

Illegal Water Hauling in Petaluma Dairy Belt

Sanjay Bagai

October 2021

HER IS WHY I LAUNCHED THIS PRIVATE INVESTIGATION

I launched this investigation because the City of Petaluma denied my legal valid access to reclaimed water.

I followed all regulations and spent \$10,000 to make my farm compliant to be able to receive reclaimed water in a drought year.

Is it because they could chase more lucrative business with cannabis farms?

They denied all access and refused to provide me with water. Calls to water district resulted in a bizarre claim that I did not have a permit ever.

I was curious why this sudden shift in their attitude and so I hired a private investigator after I staked out a few cannabis farms and this is the result of my investigation

On Thu, Apr 22, 2021 at 8:44 AM Pierce, Matthew <MPierce@cityofpetaluma.org> wrote:

Good Morning Phoebe,

Unfortunately, the City does not have excess recycled water available this year due to unprecedented demand. The City is denying requests for use of recycled water outside the City's Recycled Water Service Area, please see attached map. There are even properties within the permitted service area which used water in the last drought that have been denied this year. I am sorry to inform you that recycled water is not available for your property.

Sincerely,
Matt

Matthew Pierce
Operations Supervisor
City of Petaluma, Ellis Creek Water Recycling Facility
3650 Cypress Drive, Petaluma, CA 94954
mpierce@cityofpetaluma.org
Phone (707) 776-3726

Statistics on Ministerial permits of 2021 [approx.]

- 149 Ministerial applications made in 2021
- 97 Ministerial permits issued in 2021
- 52 permits are mostly under review
- Every 10,000 sq ft cultivation uses **230,000 Gallons PER HARVEST**, most are harvesting two crops per year

Of all 2021 applications examined:

- **65% declared that they will use reclaimed water from unnamed city = 63**
- 15% declared that they will use unnamed sources = 14
- 15% declared they will use surface water = 14
- 4% declared that they will use well = 4

Water use to cultivate cannabis via ministerial permits

- 97 x 230,000 gallons = 22,310,000 PER SEASON
- **Reclaimed water from undeclared city: 14,490,000 Gallons**
- Undeclared source: 3,220,000 Gallons
- Surface water: 3,220,000 Gallons
- Well: 910,000 Gallons

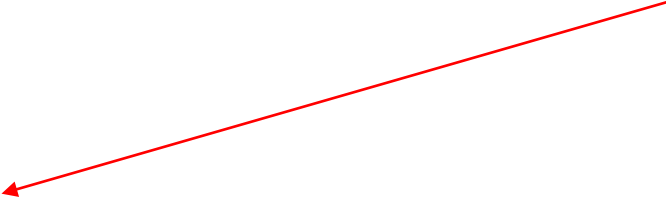
Illegal water used by cannabis farmers who benefited by applying for 'Ministerial Permit'

- Only 910,000 gallons are considered from legal sources, however since they avoided all CEQA review we are uncertain as to the groundwater zone in which this farm is located
- The U.S. Food and Drug Administration forbids the use of untreated reclaimed water for anything that humans ingest. Cannabis is smoked and extracts go into edibles which are ingested. Cannabis grown using reclaimed water should be recalled and destroyed Department of Cannabis Control states that surface water cannot be used between July and October, which is typical harvest time for cannabis cultivation
- Water departments of Penngrove, Petaluma and Santa Rosa have unequivocally declared that their city water is solely for residents and temporary construction permits

MINISTERIAL PERMITS HAVE AIDED AND ABETTED WATER THEFT OF BETWEEN 23 Mil gallons and are continuing to do so every year.

Between 2020 and 2021, Department of agriculture has issued ministerial permits which have avoided CEQA review. These permits will use a grand total of roughly 43 million gallons. [2019 needs to be tabulated]

IS THIS WHY ALL RECLAIMED WATER PERMITS HAVE BEEN CANCELLED?...BECAUSE THEY HAVE BEEN RE-ISSUED TO CANNABIS FARMS?



EXAMPLES OF CANNABIS FARMS STEALING SURFACE WATER AND CITY WATER FROM HYDRANTS

Petaluma Hills Farm LLC, The Highland Canopy LLC, Sonoma Hills Farm LLC,
334 Purvine Rd Petaluma Ca 94952
Sonoma County UPC# UPC17-0020
Cal Cannabis Lic#: CCL20-0000520

**Photos of farmers delivering surface water to 334 Purvine Rd. and stolen hydrant water from Santa Rosa
Applicant is receiving between 5-6 x 4,500 gallon truckloads of water daily**

Cannabis grower threatening me
because he saw me take photos



All these photos of this
without any DOT registration
unloading water @ 334
Purvine Rd were taken on
7/2/21 @ 2:21pm





These photos of the Petaluma Creamery truck unloading water which was obtained from the fire hydrant at 3276 Dutton avenue were taken on 08/16/21 @ 2:04pm at 334 Purvine Rd



Cannabis grow at 334 Purvine Rd is buying water that is to be used specifically for residents and construction projects in Santa Rosa. Petaluma Creamery is not licensed by DOT and not licensed by DCC as licensed water haulers. This water truck has been making between 4-5 trips per day to 334 Purvine Rd. Calls to Santa Rosa Water Department confirmed that this water is NOT permitted to be used for Cannabis farming, the permit granted to Petaluma Dairy s specifically for dairy use. The permit granted to Petaluma Creamery to draw water for their dairy operations, not for Cannabis farming and certainly not intended for resale

The Cannabis grow at 334 Purvine Rd is a full acre, and from satellite photos appears to be well over 1.5 acres. This requires between 1.2 – 2.0 Million gallons of water per harvest.

The grower has represented it draws 12 Gallons per minute based on a 4-hour test conducted in 1977. but recharge is slow. For this applicant to draw 1.2 Million gallons from this well this well would have to run 1,666 hours. That is roughly 70 days nonstop.

This is a zone 3-4 water area there is absolutely **NO WAY THIS WELL CAN YIELD THIS AMOUNT OF WATER**...Yet PRMD has approved this CUP without any well test.

This grower's use seems to have run **all wells dry within a radius of ¼ mile and predictably is now hauling water from illegal sources**

Obtained from County Permit Application Documents

Staff is recommending changes to the Conditions of Approval as follows:

52 In response to comment from California Department of Fish and Wildlife (CDFW) comment the following sentence has been added to the condition:

Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. Monofilament netting, including photo- or biodegradable plastic netting shall not be used.

73 The Applicant has indicated they would prefer to treat the water rather than drill a new well, as allowed by the County Well Ordinance. Revise to read:

The project is located within the Petaluma Nitrate Study Area and consequently the water supply well is required to have a 100-foot annular seal, or water intended for human or animal consumption must be treated in compliance with the Sonoma County Well Ordinance (Sec. 25B-8(b)). Prior to issuance of building permits, a treatment plan shall be submitted to the Project Review Health Specialist for review and approval. The Plan shall comply with all requirements of the well ordinance and shall provide a site plan identifying where treatment equipment and treated and non-treated water lines will be located.

Prior to issuance of a Use Permit Certificate or final occupancy, water treatment equipment shall be installed and verified by Permit Sonoma staff.

74 The Applicant has indicated they would prefer to retain the existing well and use untreated well water for irrigation. Replace well abandonment condition with:

Prior to issuance of a Use Permit Certificate or final occupancy, the applicant shall install appropriate warning signage at all non-potable water access points. Signage shall be dual language or shall include "Do Not Drink the Water" pictographs. Verification of sign installation shall be required, either by photographic documentation or site inspection by the Project Planner, at the discretion of Permit Sonoma staff.

88 This condition was worded slightly differently than the mitigation measure it was taken from. Revise to match language from Mitigation Monitoring Program:

Mitigation Measure NOISE-1 HVAC Unit Sound Wall: A wall for sound attenuation shall be constructed on three sides of the cultivation HVAC unit. The wall shall be constructed of ½ inch thick (at a minimum) plywood and studs; the top of the wall shall extend to a minimum of two feet above the top of the HVAC unit. Solid walls of brick, masonry, or other robust materials are also allowable instead of lumber as long as they attenuate sound to an equal or greater degree.

DUPLICATE Driller's Copy

STATE OF CALIFORNIA
 THE RESOURCES AGENCY
 DEPARTMENT OF WATER RESOURCES
 WATER WELL DRILLERS REPORT

Do not fill in
 No. 110752

Notice of Intent No. _____ State Well No. _____
 Local Permit No. or Date _____ Other Well No. _____

(1) OWNER: Name Francis Collings
 Address 334 Purvine
 City Petaluma, California 94952
 County Sonoma
 Well address if different from above SAME
 Township _____ Range _____ Section _____
 Distance from cities, roads, railroads, fences, etc. _____

(2) LOCATION OF WELL (See Instructions):
 Owner's Well Number _____
 Well depth 130 ft. Total depth 130 ft. Depth of completed well _____ ft.
 from ft. to ft. Formations (Describe by strata or material) 1 - 80 yellow sandstone
 80 - 130 blue sandstone

(3) TYPE OF WORK:
 New Well Deepening
 Reconstruction
 Reconditioning
 Horizontal Well
 Destruction (Describe destruction material and procedure in Item 10)

(4) PROPOSED USE:
 Domestic
 Irrigation
 Industrial
 Test Well
 State
 Municipal
 Other

WELL LOCATION SKETCH _____

(5) EQUIPMENT:
 Rotary Reverse New No Size _____
 Cable Air Diameter of bore _____
 Other Bucket _____

(6) GRAPHIC PACK: _____

(7) CASING INSTALLED:
 Steel Plastic Concrete Type of perforation or size of screen _____

From ft.	To ft.	Dia. in.	Charger Wall	From ft.	To ft.	Size in.
110	130	6"	10			None

(8) PERFORATIONS: _____

(9) WELL SEAL:
 Was surface auxiliary seal provided? Yes No If yes, to depth _____ ft.
 Were stairs sealed against pollution? Yes No Interval _____ ft.
 Method of sealing: _____ Work started 7/25/77 Completed 7/28/77

(10) WATER LEVELS:
 Depth of first water, if known _____ ft.
 Standing level after well completion _____ ft.

(11) WELL TESTS:
 Was well test made? Yes No If yes, by whom? _____
 Type of test Pump Baler Air lift
 Depth to water at start of test _____ ft. At end of test _____ ft.
 Discharge _____ gal/min after _____ hours Water temperature _____
 Chemical analysis made? Yes No If yes, by whom? _____
 Was electric test made? Yes No If yes, attach copy to this report _____

WELL DRILLER'S STATEMENT:
 This well was drilled under my direction and this report is true to the best of my knowledge and belief.
 SIGNATURE Kenneth Hansen (Well Driller)
 NAME LES PETERSEN DRILLING & PUMP, INC.
 Address 5434 Old Redwood Highway (Please Print or Type) (Typed or printed)
 City Santa Rosa, Calif. 95401
 License No. 261084 Date of this report 7/25/77

DWR 100 (Rev. 7-75) IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

No 72-hour pump test was conducted since applicant changed water source to external. However since then applicant has changed back to well supply but has not complied with any requirements nor has conducted any tests Neighboring property wells are now dry since water table is extremely low. Applicant has provided a well test from 1977 to support using well water as sole water supply



Obtained from County Permit

Application Documents

DATE: January 10, 2018

TO: Permit and Resource Management Department, Project Review Section
ATTN: Crystal Acker

FROM: Robert Pennington, P.G., Natural Resources Geologist

PROJECT TYPE: Cannabis Use Permit

SUBJECT

File Number:	UPC17-0020
Applicant Name:	Petaluma Hills Farm, LLC, Attn: Sam Magruder
Owner Name:	Sonoma Hills Farm, LLC
Site Address:	334 Purvine Road, Petaluma
APN:	022-230-020

Project Description:

Request for a Use Permit for commercial cannabis cultivation, including up to 10,000 square feet small mixed light, 5,000 square feet specialty indoor, and 28,560 square feet medium outdoor cultivation, on a 37.0-acre parcel zoned Land Extensive Agriculture (LEA).
One Acre Commercial Vegetable garden & Cattle grazing

Comment:

The proposed project is located within a Class 2 groundwater area and outside any medium priority basin as defined through CA DWR Bulletin 118. As such, a groundwater study is not automatically required by policy. However, existing landuse, geology, and public comment indicate the area may face groundwater supply limitations. In order to address concerns a hydrogeologic study is requested. To support the hydrogeologic study a water well pump test according to Permit Sonoma's Policy and Procedure #9-2-28 should be conducted and presented. Given the water demand of the project, a 72 hour pump test is requested.

If it can be shown that the project will result in zero net increase in groundwater use, the above request for a hydrogeologic study and well pump test may be waived. Projects of similar size have estimated annual water use of 3 to 4 acre-feet. Given the relatively large water demand, it may be beneficial to consider construction of a small pond that collects sheet flow and roof runoff. Estimated 3 to 4 acre-feet is for Cannabis only, does not include one acre commercial vegetable garden or cattle grazing.

Further information is needed:

1. A hydrogeologic report prepared by a Registered Geologist, addressing water availability according to the General Plan requirements of WR-2e shall be submitted to the Natural Resources Geologist prior to the discretionary decision.
2. A groundwater pump test conducted according to PRMD policy #9-2-28 in accordance with Section 7-12 of the Sonoma County Code, Chapter 7. At a minimum, the pump test shall be adequate to determine if groundwater resources are adequate to meet existing and proposed demands of the project. The pump test shall have a minimum duration of 72 hours.

The application is incomplete, but assuming that the applicant will provide the requested information, the first attempt at drafting Natural Resources Geologist conditions have been attached as follows:

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water:

- Prior to the issuance of any building permit an Easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All Easement language is subject to review and approval by PRMD Project Review staff and County Counsel prior to recordation.

PRIOR TO OCCUPANCY:

Water:

- Prior to occupancy, a water well serving this project shall be fitted with a groundwater level measuring tube and port, or electronic groundwater level measuring device. Water meter(s) to measure all groundwater extracted for the permitted use shall be installed on the water system. A Site Plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the PRMD Project Review Geologist.
- Prior to occupancy, any new or existing water well serving this project shall be fitted with a water meter to measure all groundwater extracted for this use.

OPERATIONAL REQUIREMENTS:

Water:

- The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to Section WR-2d of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance. If the County determines that groundwater levels are declining in the basin, then the applicant shall submit and implement a Water Conservation Plan, subject to review and approval by PRMD.
- Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review staff at least once every five years.
- In the event that net groundwater use exceeds 4.0 acre feet per year, Permit Sonoma may bring this matter back to the BZA for review of additional measures to reduce groundwater use. If groundwater use exceeds 4.0 acre feet per year by more than 10 percent, Permit Sonoma shall bring this matter back to the BZA for review of additional measures to reduce water use.

Valleyford Farms LLC
1400 Valley Ford Freestone Rd Bodega 94922
Dept of Ag Ministerial permit#: APC21-0145, APC21-0101, APC21-0001
Cal Cannabis Lic#: **NONE FOUND**

Photos of stolen hydrant water from Santa Rosa being delivered to Valley Ford farms

Photos of stolen hydrant water from Santa Rosa being delivered to Valley Ford Farms
This is the same Petaluma creamery Truck which is being used to fill water at the fire hydrant at 3276 Dutton Avenue Santa Rosa and deliver to 334 Purvine Rd is also delivering water to 1400 Valley Ford Freestone in Bodega
These photos were taken on 08/25/2021 @ 5:03pm



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Diggit Gardens LLC, Potter Family Farms LLC, Rain Gardens LLC, Wild Heart Farms LLC

4835 & 3803 Springhill Rd Petaluma Ca 94952

Dept of Ag Ministerial permit#: APC21-0134, APC21- 0135, APC21- 0136, APC21- 0137, APC21- 0117, APC21- 0118, APC21- 0119, APC21- 0120, APC21- 0121, APC21- 0122, APC21- 0123, APC21- 0124, APC21- 0125, APC21-0126, APC21- 0127

Cal Cannabis Lic#: CCL20-0002188, CCL20-0002189, CCL20-0002190, CCL20-0002191, CCL20-0002182, CCL20-0002183, CCL20-0002184, CCL20-0002185, CCL20-0002177, CCL20-0002178, CCL20-0002179, CCL20-0002173, CCL20-0002173, CCL20-0002173, CCL20-0002173, CCL20-0002173

Photos of stolen hydrant water from Santa Rosa originally permitted for dairy being redirected to cannabis farms



**Photos of dairy milk truck that has been seen entering the field
where cannabis is grown at 3803 Springhill Rd
This truck has been seen filling water at the Petaluma Dairy
factory in downtown Petaluma**





These are the locations of all the cannabis grows at Petaluma Creamery 4235 & 3803 Springhill Rd Petaluma Ca 94952 :

- Grow#1: 81,737 Sq FT
- Grow#2: 42,873 Sq Ft
- Grow#3: 93,830 Sq Ft
- Grow#4: 69,886 Sq Ft

**THIS IS THE HUGE CANNABIS OPERATION THAT IS RECEIVING
ILLEGAL WATER FROM CITY HYDRANTS**

Grand Total of 288,326 Square Feet

LOCATION OF THE CANNABIS GROWS AT 3803 AND 4235 SPRINGHILL RD

**THERE IS NOT ENOUGH
GROUND WATER TO BE ABLE
TO GROW CLOSE TO 5 ACRES
OF CANNABIS HARVESTED 2
TIMES**



CANNABIS GROWS AT 3803 AND 4235 SPRINGHILL RD



**THERE IS NOT ENOUGH
GROUND WATER TO BE ABLE
TO GROW CLOSE TO 5 ACRES
OF CANNABIS HARVESTED 2
TIMES**





These photographs are of the hoop houses located at 4235 and 3803 Springhill Rd

THERE IS NOT ENOUGH GROUND WATER TO BE ABLE TO GROW CLOSE TO 5 ACRES OF CANNABIS HARVESTED 2 TIMES

Photographs of Water being stolen from city fire hydrants to supply Cannabis farms



Photos taken on 8/17/21
at 6:42 PM at the hydrant
located near Ray's Deli
Petaluma

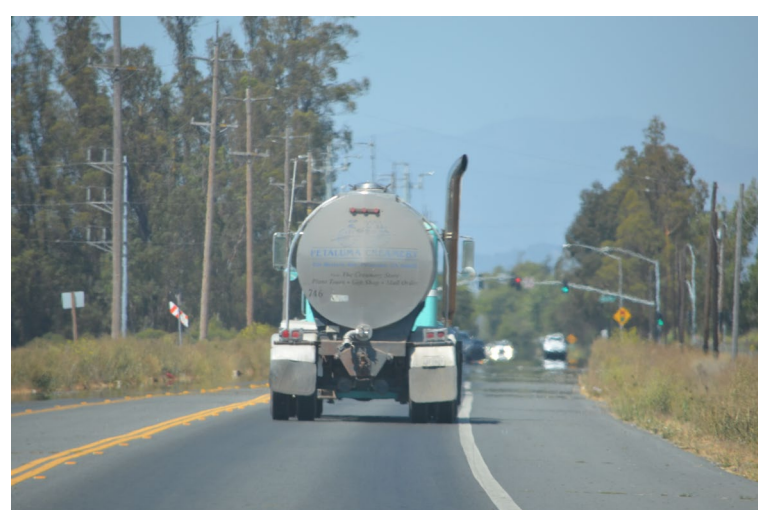


These photos showing an unmarked truck with no DOT registration filling water from the hydrant. This fire hydrant does not have a meter on it, which means that the hydrant is not to be used for filling water tankers.



These photos were taken on 08/25/21 @ 8:56am at the fire hydrant located on 3276 Dutton Ave in Santa Rosa





These photos are of the Petaluma Creamery Truck repeatedly driving to and filling up at the fire hydrant located at 3276 Dutton Rd in Santa Rosa. These photos were taken on 08/16/21 at 12:31pm



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