provided Mr. Colby with Sandridge's Fly Abatement Program (the "Fly Program") which, unfortunately, is a one-page "program" without any specifics. People's asked its third party genetic research company, Kayagene, review the Fly Program and on February 28<sup>th</sup>, Mr. Colby emailed Mr. Nordstrom the



email attached hereto as **Exhibit C** which includes Kayagene's requests for additional information. The Fly Program lacks specificity regarding:

- The metrics and measurables to decide if the Fly Program is effective.
- How Sandridge Partners intends to define:
  - "Increased fly activity or signs of breeding."
    - Number?
    - Measurables?
    - Timeline?
  - Thresholds for larval count and fly population.
- Maximum allowable for the measurables.
- The methodology for setting thresholds.
- The underlying data examined.

Without more specificity, it's impossible for People's to evaluate and comment on the Fly Plan.

Kayagene's Director of R&D, Christopher Hohn, has over 12 years of experience in plant breeding vegetable seeds and cannabis breeding and seed production. Attached hereto as **Exhibit D** is Mr. Hohn's letter dated February 9<sup>th</sup> which details the problem with flies and cross-pollination as it relates to cannabis cultivation and flower production. Mr. Hohn explains:

"Cattle yards are often associated with an abundance of organic waste, including manure, which serves as an ideal breeding ground for flies (Geden et al. 2021). ***Flies are notorious carriers of pollen,*** and their presence in large numbers near *Cannabis* cultivation can lead to unintended pollination. ***Flies can be as efficient as, or better than, bees for pollinating some crops,*** and are often responsible for transporting high pollen loads in both natural and modified systems (Cook et al. 2020). Unlike other pollinators like bees, ***flies are less discerning in their choice of flowers and when they come into contact with Cannabis flowers, they can transfer pollen from one plant to another.***

Unintended pollination can have detrimental effects, particularly when seeking high-quality, seedless flower buds. Cross-pollination by wind, insects, or other means leads to the development of seeds within the flowers. As shown by Lipson et al. (2021), fertilization of *Cannabis* decreases phytocannabinoids accumulation and alters the accumulation of terpenoids. This diversion of energy towards seed production reduces the overall quality and potency of the cannabis crop, impacting the desired cannabinoid content. ***For this reason, unwanted pollination poses a significant risk to farmers who face potential losses if undesirable fly-induced pollination occurs.*** The economic impact may manifest in reduced market value due to lower THC content and altered flavor profiles. Strategically managing and mitigating the risk of unwanted pollination is thus crucial for *Cannabis* cultivators to preserve product quality, consumer



satisfaction, and overall profitability in a competitive market.”  
(Treatises Cited Available Upon Request).

**SANDRIDGE PARTNERS LETTER DATED FEBRUARY 22, 2024.** Without repeating the entirety of the Sandridge Letter, Sandridge Partners summarily dismisses People’s concerns by claiming that it doesn’t intend to harm People’s Farm and, regardless, other activities in the area produce flies and attract bees. Sandridge Partners concludes that since People’s decided to farm in the area, it’s “People’s Farm (sic) responsibility to consider and adopt appropriate protective measures to mitigate these environmental influences on their operations.” See highlighted portion on page 2 of **Exhibit E** attached hereto. Although it’s become clear that Sandridge Partners’ attitude is “we are doing what we want, you adapt”, that’s fortunately not how CEQA works. It is not the burden of the project’s neighbors to adopt protective measures to mitigate the project’s environmental impacts. It’s the opposite. It’s Sandridge Partners’ obligation to adopt appropriate protective measures to mitigate the environmental impact of its operations on its neighbors, including People’s Farm.

In a final *coup de grace*, Sandridge Partners suggests that the Commission and Sandridge Partners can ignore CEQA because of the allegation that the People’s Farm is in violation of the Lemoore Municipal Code (which is absolutely not true). The City of Lemoore has steadfastly supported People’s Farm and its compliant operations. People’s Farm’s compliance with the Lemoore Municipal Code is not before this Commission and other than recognizing it as a transparent attempt to smear People’s Farm and deflect attention away from the real issues, should be disregarded by the Commission. There is also no CEQA exemption dependent on the impacted party’s compliance with local ordinances.

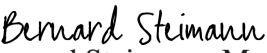
**CONCLUSION.** Sandridge Partners’ desire notwithstanding, the Commission does not have the discretion to ignore the CEQA requirements. The Staff has acknowledged that an additional environmental review is appropriate yet has not rigorously and transparently undertaken a review. People’s Farming is merely requesting that the County meet its obligation. Not doing so would ignore CEQA and deny People’s Farm its due process.

Allowing the Sandridge Project without careful and measured consideration and before collection of accurate and complete information with People’s Farm’s input, could be catastrophic for the People’s business and millions of dollars in losses.

We thank the County for this opportunity to comment.

Sincerely,

DocuSigned by:

  
Bernard Steimann, Managing Member



# EXHIBIT A

**From:** [Michael Nordstrom](#)  
**To:** [Deron Colby](#)  
**Subject:** FW: Peoples Farm  
**Date:** Wednesday, February 14, 2024 10:52:20 AM  
**Attachments:** [21180 - Sandridge Site Plan 5.23.23 \(1\).pdf](#)  
[21180 Fly Abatement Plan.pdf](#)  
[21180 Wind Pattern Analysis.pdf](#)

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**Caution:** External (nordlaw@nordstrom5.com)

First-Time Sender, Confusable Domain [Details](#)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security](#). Powered by INKY

Hi Deron;

Attached are the wind pattern analysis and fly abatement plan. I also attached the site plan so that you can see the location on the holding pen that is southwest of your farming operation. My apologies for not being able to attend tomorrow's meeting. I think I'd rather be there than Disneyland with the grandkids! lol

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**From:** Michael Nordstrom <[nordlaw@icloud.com](mailto:nordlaw@icloud.com)>  
**Sent:** Wednesday, February 14, 2024 8:20 AM  
**To:** Michael Nordstrom <[nordlaw@nordstrom5.com](mailto:nordlaw@nordstrom5.com)>  
**Subject:** Fwd: Peoples Farm

Sent from my iPhone

Begin forwarded message:

**From:** Matthew Maxson <[matwilmax82@gmail.com](mailto:matwilmax82@gmail.com)>  
**Date:** February 14, 2024 at 4:44:58 AM PST  
**To:** Michael Nordstrom <[nordlaw@icloud.com](mailto:nordlaw@icloud.com)>  
**Subject:** Fwd: Peoples Farm

Hi Mike,

Here are report outs and site plan for the Peoples Farm meeting

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

**From:** **Molly Baumeister** <[mollyb@4-creeks.com](mailto:mollyb@4-creeks.com)>  
**Date:** Wed, Feb 14, 2024 at 12:11 AM  
**Subject:** Re: Peoples Farm  
**To:** Matthew Maxson <[matwilmax82@gmail.com](mailto:matwilmax82@gmail.com)>

Hi Matt,



Apologies for the late email! The draft fly abatement program and a wind pattern analysis report are attached.



**Molly Baumeister, AICP**

Planner/Project Manager

**t** [\(559\) 802 - 3052](tel:(559)802-3052) | **m** [\(820\) 346 - 9558](tel:(820)346-9558)

**e** [mollyb@4-creeks.com](mailto:mollyb@4-creeks.com)

**w** [www.4-creeks.com](http://www.4-creeks.com)



# WIND PATTERN ANALYSIS

## *Environmental Implications for the Proximity of Sandridge Beef Plant to People's Farm*

### **INTRODUCTION**

People's Farm has raised concerns that the proximity of the Sandridge Beef Plant project could result in dust and fly-related issues, impacting their crop yield and quality. This report evaluates the potential impact of the proposed beef plant project on People's Farm, with a specific focus on concerns regarding dust and flies.

### **WIND PATTERNS AND PROJECT SITE ANALYSIS**

In assessing the potential environmental impact of the proposed project on People's Farm, it is crucial to understand the regional wind patterns as they play a pivotal role in the dispersion of agricultural by-products, such as dust and flies. The closest meteorological data, sourced from the Lemoore NAS/Reeves station, indicates that the prevailing winds are predominantly from the North-Northwest (NNW) to Northwest (NW) (Attachment A). Given the geographical layout, with People's Farm situated approximately 0.35 miles directly west of the project site, it is positioned outside the primary pathway of these prevailing winds (Attachment B). Consequently, this spatial relationship significantly reduces the risk of airborne particulates from the project drifting towards People's Farm. The infrequent winds from the West to Southwest that would be required to impact People's Farm constitute a minimal percentage of the wind direction frequency, further diminishing the likelihood of cross-transportation of dust and flies. This analysis underscores the advantageous siting of the project in relation to People's Farm concerning wind-borne transmission concerns.

### **WIND SPEEDS AND ENVIRONMENTAL DISPERSAL**

The local wind speed has a direct correlation with the dispersal of agricultural elements like dust and flies. According to the windrose plot from Lemoore NAS/Reeves, the average wind speed in the region is 6.6 mph, with a significant occurrence of calm conditions where wind speeds fall below 2 mph. These moderate wind speeds, coupled with frequent periods of still air, suggest that dust particles and flies are less likely to be carried over long distances and thus less likely to reach People's Farm from the project site. The low wind speeds are particularly critical in the context of fly movement; as flies typically have limited range and are not strong fliers, it is improbable for them to travel the 0.35 miles to People's Farm against or across these average wind speeds. This data, when considered alongside the prevailing wind directions, provides a strong indication that the environmental dispersal of dust and flies from the project will not pose a significant risk to People's Farm.

### **POTENTIAL IMPACT ON PEOPLE'S FARM**

Given the wind pattern and speed analyses, the potential impact of the project on People's Farm can be characterized as minimal. The prevailing wind directions primarily bypass People's Farm, and the average wind speeds are not conducive to carrying substantial dust or fly populations across the 0.35-mile distance separating the two properties. Moreover, the behavioral patterns and physical capabilities of flies suggest that they are unlikely to traverse such distances, especially across prevailing winds. Dust particles, similarly, require stronger and more direct wind currents to be

transported effectively. Considering these factors, the environmental risk posed by the project, in terms of wind-borne dust and flies to People's Farm, is significantly mitigated by natural and geographic conditions.

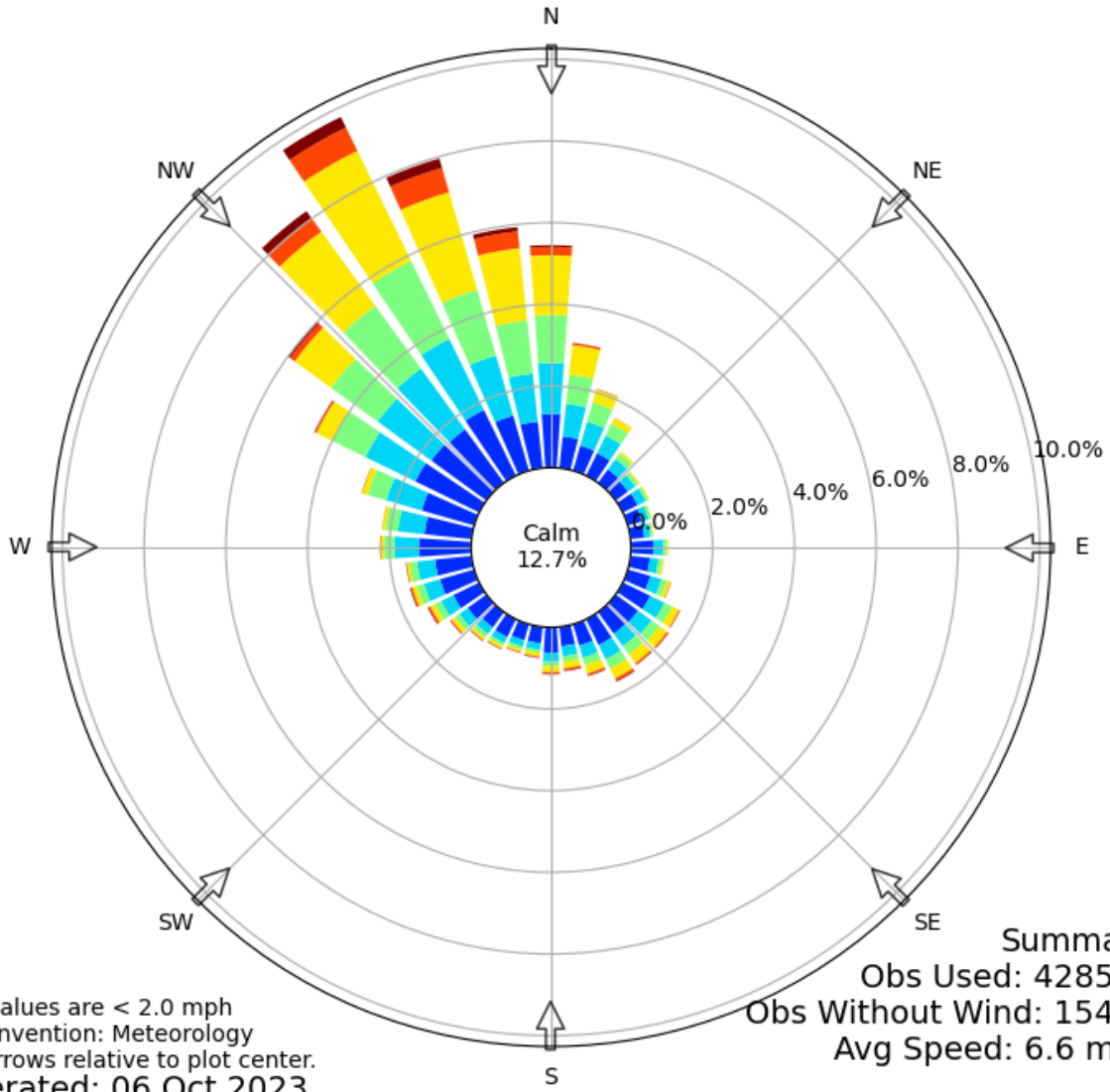
## **CONCLUSION**

The analysis of prevailing wind patterns and speeds in relation to the proposed project and People's Farm indicates that the environmental impact, particularly concerning dust and flies, is expected to be negligible. The predominant wind directions do not align with the path between the project site and People's Farm, and the average wind speeds are likely insufficient to carry potential contaminants over the distance involved. These findings, supported by meteorological data and the natural barriers of wind direction and speed, provide a substantial basis for concluding that the concerns raised by People's Farm regarding the project are not substantiated by the current environmental conditions. It is reasonable to expect that the project, considering its adherence to regulatory standards and the mitigating geographical factors, will not significantly impact People's Farm as initially feared. The report recommends ongoing monitoring to ensure that the actual impacts align with these predictions and to address any unforeseen changes promptly.

# ATTACHMENT A



Windrose Plot for [NLC] LEMOORE NAS/REEVES  
Obs Between: 31 Dec 1969 11:00 PM - 05 Oct 2023 11:56 PM America/Los\_Angeles

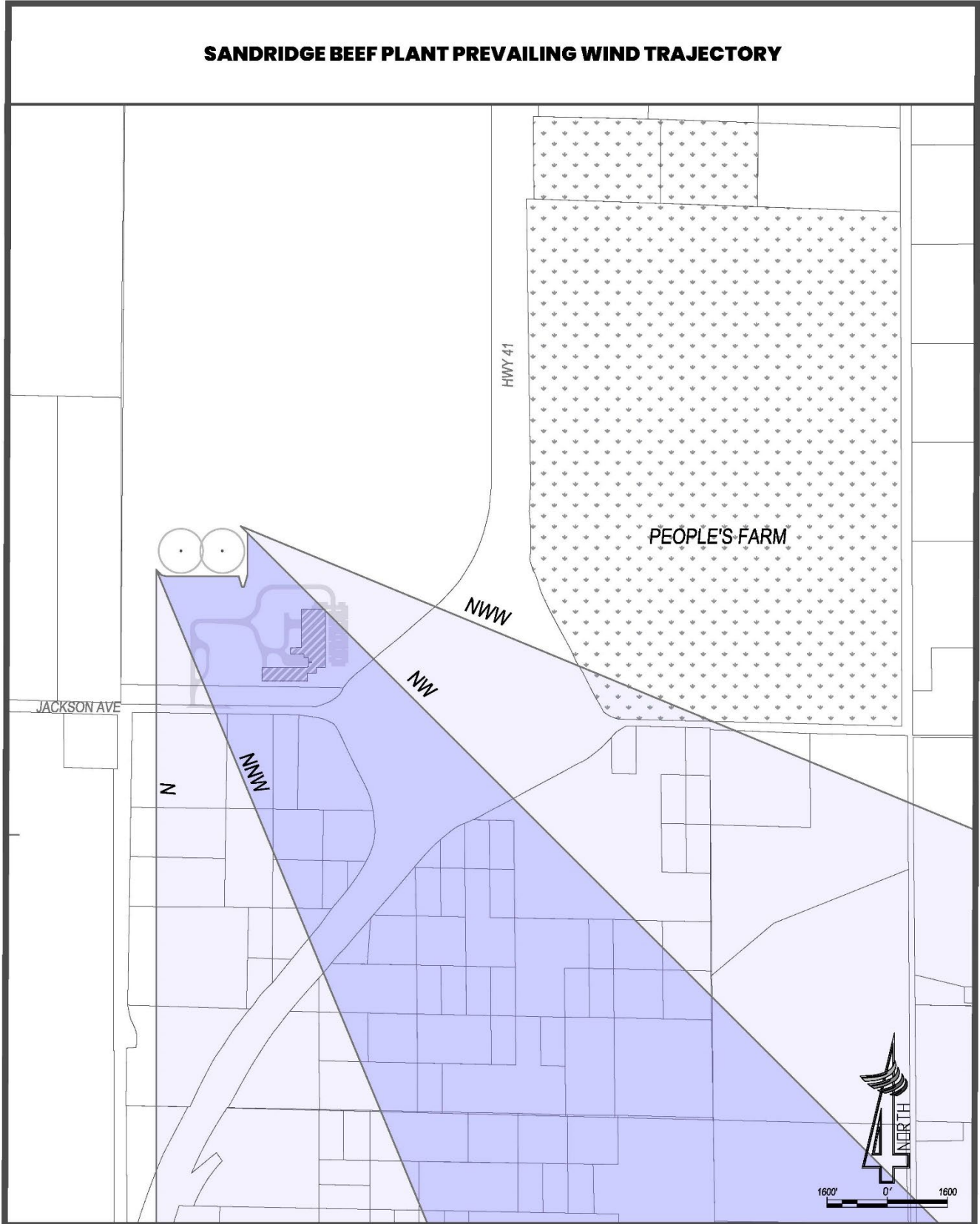


Calm values are < 2.0 mph  
Bar Convention: Meteorology  
Flow arrows relative to plot center.  
Generated: 06 Oct 2023



# ATTACHMENT B

## SANDRIDGE BEEF PLANT PREVAILING WIND TRAJECTORY





# EXHIBIT B

**From:** [John Vidovich](#)  
**To:** [Deron Colby](#)  
**Cc:** [nordlaw@nordstrom5.com](#); [candrew@srpfarms.com](#); [matwilmax82@gmail.com](#)  
**Subject:** Beef Harvest and being your neighbor  
**Date:** Thursday, February 29, 2024 1:44:23 PM

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**Caution:** External (jtvidovich@aol.com)

First-Time Sender [Details](#)

[Report This Email](#) [FAQ](#) [GoDaddy Advanced Email Security, Powered by INKY](#)

Deron,

I understand you will be opposing our Beef Harvesting plant. You have stated that you have issues with our farming west of your to be expanded operation.

I have decided Craig and I will not attend a private meeting on the day of the Beef Plant hearing. Once the Beef Harvesting plant is approved or denied then we can have a meeting, which is NOT about the Beef harvesting plant but rather it be our fallowing west of your operation and or about supplying you water.

I think the items are separate. If our normal agricultural practices create incidental issues for you then we can talk about it without the anxiety of the beef plant. Same as with the water.

Your predecessor, Frank Kavanaugh, and I were about to work out issues in the past. I suggest you use him for discussions.

JOHN VIDOVICH  
408 623 4812



# EXHIBIT C



**From:** [Deron Colby](#)  
**To:** [Michael Nordstrom](#)  
**Subject:** RE: Peoples Farm  
**Date:** Wednesday, February 28, 2024 1:33:00 PM

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Mike:

My client has reviewed the documents you sent and although it's a start, we need a lot more information to fully understand what we are looking at. The Plan is not very detailed.

In that regard, please respond (or have Molly respond) to the following questions:

1. Please provide additional details about buffer zones and physical barriers to be added.
  - a. How do you determine what would be effective? What are the measurables?
2. The area of most concern is Section II.c, which needs to address the following:
  - a. What is meant by "increased fly activity or breeding signs"?
  - b. Is it one more larva than the prior day (week, month, year)? Or is one million more?  
There needs to be a clear number and timeframe that determine an increase.
  - c. Without proper definitions "increased" becomes very vague and never requires action.
  - d. What are the thresholds for larval counts and fly population?
  - e. What is the acceptable number of larvae within a given measure of manure?
    - i. How many adult flies does that translate to potentially flying onto People's farm?
    - ii. There needs to be a maximum set based on the acceptable number of adults which may find their way to People's fields.
  - b. How are the thresholds being determined?
  - c. What data and prior knowledge is used to make informed limits?
  - d. Can you guarantee that those thresholds will eliminate the concern of pollen movement?

Please let me know if you have any questions. I will communicate the responses to my client for further follow up and discussion.

---

**Deron M. Colby, Esq.**  
**Janus Capital Law**  
[dcolby@januscapitallaw.com](mailto:dcolby@januscapitallaw.com)  
22 Executive Park, Suite 250  
Irvine, California 92614  
Phone: 949.633.8965  
Fax: 877.275.5954



# EXHIBIT D



Kayagene, LLC  
10 San Miguel Ave.  
Salinas, CA 93901  
[www.kayagene.com](http://www.kayagene.com)  
1-866-420-5292

February 9<sup>th</sup>, 2024

Nathan Olson  
City Manager of Lemoore  
711 W. Cinnamon Dr.  
Lemoore, CA 93245

Dear Nathan Olson,

My name is Christopher Hohn, the Director of R&D for Kayagene LLC. I have been asked by Bernard Steimann of People's California to write about the current collective knowledge regarding *Cannabis* pollen drift, specifically regarding the role of flies as a source unwanted pollen movement.

As the Director of R&D at Kayagene I have been able to apply over 12 years of plant breeding experience in vegetable seeds to *Cannabis* breeding and seed production. Prior to Kayagene I worked with lettuce, and then wheat during my PhD. Following my PhD at UC Riverside, I lead a global breeding program at Syngenta, breeding seedless watermelon. At a commercial scale, I have been breeding and producing *Cannabis* seed for over five years.

One of our biggest concerns when producing *Cannabis* seed is unintended pollination and the introduction of unwanted pollen into our controlled seed productions. For seed production there are many guidelines that must be followed to ensure the purity of the seed crop which is entirely controlled by isolation. Pollen contamination is also an important topic within *Cannabis* cultivation for flower production. However, there are not many guidelines for isolation or other methods for preventing neighboring farms from unintentionally introducing and spreading pollen.

Cattle yards are often associated with an abundance of organic waste, including manure, which serves as an ideal breeding ground for flies (Geden et al. 2021). Flies are notorious carriers of pollen, and their presence in large numbers near *Cannabis* cultivation can lead to unintended pollination. Flies can be as efficient as, or better than, bees for pollinating some crops, and are often responsible for transporting high pollen loads in both natural and modified systems (Cook et al. 2020). Unlike other pollinators like bees, flies are less discerning in their choice of flowers and when they come into contact with *Cannabis* flowers, they can transfer pollen from one plant to another.

Unintended pollination can have detrimental effects, particularly when seeking high-quality, seedless flower buds. Cross-pollination by wind, insects, or other means leads to the development of seeds within the flowers. As shown by Lipson et al. (2021), fertilization of *Cannabis* decreases phytocannabinoids accumulation and alters the accumulation of terpenoids. This diversion of energy towards seed production reduces the overall quality and potency of the cannabis crop, impacting the desired

cannabinoid content. For this reason, unwanted pollination poses a significant risk to farmers who face potential losses if undesirable fly-induced pollination occurs.. The economic impact may manifest in reduced market value due to lower THC content and altered flavor profiles. Strategically managing and mitigating the risk of unwanted pollination is thus crucial for *Cannabis* cultivators to preserve product quality, consumer satisfaction, and overall profitability in a competitive market.

Further research needs to be done to accurately assess the negative impact of flies coming from a cattle yard upon *Cannabis* cultivation. This information could then be used to propose the establishment of buffer zones or physical barriers between cattle yards and *Cannabis* cultivation sites. Having more information and proper buffer zones could then help to minimize the risk of pollination.

If you have any follow-up questions, please do not hesitate to reach out.

Sincerely,



Christopher E. Hohn  
Director of R&D  
Kayagene, LLC

1-866-420-5292

#### Citations

Cook DF, Voss SC, Finch JT, Rader RC, Cook JM, Spurr CJ. The Role of Flies as Pollinators of Horticultural Crops: An Australian Case Study with Worldwide Relevance. *Insects*. 2020 Jun 2;11(6):341. doi: 10.3390/insects11060341. PMID: 32498457; PMCID: PMC7349676.

Geden CJ, Nayduch D, Scott JG, Burgess ER, Gerry AC, Kaufman PE, Thomson J, Pickens V, Machtinger ET, House Fly (Diptera: Muscidae): Biology, Pest Status, Current Management Prospects, and Research Needs, *Journal of Integrated Pest Management*, Volume 12, Issue 1, 2021, 39, <https://doi.org/10.1093/jipm/pmaa021>

Lipson Feder C, Cohen O, Shapira A, Katzir I, Peer R, Guberman O, Procaccia S, Berman P, Flaishman M, Meiri D. Fertilization Following Pollination Predominantly Decreases Phytocannabinoids Accumulation and Alters the Accumulation of Terpenoids in Cannabis Inflorescences. *Front Plant Sci*. 2021 Nov 5;12:753847. doi: 10.3389/fpls.2021.753847. PMID: 34804093; PMCID: PMC8602813.



# EXHIBIT E

# Sandridge Partners



Date: February 22, 2024

To Kings County Community Development Agency, Director Chuck Kinney

Re: Sandridge Partners CUP 23-05

Dear Chuck,

We are reaching out to provide an update and seek further guidance following the extension of our decision date to March 4, 2024, concerning our Conditional Use Permit (CUP) application 23-05. This application mirrors the previously approved project under CUP 21-06, which was endorsed by the Planning Commission in July 2022 but has since expired due to procedural and regulatory timelines.

The lapse of CUP 21-06 occurred because we were still actively involved in discussions with the San Joaquin Valley Regional Water Quality Control Board (SJVRWQ) to ensure that our wastewater discharge plan met all regulatory requirements. We did not want to secure building permits prior to finalization of the wastewater discharge plan because we wanted to ensure that this critical component of our project would receive approval without presenting major obstacles in future phases.

We wish to draw the Planning Commission's attention to our concerted efforts to mitigate the impact of our development on the surrounding community. In our initial CUP 21-06 application, submitted in January 2022, we proposed a project that included both a beef processing facility and a 12,500-cattle feedlot. A comprehensive analysis conducted as part of the Kings County Dairy Element Technical Report confirmed that such a feedlot would comply with all relevant county regulations, necessitating only ministerial, rather than discretionary, approvals.

However, in response to feedback from neighboring properties, including People's Farm, we chose to voluntarily withdraw the feedlot component from our project, opting to proceed solely with the beef processing facility. This decision was made in a spirit of good faith and underscores our dedication to fostering positive relationships within our community. It's important to note that had we pursued the feedlot, it would have been fully permissible under the Kings County Dairy Element, requiring no discretionary approvals and thus limiting community input. Our choice to focus on the beef processing facility, despite the regulatory ease of developing a feedlot, reflects our commitment to being considerate and responsible neighbors.



# Sandridge Partners



Although we have already compromised our project significantly by removing the feedlot, we have gone even further in demonstrating our commitment to being considerate community members by preparing a fly abatement program for the Beef Harvesting Plant, which will be implemented as part of project operations. In addition, we completed a wind pattern analysis and found N-NW prevailing winds further reduce any risk of flies, odors and dust on People's farm property. (details of these can be found in attachments)

As I stated in the Feb 5, 2024 meeting, Sandridge Partners has no intent to harm any of our surrounding neighbors. We have taken all of the necessary actions to fully address county and state environmental regulatory requirements and fully intend to be a responsible partner working with Kings County.

While Sandridge Partners is committed to regulatory compliance and upholding our duty as a responsible agricultural entity, it is equally important for People's Farm to implement strategies for safeguarding their crops. Located in a region abundant with dairy farms and cattle feedlots, known for attracting flies, and surrounded by numerous agricultural operations that depend on bee pollination, People's Farm faces inherent challenges unique to such an environment. Consequently, their decision to cultivate crops in open fields naturally subjects them to these common agricultural factors. It is, therefore, People's Farm responsibility to consider and adopt appropriate protective measures to mitigate these environmental influences on their operations.

According to the Lemoore Municipal Code, commercial cannabis operations are required to occur entirely inside of a secure, locked, and fully enclosed building or temporary greenhouse to mitigate odors, pollen, and other externalities from affecting the surrounding areas. This requirement was included as a condition of approval when their operations were approved by the City of Lemoore.

Our understanding is that People's Farm has been operating partially or entirely outdoors, contrary to these requirements. If People's Farm were to adhere to the conditions of their permit, the concerns they have raised regarding the impact of our project on their operations would be fully mitigated through compliance with the indoor operation requirement.



# Sandridge Partners



Considering People's Farm's choice to cultivate their crops in open fields, contrary to specific regulatory requirements, it follows that the responsibility for managing the environmental risks inherent to such a practice rests with them. As such, we would assert the challenges posed by their exposure to environmental elements fall outside the scope of our project's obligations.

I hope this comment letter helps show our commitment of faith to do the right thing.

Respectfully submitted,

Matthew Maxson  
Sandridge Partners Project Consultant



Sandridge Fly  
Abatement Plan 2.20.



Sandridge Wind

Pattern Analysis 2.20.





# **Sandridge Beef Harvesting Plant Fly Abatement Program**

## **I. INTRODUCTION**

This Fly Abatement Program is developed as a condition for the approval of the Sandridge Beef Harvesting Plant's conditional use permit. It outlines the responsibilities and measures to control and monitor fly populations, ensuring minimal impact on surrounding areas, particularly neighboring People's Farm.

## **II. RESPONSIBILITIES**

### **A. Manure Management:**

- Dry scrape and wash down holding pens every two days.
- Transfer manure to a designated stacking pad at least 500 yards from the holding pens within 2 days of removal from pens.

### **B. Regular Inspections:**

- Inspect the manure stacking pad and outdoor holding pen for fly breeding and larvae daily.
- Inspect and maintain drainage systems weekly to prevent stagnant water.
- USDA On-Site Inspector must be present during all slaughtering operations in compliance with USDA's Food Safety and Inspection Service Regulations. The on-site inspector is responsible for carcass-by-carcass inspection, verification of sanitation, and Hazard Analysis and Critical Control Points (HACCP) compliance.

### **C. Response Protocols:**

- Implement larvicide treatments and additional sanitation measures within 24 hours in case of increased fly activity or breeding signs.

## **III. COMPLIANCE AND REPORTING**

### **A. Record Keeping:**

- USDA FSIS Inspector will keep daily logs of sanitation practices, larvicide applications, and inspection results.

### **B. Regulatory Adherence and Reporting:**

- USDA FSIS inspector will submit Quarterly Enforcement Reports detailing the activities and enforcement actions undertaken by FSIS, inspection procedures, noncompliance records and product control actions.

## **IV. CONCLUSION**

This program, subject to annual reviews and adjustments based on effectiveness, is committed to responsible operations with minimal environmental impact at the Sandridge Beef Harvesting Plant.

# WIND PATTERN ANALYSIS

## *Environmental Implications for the Proximity of Sandridge Beef Plant to People's Farm*

### **INTRODUCTION**

People's Farm has raised concerns that the proximity of the Sandridge Beef Plant project could result in dust and fly-related issues, impacting their crop yield and quality. This report evaluates the potential impact of the proposed beef plant project on People's Farm, with a specific focus on concerns regarding dust and flies.

### **WIND PATTERNS AND PROJECT SITE ANALYSIS**

In assessing the potential environmental impact of the proposed project on People's Farm, it is crucial to understand the regional wind patterns as they play a pivotal role in the dispersion of agricultural by-products, such as dust and flies. The closest meteorological data, sourced from the Lemoore NAS/Reeves station, indicates that the prevailing winds are predominantly from the North-Northwest (NNW) to Northwest (NW) (Attachment A). Given the geographical layout, with People's Farm situated approximately 0.35 miles directly west of the project site, it is positioned outside the primary pathway of these prevailing winds (Attachment B). Consequently, this spatial relationship significantly reduces the risk of airborne particulates from the project drifting towards People's Farm. The infrequent winds from the West to Southwest that would be required to impact People's Farm constitute a minimal percentage of the wind direction frequency, further diminishing the likelihood of cross-transportation of dust and flies. This analysis underscores the advantageous siting of the project in relation to People's Farm concerning wind-borne transmission concerns.

### **WIND SPEEDS AND ENVIRONMENTAL DISPERSAL**

The local wind speed has a direct correlation with the dispersal of agricultural elements like dust and flies. According to the windrose plot from Lemoore NAS/Reeves, the average wind speed in the region is 6.6 mph, with a significant occurrence of calm conditions where wind speeds fall below 2 mph. These moderate wind speeds, coupled with frequent periods of still air, suggest that dust particles and flies are less likely to be carried over long distances and thus less likely to reach People's Farm from the project site. The low wind speeds are particularly critical in the context of fly movement; as flies typically have limited range and are not strong fliers, it is improbable for them to travel the 0.35 miles to People's Farm against or across these average wind speeds. This data, when considered alongside the prevailing wind directions, provides a strong indication that the environmental dispersal of dust and flies from the project will not pose a significant risk to People's Farm.

### **POTENTIAL IMPACT ON PEOPLE'S FARM**

Given the wind pattern and speed analyses, the potential impact of the project on People's Farm can be characterized as minimal. The prevailing wind directions primarily bypass People's Farm, and the average wind speeds are not conducive to carrying substantial dust or fly populations across the 0.35-mile distance separating the two properties. Moreover, the behavioral patterns and physical capabilities of flies suggest that they are unlikely to traverse such distances, especially across prevailing winds. Dust particles, similarly, require stronger and more direct wind currents to be

transported effectively. Considering these factors, the environmental risk posed by the project, in terms of wind-borne dust and flies to People's Farm, is significantly mitigated by natural and geographic conditions.

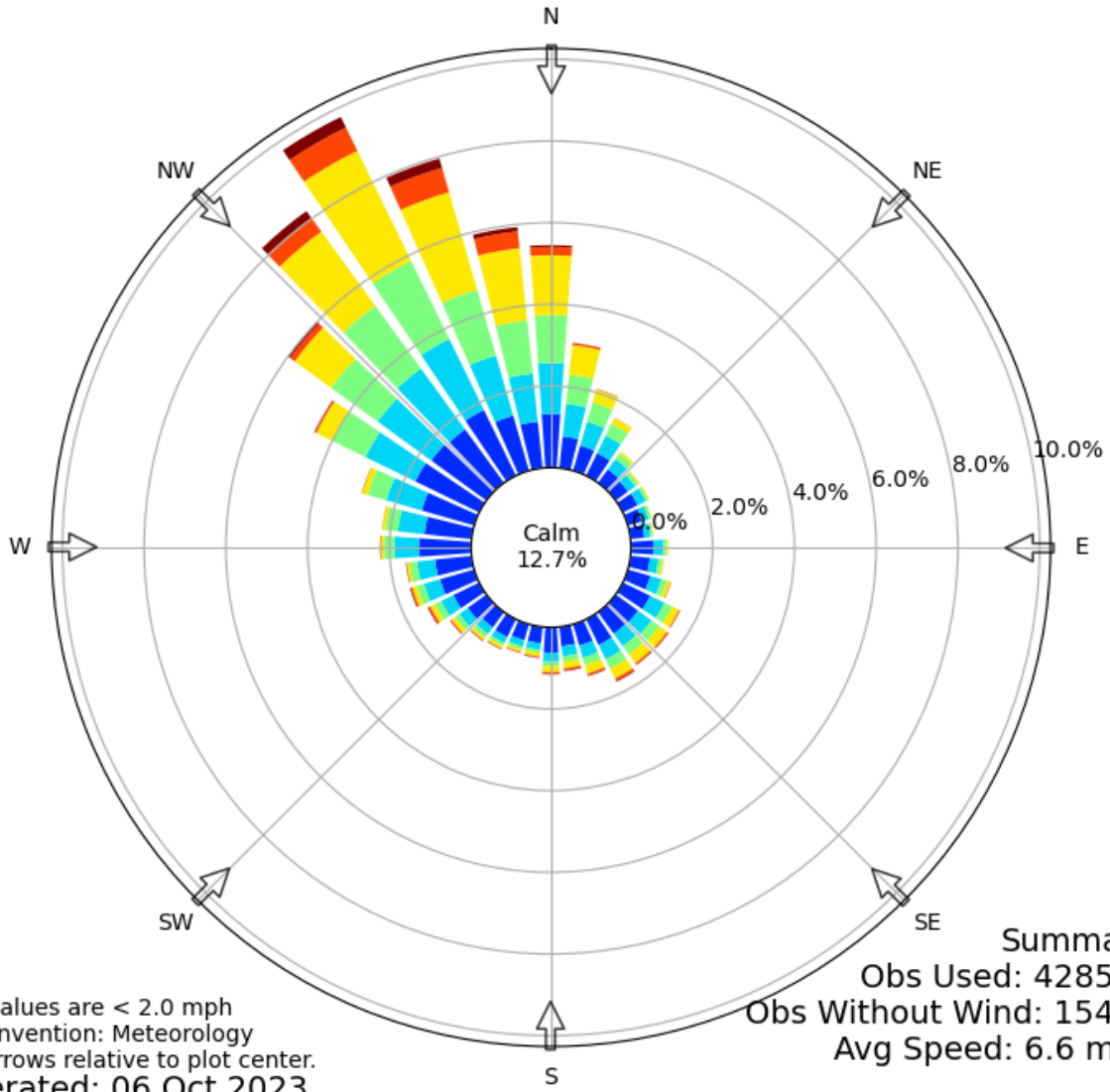
## **CONCLUSION**

The analysis of prevailing wind patterns and speeds in relation to the proposed project and People's Farm indicates that the environmental impact, particularly concerning dust and flies, is expected to be negligible. The predominant wind directions do not align with the path between the project site and People's Farm, and the average wind speeds are likely insufficient to carry potential contaminants over the distance involved. These findings, supported by meteorological data and the natural barriers of wind direction and speed, provide a substantial basis for concluding that the concerns raised by People's Farm regarding the project are not substantiated by the current environmental conditions. It is reasonable to expect that the project, considering its adherence to regulatory standards and the mitigating geographical factors, will not significantly impact People's Farm as initially feared. The report recommends ongoing monitoring to ensure that the actual impacts align with these predictions and to address any unforeseen changes promptly.

# ATTACHMENT A



Windrose Plot for [NLC] LEMOORE NAS/REEVES  
Obs Between: 31 Dec 1969 11:00 PM - 05 Oct 2023 11:56 PM America/Los\_Angeles



Calm values are < 2.0 mph  
Bar Convention: Meteorology  
Flow arrows relative to plot center.  
Generated: 06 Oct 2023



# ATTACHMENT B

## SANDRIDGE BEEF PLANT PREVAILING WIND TRAJECTORY

