

Dear Matt Johnston,

Would you like to live near a cannabis-grow? How about an unregulated grow? How about your children, would you like them to live near a cannabis-grow, or work on one? Before you answer these questions please read my story.

My name is Daniel Burke. I live at 398 Shadow Mountain Road in Boulder Creek. My parcel number is 089-431-43. I have been here for 12 years. The first few years have been peaceful just the way I expected and hoped for, when purchasing this property. Because of the peace-of-the-redwoods, I don't mind that I have to haul my own water (at least until the SLVW district can pipe water up here).

But things have drastically changed since I first moved in. The peace has been shattered, ever since the two property owners (I will call them property owners because they are not 'neighbors' in the true sense of the word) above me, conspired to join forces to use their properties to cultivate and grow marijuana. The property owner's names are Brent White and Andrew Kimpel. Brent's property parcel number is 089-431-38 (under 5 acres). Andrew's property parcel number is 089-431-46.

Brent is the main driving-force behind this 'grow.' According to one Santa Cruz County Sheriff that I talked to about Brent, "he is a crook." No kidding! (His property was raided a few years ago (when it was strictly illegal), for attempting to grow marijuana (that should be on record). Andrew is the money-guy who lives in San Francisco. Neither property parcels have dwellings on them although Brent lives/squats full time up on his parcel. Their properties are at the dead end of Shadow Mountain Road. Shadow Mountain Road is a private road with a 50-foot-non-exclusive right-of-way to the ridgeline. Their properties are at a higher elevation than my property.

From what I've seen, and heard, and witnessed, Brent does whatever he wants, and can do, to just skirt the law, and or break the law. For instance he has the 'grow' just small enough and spread just across property lines, to make it look like it is two different grows, but it is essentially 'one-grow.' Also, he has cut down and burned many, many trees on his property to make room for the sun, for his 'grow.' He burns scrap and branches anytime of the year that he wants. I reported this to the Sheriff (Felton office) and to Richard Sampson of CAL Fire (also in Felton), (on 04-18-16) but they said they could do nothing about it. Brent has had two 5000-gallon water tanks put up on Andrew's property (without permits according to my knowledge). Why Andrew's property? Because the County Building Codes department came out to inspect Brent's property to make sure he wasn't building on the property and so he can now say, that "the water is not his." Which brings up the question, doesn't legal-cannabis-growers have to have their own water source? Brent and Andrew have to truck their water in from out of the area and pump it into these storage tanks using heavy trucks and gas powered pumps and generators and then again they use gas powered pumps to water their cannabis. Brent smokes cannabis and drives his truck on public roads. I have witnessed this on many occasions. I have also seen that his reaction time while driving is slower than it is safe. Brent has not paid any Harmon Gulch Road Association dues which is required

if he uses this road, Harmon Gulch, which he does. (Harmon Gulch Road connects Shadow Mountain Road to Bear Creek Road).

I could go on and on, but let me summarize:

I've expressed my concerns to the Santa Cruz County Sheriff Steve Ryan (07-28-16).

I've expressed my concerns to Bruce McPherson's office. (07-2016)

I've expressed my concerns to the Santa Cruz County Building Department. (07-2016)

I had to call the Sheriff because of Brent dumping his unburned logs onto my property...logs that he cut down from his property, to make room for his 'grow'. Sheriff Daniel McCall (11-09-16).

I've expressed my concerns to the County Office of Daniel Peterson, Code Compliance, Cannabis Licensing. I talked to Mark Stewart. I told him my concerns about this cannabis grow (07-11-17). Mark mentioned that I am not the only one complaining about the situation up here.

I called Mark Stewart for an update and to give him two license plate numbers of trucks that help with Brent's 'grow.' CA license number 75792M1, and CA license number 4UDP534, (belonging to Ed Hayes), (09-06-17).

I called Mark Stewart for an update. He said that they were going to inspect the 'grow' today. (09-11-17) I'm not sure if that happened.

My list of grievances:

Cutting down trees. (Fewer root systems now, to help control wet land movement.)

Moving large amounts of earth.

Setting multiple water tanks without permits.

Excessive wear and tear on the road from large water trucks and 4x4 trucks.

Running generators anytime of the day or night, to run pumps and equipment.

Growing (and building) partly in the 50-foot non-exclusive right-of-way.

Added noise anytime of the day or night including; loud music, loud obnoxious talking and laughing, truck engines, generators.

Minors (under 18 years old) working as 'trimmers' or 'clipemigrants' and-or other duties. (I suspect one of the minors is related to Ed Hayes).

Strangers, and their dogs, roaming around on the backside of my property.

Trimmers letting their dogs run free on my property.

Are there sanitary restrooms for these workers, or for Brent?

Strangers driving up and down the road, forcing me to wonder: should I arm myself?

I avoid walking up to the upper part of my property out of fear.

My property value has decreased with the possibility that nobody will want to purchase my property. This unregulated 'grow' would have to be disclosed.

My obtaining water for legitimate use is now in question because the water sellers are lumping 'surplus water' users in, within, those people that are getting water to grow marijuana.

Ruining the legitimate use of, and growing of, marijuana, by flooding the market with untaxed cannabis.

Basically, these guys are "crooks" (as the Sheriff said), and their presence destroys the peace up here.

Would you like to live up here? Would you like to live up here with your children? Would you like to live up here where it appears that the authorities are either, unconcerned, afraid, or under-staffed to be able to respond to your concerns? Would you like to live up here and have to worry about arming yourself with a weapon? Would you like to live up here and watch the value of your property go down more than other properties?

I understand, certainly, that not all cannabis growing will have these problems. In fact, the problems I am facing up here, may actually be very uncommon, I don't know. I understand also that the county wants to be careful about being overly rigid about the 'growing' rules. I have not read the 637-page environmental report on the growing of cannabis, but I would certainly welcome some very close monitoring of this specific cannabis grow up here...this grow of, Brent White and Andrew Kimpel. I have to say, these two people have given me (and my neighbors, Joe Levine and Tommy Jameson) a very bad taste for cannabis growers.

If indeed this 'grow' is in compliance, than I will have to live with it. But if it is not in compliance, I sincerely hope that it can be shut down, plus, periodically monitored. It is not even January, 2018.

Thank you for reading this,

Daniel Burke  
October 12, 2017