Michelle Johnson

From:	Michelle Johnson
Sent:	Thursday, November 21, 2019 1:20 PM
То:	Arielle Wright
Subject:	FW: Support letter for growing industrial hemp

Additional public comment...

Thanks,

Michelle Johnson | Administrative Coordinator Sonoma County Department of Agriculture | Weights & Measures 133 Aviation Boulevard | Suite 110 | Santa Rosa, CA 95403 Main: 707.565.2371 | Direct: 707.565.2970 | Fax: 707.565.3850 Email: michelle.johnson@sonoma-county.org | Web: www.sonomacounty.ca.gov/awm

From: Fred VaskeSent: Thursday, November 21, 2019 12:55 PMTo: SONOMAAGSubject: Support letter for growing industrial hemp

EXTERNAL

Hello,

Hello,

I am a 23-year resident of Sonoma County and own and live on 3 acres west of Petaluma in unincorporated Sonoma County. I would like to express my support for growing industrial hemp in Sonoma County. The zoning rules put forth by the Ag Commissioner Tony Linegar are pragmatic and fair to farmers, home owners, and the environment. Industrial hemp is a crop that cannot have pesticide residues on it and so would be in step with sustainable farming methods which are important to me as a resident and landowner surrounded by farms.

The smell of hemp will be another one of those rotating smells that come with life in rural Sonoma County. Here we have all chosen to as residents of a farming community, which is the heritage of this land. I already get to enjoy the fall spreading of manure by my neighbors on their fields, fresh cow manure wafting through the air year-round, freshly sprayed sulfur on grapes, and now the smell of hemp as it gets close to harvest. Honestly, the smells of illegal marijuana grows are common enough already in our neighborhood so I'd much rather these be replaced by legitimate and tax-paying farming of industrial hemp.

My family loves our agricultural roots. We live in a farming community which provides jobs for residents and draws tourism dollars from all over the country. But costs are high and specialty crops like industrial hemp are often the only way a small landowner can make a living on their own property. Please allow our farmers to participate in a growing industry and do not hobble them so they are set up for failure due to growing restrictions which favor non-farmers who settle on agricultural land, want to change the nature of where we live, and are not creating local jobs and tax revenue. Hemp will be a boon to small farmers in our area and help them to keep their land.

Lets see Sonoma County support Industrial Hemp,

Sincerely, Fred Vaske 501 Thompson Lane Petaluma, CA

Michelle Johnson

From:	Michelle Johnson
Sent:	Thursday, November 21, 2019 1:17 PM
То:	Arielle Wright
Subject:	FW: Cannabis Industry Response to Today's Proposed Hemp Ordinance
Attachments:	CBASC Hemp Letter Sonoma County 20191121.pdf

Hi Arielle,

Please the attached public comment received today @ 1:03 pm.

Thanks,

Michelle Johnson | Administrative Coordinator Sonoma County Department of Agriculture | Weights & Measures 133 Aviation Boulevard | Suite 110 | Santa Rosa, CA 95403 Main: 707.565.2371 | Direct: 707.565.2970 | Fax: 707.565.3850 Email: michelle.johnson@sonoma-county.org | Web: www.sonomacounty.ca.gov/awm

From: Erich Pearson
Sent: Thursday, November 21, 2019 1:03 PM
To: pcook@ch-sc.org; pamdavis707@fastmail.com; cameron@mauritsonfarms.com; larry@reedgilliland.com; sonomafogg@aol.com
Cc: Shirlee Zane ; Lynda Hopkins ; James Gore ; Tony Linegar ; Milan Nevajda ; Niki Berrocal ; Tennis Wick ; Andrew Dobbs-Kramer
Subject: Cannabis Industry Response to Today's Proposed Hemp Ordinance

EXTERNAL

Dear Commissioners,

Please see attached letter.

Erich Pearson Cannabis Business Association of Sonoma County



Cannabis Business Association of Sonoma County 115 4th St, Suite B Santa Rosa, CA 95401 (707) 526-0420

November 21, 2019

Sonoma County Planning Commission 2550 Ventura Avenue Santa Rosa, CA 95403

Dear Commissioners,

We write to you as a newly formed cannabis business alliance, Cannabis Business Association of Sonoma County (CBASC). Our organization is new, and just beginning to organize, but we wanted to take the opportunity to provide input regarding the proposed rules for hemp farming in Sonoma County.

Thank you for the opportunity to voice our opinions about the County's proposed hemp regulations. Generally speaking, we are happy with the regulations proposed. We believe hemp is just another agricultural crop, and are encouraged to see that both the Ag Department and Permit Sonoma are regulating it as such.

Our members care about the way hemp is regulated because hemp contains cannabinoids that our businesses sell currently and plan to sell more of in the future. Only the cannabinoid THC is regulated through the existing cannabis regulatory system. All other cannabinoid production, such as the production of CBD, is generally being regulated like other agriculture, and we feel Sonoma should follow suit with the rest of the Country. Allowing cannabis farmers to also farm hemp significantly lowers our costs to produce these beneficial cannabinoids. We have one section of the ordinance we would like removed. This section directly affects our member's ability to farm hemp. Because of the convoluted and outdated cannabis ordinance we are operating under, many if not most, of our members have cannabis cultivation violations assessed by Permit Sonoma. We are concerned that this provision would exclude them or others on their property from cultivating hemp. Additionally, the Federal Farm Bill and California law defines hemp as a de-scheduled agricultural crop. We see no demonstrable nexus between the legal cultivation of hemp, and agricultural crop, and prior unlawful cannabis activities. Therefor we ask that the below section of the proposed ordinance be removed.

Section 37-10 E (v):

Prior Violations. Any person responsible for an unpermitted commercial cannabis violation is ineligible for registration under this chapter, and ineligible to provide property owner authorization under this chapter, for a period of two (2) years from the date the violation was removed. For the purposes of this provision, persons responsible for the violation include those that actively caused the violation(s) and property owners who knew or should have known of the existence of the violation(s).

Thank you for providing a pathway to communicate our concerns regarding this important issue. If you would like to discuss this matter further, we are happy to discuss.

Best regards, WR_

Erich Pearson Co-founder, Cannabis Business Association of Sonoma County

Michelle Johnson

From:Michelle JohnsonSent:Thursday, November 21, 2019 1:18 PMTo:Arielle WrightSubject:FW: hemp moratorium

Additional public comment...

Thanks, Michelle

From: SONOMAAG Sent: Thursday, November 21, 2019 12:13 PM To: Tony Linegar ; Andrew Smith Subject: hemp moratorium

From: alan Shows <rashows@aol.com> Sent: Thursday, November 21, 2019 11:38 AM To: SONOMAAG <SONOMAAG@sonoma-county.org> Subject: hemp moratorium

EXTERNAL

I understand that Sonoma County is currently considering removing the moratorium on growing hemp in Sonoma County. As a farmer, I see great potential for growing industrial hemp in addition to other crops. This opportunity gives the farmer the ability to maximize his selection of crops that best suit his particular situation. Removing the moratorium will allow Sonoma county to benefit with the current boom of support that is currently associated with growing hemp in California. Other benefits of hemp cultivation include soil remediation and Co 2 extraction that far exceed the cultivation of ordinary orchards. I strongly support the move to rescind the current moratorium on hemp cultivation in Sonoma County. Respectfully, Alan Shows

Michelle Johnson

Michelle Johnson
Thursday, November 21, 2019 1:19 PM
Arielle Wright
FW: I support growing Industrial Hemp

Another public comment...

Thanks, Michelle

From: SONOMAAG Sent: Thursday, November 21, 2019 12:12 PM To: Tony Linegar ; Andrew Smith Subject: I support growing Industrial Hemp

From: Carolyn Lacerra <<u>carolyn.lacerra@gmail.com</u>> Sent: Thursday, November 21, 2019 11:09 AM To: SONOMAAG <<u>SONOMAAG@sonoma-county.org</u>> Subject: I support growing Industrial Hemp

EXTERNAL

Hello,

I would like to express my support for growing industrial hemp in Sonoma County. The zoning rules put forth by the Ag Commissioner Tony Linegar are pragmatic and fair to farmers, home owners, and the environment. Industrial hemp is a crop that cannot have pesticide residues on it and so would be in step with sustainable farming methods the general public likes to hear about.

As I see it the smell of hemp will be another one of those rotating Sonoma Aromas we all live with as residents of a farming community. We've got the fall spreading of manure on fields, pig manure wafting through the air, freshly sprayed sulfur on the grapes, and now the smell of hemp as it gets close to harvest.

We love our agricultural roots, we have a thriving farming community which provides jobs for residents and draws tourism dollars from all over the country. Please allow our farmers to participate in a growing industry and do not hobble them so they are set up for failure due to growing restrictions which favor non farmers. Hemp could be a boon to small farmers in our area and help them to keep their land.

Lets see Sonoma County support Industrial Hemp,

Carolyn Lacerra

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EXTERNAL

Dear Planning Commissioners,

I received some clarification from Andrew Smith that the 5% THC limit in 37-10 is so they can prosecute farmers who deliberately plant cannabis instead of hemp. That sounds good, but then it should say they WILL prosecute them for violations of the cannabis ordinance, not that they 'MAY' prosecute them . The lack of enforcement of the cannabis ordinance has increased mistrust in the community; let's make this ordinance tight.

But there is still is no mention of the 0.3% THC limit and testing to qualify as industrial hemp- the ordinance should at very least include that in the enforcement section, with a reference to the state regs. Otherwise it's very confusing in reading.

Neither Andrew Smith nor Tony Linegar responded to the need to correct the wording in 37-11 which is just plain wrong and violates both our local Right to Farm ordinance and the state Right to Farm law. The addition to make this comply with those two laws are shown in red. Please do not produce an ordinance that has such errors; already errors in the realtor disclosure violating our Right to farm Ordinance are making the situation more confusing. This is a simple fix.

CORRECTION NEEDED TO 37-11 TO AGREE WITH RIGHT TO FARM ORD 5203: "Odor from a registered industrial hemp cultivation site on DA, LIA or LEA zoned land cannot be considered a nuisance under the Right to Farm Ordinance 5203 if it was not a nuisance from the start, and if the industrial hemp cultivation site is operated in accordance with this chapter, required and recommended best management practices, and state industrial hemp laws. Industrial hemp cultivation on any other land can be considered a nuisance at any time.

Thank you for considering these comments in your discussion today.

Sincerely, Deborah Eppstein

On Nov 20, 2019, at 2:45 PM, Deborah Eppstein deppstein@gmail.com> wrote:

Dear Planning Commission Members,

Mr Linegar's report and recommendations on Hemp cultivation have some good points but

missed several critical considerations. There are also 2 major errors in the draft ordinance, section 37-10 that states that if the crop tests over 5% THC, it can be removed as unregistered cannabis (state requirement is no more than 0.3% THC) and 37-11 that violates both the state Right to Farm law as well as the Sonoma County Right to Farm Ordinance.

BACKGROUND. We know from the cannabis experience that volatile terpenes are a huge issue, both for causing overpowering odors that prevent neighbors from using their yards, as well causing illness due to respiratory issues which may also be exacerbated by ground level ozone production. Contrary to Mr Linegar's statement, our Right to Farm Law <u>does allow</u> <u>hemp to be declared a nuisance</u> if it is a nuisance from the start, and when grown on land other than DA, LIA and LEA, it can be declared a nuisance anytime (<u>Oct 2 email</u>). We want to maintain Sonoma County as an attractive place to live, as well as respect property rights including peaceful enjoyment of one's property. This can all be accomplished with appropriate regulations, providing economic benefit to farmers and Sonoma County.

1) ODOR. Page 10, the report states there is no good scientific data on how far odor travels. This is incorrect: there actually ARE good scientific data on how far odor travels by Ortech Consulting, a very experienced odor consulting company (Aug 30 email). They have a large data base quantitating distance traveled by the odor-causing terpenes and have developed scientific programs based on topography, wind, temperature, size of planting, to determine that the odor travels over 3000 ft. We presented these data in August to Permit Sonoma, who expressed interest but have not yet followed up. Residents in Sonoma County have confirmed overpowering odor at 700 ft, which is less at 1000 ft, but down wind is still strong even at 3000 ft. This cannot be ignored.

2) OZONE: There are recent scientific data from Colorado showing that terpenes combine with pollutants in the air (from vehicle exhaust, etc) to form high levels of GROUND-LEVEL OZONE (Oct 8 email). This is very damaging to health, causing lung, throat and eye irritation, aggravation of asthma and cardiovascular problems, many of the symptoms experienced by residents living between 300-700 ft from cannabis cultivation sites. Thus it's not just unpleasant odor that is of concern, it's real health issues.

https://science.sciencemag.org/content/363/6425/329.su mmary https://www.sciencefriday.com/segments/cannabis-airpollution/ http://northamericancannabissummit.org/wpcontent/uploads/2019/03/D4-113_URSOslides.pdf

3) RIGHT TO FARM. Both the Sonoma County (ORD 5203) and the State (§ 3482.5) Right to Farm Laws allow for an ag operation to be declared a nuisance if it were a nuisance from the start. The mention on page 10 listing the disclosure acknowledging the right to farm laws incorrectly omits that statement, but the references to the underlying local and state laws prevail. Also, this <u>only applies to operations on Ag land (LIA, DA, LEA)</u>, and thus hemp cultivation in AR or RRD would not even have the restriction that it needed to be a nuisance from the start.

There are many RR and AR parcels located next to or even surrounded by DA, and many RRD parcels that are only a few acres. Thus <u>the setbacks should apply to all homes for all cultivation sites</u>, not just for cultivation in AR. A home located in AR, RR or RRD that is adjacent to hemp cultivation should require the same protection.

4. IMPAIRED WATER ZONES AND HIGH FIRE RISK AREAS: Hemp is a water

intensive crop (identical to cannabis, and much higher than vineyards). We have 5 impaired watersheds and water scarcity in water zones 3 and 4. Areas of high fire risk are already problematic for fire fighters, especially those served by subpar and dead-end roads not meeting standards of 'safe concurrent civilian evacuation and fire engine access, and unobstructed traffic circulation'. No new commercial activity should be allowed in such areas.

PROPOSAL

For all of the above reasons, we urge you to:

1) Only allow hemp cultivation in DA, LEA and LIA. RR and AR are primarily residential and RRD is to be maintained for tis resources.

2) Require <u>1000 ft min setbacks</u> for <u>all hemp cultivation in any zone from all property lines of</u> residences and sensitive areas in all zones. This is a compromise as 2000 ft would be better able to reduce impacts on neighbors.

For DA, LEA, and LIA, no setbacks are required if the parcel is only adjacent to Ag land with no residences.

Sensitive areas include all schools, child/day care and youth centers, parks, drug/alcohol treatment facilities.

2) Don't allow hemp cultivation or drying in any impaired watershed, in water zones 3 or 4 or in high fire risk areas. Don't allow any tree removal, grading or new well drilling.

3) Don't allow hemp cultivation on <u>dead-end or one-lane roads per the State Fire Ordinance</u> as these do not provide 'safe concurrent civilian evacuation and fire engine access, and unobstructed traffic circulation'. Exemption is allow if the road only serves Ag operations, and there are no structures or residences served by the road.

CORRECTION TO 37-10: should mirror the Food and Agricultural Code Div 24, Sec 8106 with 0.3% cutoff for THC levels. Mr Linegar said the 5% THC cutoff was intended so as to not unduly penalize growers for samples taken more than 30 days prior to harvest and that the 0.3% applied to samples taken within 30 days fo harvest, but that does not seem logical. The state regs have an upper limit of 0.3% THC to be deemed industrial hemp and this is also in our cannabis ordinance. Perhaps I missed where this was dealt with in the ordinance?

CORRECTION NEEDED TO 37-11 TO AGREE WITH RIGHT TO FARM ORD

5203: "Odor from a registered industrial hemp cultivation site on DA, LIA or LEA zoned land cannot be considered a nuisance under the Right to Farm Ordinance 5203 if it was not a nuisance from the start, and if the industrial hemp cultivation site is operated in accordance with this chapter, required and recommended best management practices, and state industrial hemp laws. Industrial hemp cultivation on any other land can be considered a nuisance at any time.

We cannot make ordinances that violate State Law or other county ordinances.

Thank you for your consideration and I look forward to the discussion tomorrow.

Sincerely, Deborah Eppstein

1980 Cougar Lane Santa Rosa, CA 95409 801-556-5004

From:	<u>elizabeth@berryfritzlaw.com</u>
То:	SONOMAAG; Lynda Hopkins; sonomoafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com
Cc:	johnlowryCA@gmail.com; pcook@ch-sc.org
Subject:	Proposed Hemp Ordinance
Date:	Wednesday, November 20, 2019 9:00:07 PM
Attachments:	image001.png

EXTERNAL

Good Evening,

I am emailing regarding the proposed hemp ordinance. Based upon the current language it appears that many of the setbacks that are required for cannabis are not required for hemp (no setbacks for parks, schools and **all** homes regardless of zoning). I understand that hemp is a federally legal crop; however, as the proposed ordinance indicates, it is very hard (if not impossible) to differentiate between hemp and cannabis. The set backs for cannabis appear to be a compromise between allowing the cannabis industry to grow its product while also safeguarding our residential homes, parks, schools and places where our community congregates. I recommend that hemp be subject to the same setback requirements as cannabis so that we can ensure that the soon to be enacted hemp ordinance isn't a giant loop hole for cannabis, and more importantly, that we can protect our homes will allowing this new and untested crop in Sonoma County.

With gratitude and respect,

Elizabeth Fritzinger



Berry & Fritzinger, P.C. 3550 Round Barn Blvd., Ste. 312 Santa Rosa, California 95403 Office (707) 800-0550 Direct (707) 800-0553 elizabeth@berryfritzlaw.com

EXTERNAL

Nov 20 2019

To: Hemp Planning Commission:

sonomaag@sonoma-county.org

Dick Fogg sonomafogg@aol.com

Larry Reed larry@reedgilliland.com

Cameron Mauritson cameron@mauritsonfarms.com Pam Davis. <u>p.davis479@gmail.com</u>

Paula Cook, Chair pcook@ch-sc.org

Regarding: Hemp Ordinance and Neighborhood Compatibility concerns

Dear Commissioners

I understand you will be studying the best way to introduce Hemp in Sonoma County. Thanks for your interest in addressing this issue and hearing the view point of the average Sonoma County residents (most folks). In this regards I'd like to provide the following comments.

Many would like to consider Hemp just another agriculture product like growing apples or grapes and consider regulating the same. Unfortunately the value profile along with the associated risks make Hemp more similar to Cannabis and accordingly should be regulated the same. The Neighborhood compatibility problems will continue and only become worse if Hemp is not properly addressed. Simple, many of us have been negatively impacted by cannabis operations being sited in our residential neighborhoods and I can't see how Hemp would be any different. I trust your work will help alleviate similar problems in the future.

Hemp like a Cannabis operation is a highly profitable business (the Cannabis industry estimated 200 times more profitable that wine), with a product that easily converts to cash making it a high value target for criminals. In the press there have been plenty of cases reported where the criminals went to the wrong property and innocent people were harmed.

Our neighborhood is comprised of small parcels, quiet, with no on-going year around businesses. Our neighborhood is a "Diverse Agriculture District" (DA) zone area of 1 to 5 acre plots that has become primarily residential. When the cannabis ordinance was first issued, certain zoning districts (AR and RR) were intentionally excluded which indicated there was good awareness that cannabis operations are incompatible with residential neighborhoods. But for some reason this issue was not really studied and worked through, resulting in many homeowners being negatively affected. The ordinance was amendment to require a 10 acre minimum which improves the compatible issue and should be applied to Hemp.

I'm sure you are aware of the many concerns (water, smell, safety, noise, etc.) but I'd like to highlight a few significant issues that affect the neighborhoods that either hardly get mentioned or are not really appreciated in the debate. I hope these issues can be solved in your work

- 1. Permanent neighborhood change Image overnight having a neighbor/business move next door that requires 24/7/365 security guards (regardless of what kind of product). and strangers camped out on the property during harvest time. Would you feel comfortable sending your kids out to play in your own yard, or even feel some hesitancy coming and going yourself under these circumstances? Do you think you, your spouse; your kids would ever feel the same comfort level again? Specifically, one of my neighbor's home schools her two children, not more than 100 feet from one grower. They reported property thefts when the grower started operations and lived in constant fear. That family was particularly traumatized but fortunately, the grower operation was out of compliance with the law, the permit was denied and operations stopped. I wish you could have seen the sense of relief in her face. In a recent hearing on the Purvine application, Sheriff Essick was impressed with their security plan, but noted it would take 20 minutes for the Sherriff department to respond to any calls and they recommended the neighbors arm themselves if concerned. How could an individual ever feel the same around their home again? How would you feel?
- 2. Property values are negatively affected permanently. Imagine trying to sell your house in a neighborhood where your neighbors activity requires 24/7 security. There's no question there will be a negative impact to the property value of your home. Now put yourself into the shoes of a potential buyer of that home. Would you rather buy a home with a potential risk next door or not? Pose those questions to your spouse and kids.

In summary, many of the neighborhoods that could be impacted by Hemp are made up of single family homes. Most of us, who moved to areas like mine, have some acreage but are on relatively small parcels, did so for the safety and a slower-paced, quiet environment. Having a commercial grow operation, regardless of the integrity of that grower, never mind those who may not be as upstanding, changes the character of a neighborhood and the sense of peace and security of that neighborhood. Operations of this type are more appropriate in a commercial business area where support services are available (police, fire, water, staffing, parking) and people's lifestyles are not jeopardized.

Thanks Bill Krawetz

EXTERNAL

Agriculture Commissioner,

My name is Leanne Nakashima and I am a almost 30 year resident of Sonoma County. I have been in the cannabis industry for over a decade and I am begging you to please allow our county to grow hemp. Sonoma county has been the hub for our cannabis industry and we deserve the chance to grow hemp here as well.

I sat in on the agriculture department's meeting regarding hemp, and I am writing to show my support. Hemp is an agriculture that we should be grown here in Sonoma county.

Mahalo,

Leanne Nakashima

From:	Susan Stover
To:	<u>SONOMAAG; Lynda Hopkins; sonomafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com;</u>
	JohnLowryCA@gmail.com; pcook@ch-sc.org; p.davis479@gmail.com
Subject:	Hemp and the Right to Farm Act
Date:	Wednesday, November 20, 2019 3:09:09 PM

EXTERNAL

Hello Ag Commissioner Linegar, Supervisor Hopkins and others,

I'm writing today to express concern about a rush to apply the growing of hemp and its by-products to the Right to Farm Act. Hemp and cannabis are botanically close relatives, with no obvious differences. If the regulations governing the location of cannabis farm sites are to be enforced, the same rules would logically be applied to the growing of hemp for all the same reasons: a need for prohibition in residential areas, health concerns, security, and odor.

With many other concerned residents, we support a moratorium on the growing hemp in Sonoma County to be continued for more study and our input. As stated above, with no practical difference between the plants, hemp should have the setbacks applied as cannabis growing. The draft ordinance to include hemp under the Right to Farm Act will wipe out the time and money already spent to regulate the cannabis growing in Sonoma County.

Lastly the draft ordinance is based on an honor system. How will that ever be enforced? We are not in favor of foxes guarding the hen house. We see far too much of that in government today with poor results for the concern residents and the hens.

Sincerely,

Susan Stover and Tony Sadoti Sebastopol

Michelle Johnson

From:	Deborah Eppstein <deppstein@gmail.com></deppstein@gmail.com>
Sent:	Wednesday, November 20, 2019 2:46 PM
То:	SONOMAAG; Dick Fogg; larry@reedgilliland.com; cameron@mauritsonfarms.com; Paula Cook; Pamela Davis
Cc:	JohnLowryCA@gmail.com
Subject:	Hemp Regulations- for Discussion Nov 21

EXTERNAL

Dear Planning Commission Members,

Mr Linegar's report and recommendations on Hemp cultivation have some good points but missed several critical considerations. There are also 2 major errors in the draft ordinance, section 37-10 that states that if the crop tests over 5% THC, it can be removed as unregistered cannabis (state requirement is no more than 0.3% THC) and 37-11 that violates both the state Right to Farm law as well as the Sonoma County Right to Farm Ordinance.

BACKGROUND. We know from the cannabis experience that volatile terpenes are a huge issue, both for causing overpowering odors that prevent neighbors from using their yards, as well causing illness due to respiratory issues which may also be exacerbated by ground level ozone production. Contrary to Mr Linegar's statement, our Right to Farm Law <u>does allow hemp to be declared a nuisance</u> if it is a nuisance from the start, and when grown on land other than DA, LIA and LEA, it can be declared a nuisance anytime (<u>Oct 2 email</u>). We want to maintain Sonoma County as an attractive place to live, as well as respect property rights including peaceful enjoyment of one's property. This can all be accomplished with appropriate regulations, providing economic benefit to farmers and Sonoma County.

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PROPOSAL

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2) Require <u>1000 ft min setbacks</u> for <u>all hemp cultivation in any zone from all property lines of residences and sensitive areas in all zones</u>. This is a compromise as 2000 ft would be better able to reduce impacts on neighbors. For DA, LEA, and LIA, no setbacks are required if the parcel is only adjacent to Ag land with no residences. Sensitive areas include all schools, child/day care and youth centers, parks, drug/alcohol treatment facilities.

2) Don't allow hemp cultivation or drying in any impaired watershed, in water zones 3 or 4 or in high fire risk areas. Don't allow any tree removal, grading or new well drilling.

3) Don't allow hemp cultivation on <u>dead-end or one-lane roads per the State Fire Ordinance</u> as these do not provide 'safe concurrent civilian evacuation and fire engine access, and unobstructed traffic circulation'. Exemption is allow if the road only serves Ag operations, and there are no structures or residences served by the road.

CORRECTION TO 37-10: should mirror the Food and Agricultural Code Div 24, Sec 8106 with 0.3% cutoff for THC levels. Mr Linegar said the 5% THC cutoff was intended so as to not unduly penalize growers for samples taken more than 30 days prior to harvest and that the 0.3% applied to samples taken within 30 days fo harvest, but that does not seem logical. The state regs have an upper limit of 0.3% THC to be deemed industrial hemp and this is also in our cannabis ordinance. Perhaps I missed where this was dealt with in the ordinance?

CORRECTION NEEDED TO 37-11 TO AGREE WITH RIGHT TO FARM ORD 5203: "Odor from a registered industrial hemp cultivation site on DA, LIA or LEA zoned land cannot be considered a nuisance under the Right to Farm Ordinance 5203 if it was not a nuisance from the start, and if the industrial hemp cultivation site is operated in accordance with this chapter, required and recommended best management practices, and state industrial hemp laws. Industrial hemp cultivation on any other land can be considered a nuisance at any time.

We cannot make ordinances that violate State Law or other county ordinances.

Thank you for your consideration and I look forward to the discussion tomorrow.

Sincerely, Deborah Eppstein

1980 Cougar Lane Santa Rosa, CA 95409 801-556-5004

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SONOMA COUNTY FARM BUREAU Affiliated with California Farm Bureau Federation and American Farm Bureau Federation

November 20, 2019

Planning Commission 2550 Ventura Avenue Hearing Room Santa Rosa, CA 95403

RE: Chapter 26 Amendment – Industrial Hemp Ordinance

Dear Planning Commission,

Sonoma County Farm Bureau, a general farm organization representing nearly 2,000 family farmers, ranchers, rural landowners and agricultural businesses in Sonoma County works to promote and protect policies that provide for a prosperous local economy while preserving natural resources and a longstanding county agricultural heritage.

An item on your agenda at your November 21st meeting that is of concern to our organization is agenda item #1 regarding the Chapter 26 Amendment - Industrial Hemp Ordinance in Sonoma County. Our board of directors feels strongly that this item should be approved and many of them would be in attendance to voice this in person, however, on November 21st they are all required to attend a training event with the California Farm Bureau Federation and will not be able to attend.

Sonoma County Farm Bureau supports the proposed amendments from the Sonoma County Agriculture Commissioner to the Industrial Hemp Ordinance. Hemp is an agricultural crop, unlike cannabis, and there should be no restrictions put on cultivation of any approved ag crop. Sonoma County continues to support agriculture, its iconic and economically viable industry through a Right to Farm ordinance and we ask that you respect that forward-thinking policy.

As you know, the 2018 federal Farm Bill included legislation that allows for hemp cultivation in the United States. Hemp is not marijuana. Fiber and oilseed from hemp will have a significant impact on our nation's economy and will allow for an abundant resource for paper and fiber products that will alleviate our constant demand on slow-renewable natural resources. The oil is used in many products for pain relief, heart health, brain health and skin care.

More specifically to our local farmers, hemp cultivation may be what keeps some of our longtime food-producing farmers in business. The ability for our members to support lower-priced commodity crops such as vegetables and milk with income derived from an added crop such as hemp that has a higher rate of return could be the catalyst needed to keep our farmers farming.

Thank you for your consideration.

Sincerely,

Mus

Jeff Carlton President, Sonoma County Farm Bureau

CC: Sonoma County Board of Supervisors Sonoma County Farm Bureau Board of Directors Sonoma County Agriculture Commissioner

From: Sent: To: Subject: SONOMAAG Wednesday, November 20, 2019 1:06 PM Tony Linegar; Andrew Smith FW: Issues regarding hemp ordinance

-----Original Message-----From: Chris Stover <trilby@att.net> Sent: Wednesday, November 20, 2019 8:47 AM To: SONOMAAG <SONOMAAG@sonoma-county.org>; Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>; Paula Cook <pcook@ch-sc.org>; Dick Fogg <sonomafogg@aol.com>; John Lowry <JohnLowryCA@gmail.com>; Cameron Mauritson <cameron@mauritsonfarms.com>; Larry Reed <larry@reedgilliland.com> Subject: Issues regarding hemp ordinance

EXTERNAL

We are writing out of concern regarding the hemp ordinance being drafted by Sonoma County officials.

Hemp needs to be regulated in the same way as cannabis. The cannabis ordinance in Sonoma County established important critical setbacks from residential areas, schools, and parks. These same setbacks are essential to insure the safety, freedom from excessive odor, and quality of life that citizens expect from the County.

Hemp, like cannabis, should be prohibited in or near all residential-zoned areas in terms of commercial grow operations. County residents have voiced continual strong opposition to proximity to residential areas and this should not be undermined by a right-to-farm policy extension.

The County currently does not have the enforcement resources to determine whether cannabis or hemp is being grown. This completely guts any efforts to have a responsible cannabis regulation policy. The honor system will not work at all and merely be a mechanism to allow cannabis operations to be called hemp operations.

Please extend the moratorium on the growing of hemp in Sonoma County to April 2021 so that adequate time to evaluate policies, citizen input, environmental impact, public safety risks, and enforcement capabilities can be fully reviewed.

Sincerely,

Chris Stover Lorraine Bazan

1357 Ferguson Road Sebastopol, CA

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Warning: If you don't know this email sender or the email is unexpected, do not click any web links, attachments, and never give out your user ID or password.

From:	SONOMAAG
Sent:	Wednesday, November 20, 2019 7:46 AM
To:	Tony Linegar; Andrew Smith
Subject:	FW: Letter to support hemp
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: nicolew707@yahoo.com Sent: Wednesday, November 20, 2019 7:07 AM To: SONOMAAG Subject: Letter to support hemp

EXTERNAL

To whom it may concern:

My name is Nicole Williams . I have been a sonoma county resident for 38 years. I have actively participated in cannabis cultivation for the last two decades here. As we have watched legal cannabis fail to thrive here in Sonoma county through many hurdles and setbacks at the city and county level it is my hope that we find a better path for hemp cultivators. This is my letter of support for hemp cultivation here in Sonoma county. Thank you for your time.

Nicole WilliamsSent from Yahoo Mail for iPhone

From:	SONOMAAG
Sent:	Wednesday, November 20, 2019 7:46 AM
To:	Tony Linegar; Andrew Smith
Subject:	FW: Hemp Proposed Zoning
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment
From: Lindsay Goldenberg	

From: Lindsay Goldenberg Sent: Tuesday, November 19, 2019 11:07 PM To: SONOMAAG Subject: Hemp Proposed Zoning

EXTERNAL

To Tony Linegar and Board of Supervisors,

On behalf of SOG Boutique Farm in Healdsburg, I am writing in support of Hemp in Sonoma County. We feel the success of Hemp gives farmers a new crop opportunity. We started growing high CBD plants during Proposition 215. One of the owners of our land, Susan Buck was diagnosed with stage 4 cancer. We grew ACDC which is known for its high CBD, low THC medical properties. She used this medicine throughout her treatment which helped a great deal. We have seen high demands for this product. Especially now with such low quality hemp on the markets. We think hemp is an important and profitable commodity. We believe hemp cultivation could save small farmers who are going out of business under Proposition 64. There is also plenty of room in the market for new farmers. We hope you consider how popular CBD is all over the nation and see that Sonoma County needs to be a forefront of this and not get left behind.

We are known for quality in the cannabis market and can be known for high quality medicinal CBD too!

Thank You for your time and consideration,

Lindsay Goldenberg Co-founder and Horticulturist for SOG Boutique LLC.

From:	Arielle Wright
Sent:	Tuesday, November 19, 2019 12:56 PM
То:	Andrew Smith; Tony Linegar
Subject:	FW: hemp cultivation proposal
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

Arielle Wright

Planning Secretary County of Sonoma 2550 Ventura Avenue, Santa Rosa, CA 95403 Direct: 707-565-1947 | Office: 707-565-1900 | Fax: 707-565-1103 www.PermitSonoma.org



OFFICE HOURS: Permit Sonoma's public lobby is open Monday through Friday from 8:00 AM to 4:00 PM, except Wednesdays, open from 10:30 AM to 4:00 PM.

From: Pamela Davis Sent: Tuesday, November 19, 2019 12:50 PM To: Arielle Wright Subject: Fwd: hemp cultivation proposal

EXTERNAL

----- Original message -----From: Grace Barresi <<u>gmbarresi@gmail.com</u>> To: Pamela Davis <<u>p.davis479@gmail.com</u>> Cc: Robert Guthrie <<u>robert.guthrie@gmail.com</u>>, district5 <<u>district5@sonoma-county.org</u>> Subject: hemp cultivation proposal Date: Tuesday, November 19, 2019 12:02 PM

Dear Pam.

Robert and I hope you are well and want to thank you again for visiting our home in March. We have had the opportunity to review the proposed hemp ordinance and staff's recommendations.

We agree with staff's recommendations to prohibit industrial hemp cultivation in RR zones but the recommendation to not have any setbacks for DA zoned properties would create real challenges for residents living adjacent to hemp farms due to the pungent odor.

One of the choices that you and your colleagues will decide is whether to allow DA zoned properties the right to follow Best Management Practices without any setbacks or allow cultivation with local registration with recommended BMPs and mandatory setbacks.

Please consider the mandatory setback choice with a minimum of 600 feet which is also the recommendation for AR zoned properties.

The current hemp proposal does not consider adjacency of DA zoned parcels to RR zoned parcels. I remember you stating during a BOS meeting last year that the county long ago must have taken a yellow marker to come up with the zoning because it varies so much. My neighborhood is a perfect example of this where DA and RR/AR zoned properties are interspersed. This area of Sebastopol used to have large apple orchards as the agricultural crop.

Adjacency must be taken into consideration in the proposed hemp ordinance and setbacks must be considered for all zones where there are neighboring properties close by.

Below is a map of our neighborhood that provides more color on the situation.

I hope you can raise this issue during the hearing. Neither Robert nor I are able to attend the hearing to voice our concerns. You've seen first-hand the impacts of the current cannabis ordinance on neighboring properties. Without proper language in the hemp ordinance, we fear there will be no recourse.

Thank you for your attention into this important matter.

Sincerely,

Grace and Robert Guthrie 1087 Anita Lane Sebastopol



From: Sent: To: Cc:	Nancy and Brantly Richardson <nrchrdsn@sonic.net> Tuesday, November 19, 2019 10:56 PM SONOMAAG; Tony Linegar; Bruce Goldstein; Sita Kuteira larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com; johnlowryCA@gmail.com; 'Pamela Davis'; sonomafogg@aol.com</nrchrdsn@sonic.net>
Subject:	PUBLIC COMMENT FOR THE PROPOSED HEMP ORDINANCE HEARING 11/21/19
Follow Up Flag: Flag Status:	Follow up Flagged
Categories:	Public Comment

EXTERNAL

Please add to the Proposed Hemp Ordinance file for Planning Commission meeting on November 21, 2019

May it be entered into the public record that the public noticing of the Planning Commission meeting to be held on November 21, 2019 has been highly irregular. A Legal Notice was published in the Sunday edition of the Press Democrat on November 10, 2019 on page A 8. It referenced a link to the additional material and project documents but these referenced documents were not posted on that WEB site until two days later on November 12, 2019. The most important document, the Staff Report, was not considered to be additional material and/or project documents because it was not included. On November 14, 2019 an email was sent to interested parties announcing a meeting of a Planning Commission to be held on November 21, 2019. The email contained a link directing interested parties to the Planning Commission WEB site. Only the Agenda was posted at the WEB site. No additional material or project documents were posted. It was until the following day, November 15, 2019, that the Staff Report was finally posted on the Web site. The Staff Report is 64 pages long and contains all the options the Ag Commissioner will present to the Planning Commissioners for their deliberation as well as the options recommended. The public had only four weekdays to read, study, analyze and comment on the complicated and lengthy Staff Report. Moreover, it was difficult for the public to find the Staff Report. A previously announced study session scheduled for October 31, 2019 was cancelled.

The process does not exhibit transparency in government or encourage public participation.

Nancy Richardson

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From: Sent:	RICHARD BAKER <rmb-crb@comcast.net> Tuesday, November 19, 2019 4:02 PM</rmb-crb@comcast.net>
To:	Arielle Wright; SONOMAAG; p.davis479@gmail.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; pcook@ch-sc.org; Tony Linegar; Andrew Smith
Cc:	Susan Gorin; David Rabbitt; district4; linda.hopkins@sonoma-county.org; Shirlee Zane; Tennis Wick; John Mack; Amy Lyle
Subject:	Draft Hemp Ordinance-Planning Commission Meeting
Attachments:	Hemp Planning Comm.pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

EXTERNAL

Please see the attached letter regarding public comment of the draft ordinances for industrial hemp. Thank you for the opportunity to comment.

Richard and Carol Baker Santa Rosa, CA

November 19, 2019

Planning Commissioners:

Thank you for the opportunity to comment on Sonoma County's proposed industrial hemp ordinances.

We respectfully request that our comments be included for the Planning Commissioners' deliberations regarding the future of hemp cultivation in Sonoma County. While we understand that some of the comments maybe outside of the Planning Commissioners' jurisdiction, we include them here to give some context toward looking at the proposed industrial hemp ordinances from a more holistic perspective.

- We do not support hemp cultivation in the five impaired watersheds regardless of the zoning. These watersheds are, for the most part, located marginal groundwater and/or low or highly variable water yield areas (zones 3 and 4, PRMD December 2016). (Please note that these are also areas of very high or high fire danger). The BMPs for water that are recommended by the Ag Commissioner appear wholly inadequate to address the critical water and endangered fisheries issues facing these impaired watersheds. In the staff analysis, the County admits that using the recommended BMPs do not allow for site specific conditions.
- 2. We do not support hemp cultivation in any areas of very high and/or high fire risk regardless of zoning, particularly if it involves the addition of new electrical power lines, increasing electricity loads on already provided lines or encroaching in areas that have fuel loading issues.
- 3. We neither support nor oppose hemp cultivation in the agricultural zones, LIA, LEA, DA, except for the cases cited in #1 and #2 above. Should those areas be approved we recommend a parcel size of 10+ acres in size and setbacks of 1,000-feet from the property line of sensitive areas (including but not limited to parks, schools, preschools, neighboring residences, day care facilities, adult care facilities).
- 4. We do not support cultivation in residential zones (RR and AR) which are both designated as primarily residential in the General Plan or in RRD which is to be preserved for its resources.
- 5. Given the upcoming implementation of the Sustainable Groundwater Management Act, it is unclear how the County through this ordinance and BMPs will be accounting for the impact of water use for industrial hemp that might otherwise flow into/impact a SGMA basin (for the SGMA water budget), particularly since each hemp plant can use, on average, up to 6 gallons of water per day (CDFW July 2018).
- We are unclear as to the County's assertion of CEQA exemption under CEQA 20198Guideline Sections 15307 and 15308. The ordinance and the recommended BMPs do not appear robust enough to assert protection of natural resources and the

environment, particularly in the five impaired watersheds, scarce water resources and endangered species habitats. Natural resource and environmental protection goes beyond restricting grading and tree removal, setbacks and pollen management as cited in the County's Environmental Determination.

7. The County states in the Environmental Determination that "it is further exempt under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the project will not have no significant impact on the environment." However, the County does not provide any evidence of what can be "seen with certainty".

Pursuant to Public Resources Code Section 21083(b), a a project may have a "significant effect on the environment" if one or more of the following conditions exist:

(1) A proposed project has the potential to degrade the quality of the environment, curtail the range of the environment, or to achieve short-term, to the disadvantage of long-term, environmental goals.

(2) The possible effects of a project are individually limited but cumulatively considerable. As used in this paragraph, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(3) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

As no information, scientific or otherwise, has been provided by the County for these proposed ordinances, it is unclear how the County has determined that its proposed ordinances, as implemented with its BMPs, will have no significant impact on the environment, as defined in the above PRC—particularly since the BMPs are only recommendations. No scientific support (scientific citations) is provided as to the efficacy of the BMPs as it relates to protection of the natural resources and the environment.

- 8. The County's ordinance and BMPs do not indicate how it might address potential issues related to historic, archeological or Native American cultural resources. The County's proposal does not indicate if it is subject to, or exempt from, the AB 52 or SB 18 tribal consultation process or if they have reached out to the Sonoma County tribal community for comment.
- 9. The County indicates "the proposed ordinance primarily establishes a registration for industrial hemp for the purpose of ensuring effective oversight and enforcement of industrial hemp cultivation given its similarity to cannabis."

The enforcement provisions outlined in the ordinance do not appear as robust and detailed enough to ensure sound oversight and enforcement, particularly from a public trust perspective. Such vagueness and lack of certainty can lead to evolving

policies and procedures when attempting to enforce any such an ordinance...similar to what appears to be happening on the County's enforcement and abatement efforts for cannabis growing. All of this erodes the public's trust towards the County and its processes.

Examples from the County's cannabis enforcement includes:

- 1) Not tracking/reconciling local permit with State license (for both ministerial and discretionary);
- 2) Allowing permitted growers to grow without an appropriate State license;
- 3) Not submitting a copy of one's State license to the County;
- Current tracking system available to the public does not provide an adequate level of information to the public; unclear how County staff track cannabis or will track industrial hemp;
- 5) Wide latitude given to County during abatement hearings thus giving the appearance of changing/evolving enforcement policies; abatement decisions differ greatly from written ordinance or expected enforcement;
- 6) During abatement resolution, allowing permitted grower to grow and collect revenues without an appropriate State license;
- 7) Lack of written operating procedures or decision flowchart (unclear to public as to who is responsible/accountable for which policies);
- 8) Lack of public input/consideration in the abatement process
- 10. While it may go without saying, the proposed ordinances lack a statement requiring the registrant to abide by all other applicable local, state and federal laws.
- 11. State regulations (Section 81004) provides a registration process for seed cultivators. As such a program does not appear in the County's ordinance, we assume that there will be no such seed cultivation registration program.

Regards, Richard and Carol Baker Santa Rosa, CA (Mark West Watershed)
From:	SONOMAAG
Sent:	Wednesday, November 20, 2019 7:50 AM
To:	Tony Linegar; Andrew Smith
Subject:	FW: support for hemp program in Sonoma County
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: New Family FarmSent: Tuesday, November 19, 2019 2:09 PMTo: SONOMAAGSubject: support for hemp program in Sonoma County

EXTERNAL

To whom it may concern:

I am writing to express my support for hemp cultivation in Sonoma County. As an organic vegetable producer of 11 years, a champion of Sonoma County Agriculture, and a citizen of the county for almost 30 years, I believe hemp has a lot to offer us.

Farming is a difficult endeavor. We need to give our agricultural community every opportunity make a sustainable living in this county. Hemp is just another crop, so lets give our farmers the opportunity to try and make it work for themselves.

Sincerely,

Adam Davidoff co-owner, New Family Farm

From:	Jennifer Terwilliger <jt@terwilliger.cc></jt@terwilliger.cc>
Sent:	Tuesday, November 19, 2019 1:06 PM
To:	Tony Linegar
Subject:	I Support Hemp Cultivation in Sonoma County
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

EXTERNAL

To Whom It May Concern,

I support the cultivation of Hemp in Sonoma County for the positive impact it has on the environment and because of the many economic opportunities it provides for the small Sonoma farmer. Here is a link to a clear and concise article on the reasons to support Hemp farming in our area going forward: https://evohemp.com/blogs/hempweek/10-economic-benefits-of-hemp-farming. Education is the basis for better understanding and better decision making.

Thank you.

Jennifer Terwilliger 707-494-1007

From:	SONOMAAG
Sent:	Tuesday, November 19, 2019 7:26 AM
То:	Tony Linegar; Andrew Smith
Subject:	FW: Hemp Ordinance
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: MERCY SIDBURY
Sent: Monday, November 18, 2019 10:51 PM
Cc: SONOMAAG ; Lynda Hopkins ; sonomafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; JohnLowryCA@gmail.com; pcook@ch-sc.org; ransome@sonic.net
Subject: Hemp Ordinance

EXTERNAL

Mercy Sidbury

4998 Vine Hill Road

Sebastopol, CA 95472 November 18, 2019

To Sonoma County Supervisors:

I am a 20-year resident of Sonoma County and am writing to express my concern about the regulations being considered for growth of hemp in Sonoma County.

The same setbacks from parks, schools and residences that are applied to Cannabis should be applied to hemp, as the odor produced by each, which one of the main reasons for the setback, is equally strong, and from my point of view, noxious.

The two plants cannot be distinguished from one another without chemical analysis. My concern lies specifically in the likelihood that if there are two different regulatory standards accepted regarding hemp and Cannabis, it will end up by undermining the more stringent Cannabis guidelines which have been refined, and paid for dearly by years of time and effort of County employees and residents. Other California counties have enacted setbacks for hemp, presumably to be cautious about introducing a new crop that not only has odors but also can be used to disguise cannabis crops as

happened in Bakersfield, CA. Unregulated hemp could make our hard-won Cannabis Ordinance a moot point.

Not only is the current hemp ordinance exempt from environmental analysis under the California Environmental Quality Act (CEQA), it is based on the honor system of self-reporting. This a new crop and a new law and it absolutely should be subject to CEQA. As written, there currently will be no public hearings or review for any hemp project in Sonoma County. On these three points alone, the draft ordinance should be reviewed and improved.

There is also the question of optics and how it appears that this hearing is being hastened through during a period of the year when the holiday season makes civic engagement less likely. The regulations should be given a reasonable review period, to allow for more study and significant pubic input, giving time for the creation of multiple drafts of this ordinance to be proposed and refined. A similar process happened, and is still happening, with the Cannabis Ordinance.

The similarities between hemp and Cannabis demand that they be addressed similarly in regulatory terms. I am suggesting that all hemp that is grown in Sonoma County be subject to the same carefully developed regulatory guidelines that we so sensibly hashed out and codified in the Cannabis Ordinance. This is worth doing right the first time.

Thank you,

Mercy Sidbury

Sebastopol Resident

From: Sent: To:	SONOMAAG Tuesday, November 19, 2019 7:27 AM Tony Linggar: Androw Smith	
Subject:	FW: Is it hemp?cannabis/? do we have any rights to our health in our own county	
Follow Up Flag:	Follow up	
Flag Status:	Flagged	
Categories:	Public Comment	

From: Beth Buchanan
Sent: Monday, November 18, 2019 8:51 PM
To: SONOMAAG
Cc: Lynda Hopkins
Subject: Is it hemp?cannabis/? do we have any rights to our health in our own county

EXTERNAL

We already have grapes effecting our health with pesticides. Lets move cautiously.

- Our West County Trail and the two schools in Graton would not have **any** setbacks to hemp crops. This is bad land use policy.
- Hemp should be prohibited in all residential zoning and be subject to the same setbacks as cannabis, as the cannabis setbacks were based mostly on the biggest drawback, which is odor.
- This draft ordinance will destroy efforts to regulate cannabis and eviscerate the Cannabis Ordinance, which has taken years to fine tune, wasting thousands of hours of County time and untold amounts of public money.
- Other California counties have enacted setbacks for hemp, presumably to be cautious about introducing a new crop that not only has odors but also can be used to disguise cannabis crops. Unregulated hemp could make our Cannabis Ordinance a moot point.
- According to Sonoma County, the hemp ordinance is exempt from environmental analysis under the California Environmental Quality Act (CEQA). This a a new crop and a new law and absolutely should be subject to CEQA. There will be no public hearings or review for any hemp project in Sonoma County.
- The draft ordinance is based on the honor system. It will be the responsibility of the grower to report which crop is being grown. This system does not work and it is too dangerous in this instance to rely on self-reporting. The cannabis industry has expressed their widespread support for this draft hemp ordinance.

- The moratorium on the growing of hemp in Sonoma County, proposed to end in April, 2020, should be continued one year to allow for more study and citizen input. The rush to establish hemp as a crop in Sonoma County will backfire without the time and effort to draft a thorough ordinance that takes into consideration neighborhood concerns and adequate setbacks. Hemp and cannabis should have the exact same setbacks, since there is no practical way to tell them apart.
- A recent news story told of 459 acres in Bakersfield that were reported as industrial hemp but were actually cannabis. <u>https://www.bakersfield.com/news/kcso-hemp-fields-in-arvin-determined-to-be-billion-worth/article_1a2cb128-fc43-11e9-b235-f71d5415b7e0.html</u>
- The scheduling of the Board of Supervisors hearing on this ordinance should be moved to January, 2020, not during the holiday season when people are busy and not available to make comment or attend a public hearing.

Beth Buchanan, LMFT

From:	Jennifer Klein
Sent:	Tuesday, November 19, 2019 7:26 AM
To:	Sita Kuteira
Cc:	Tony Linegar; Milan Nevajda
Subject:	FW: Industrial Hemp comments for 11/21/19 meeting
Attachments:	IndustrialHemp11-18-19.pdf; NOAA Cannabis letter.pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

FYI

From: Kimberly Burr
Sent: Monday, November 18, 2019 8:19 PM
To: pcook@ch-sc.org; JohnLowryCA@gmail.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; Pammie Davis ; sonomafogg@aol.com; Arielle Wright ; Jennifer Klein
Cc: Bob Coey - NOAA Federal ; Matt@Waterboards St.John ; Eric.Larson@wildlife.ca.gov
Subject: Fwd: Industrial Hemp comments for 11/21/19 meeting

EXTERNAL

Dear Chair Cook, Planning Commissioners, and Staff:

Please see attached letter of comment and NOAA letter attached on the proposed amendments to the County code related to Industrial Hemp.

If you have any trouble opening the attachments, please let me know as soon as possible.

Sincerely, Kimberly

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do not click any web links, attachments, and never give out your user ID or password.
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"Balance - When we are urged to weigh the environmental impacts against the interests of developers, consider

this...."We've lost nearly two-thirds of the world's wildlife since the first Earth Day 48 years ago."

—The Nature Conservancy

KIMBERLY BURR Attorney at Law Post Office Box 1246 Forestville CA 95436 (707) 887-7433

November 18, 2019

Paula Cook, Chair Sonoma County Planning Commission 2550 Ventura Avenue Santa Rosa, CA. 95403

Re: Proposed Ordinance that Amends Chapters 26 and 37 of the County Code as it relates to Cannabis sativa L., November 21, 2019

Dear Planning Commission and Staff:

Thank you for your important efforts to protect our watersheds, sensitive species, home owners, and our important public process. It is in that spirit that I submit the following comments. Please make these comments a part of the administrative record for this project.

Preparation of an Ordinance is a Project under the California Environmental Quality Act (CEQA)

Activities that may have the potential to cause direct or indirect potentially significant impacts on the environment are projects. A project may nevertheless be exempt from CEQA on several grounds. The preparation of this ordinance, however is not exempt. (Union of Medical Marijuana Patients, Inc. v. City of San Diego, California Supreme Court - August 2019.).

For example, objectively there is no certainty that the new ordinance will have little effect on the environment CEQA Guidelines 15061(b)(3).

While considering a moratorium on the cultivation of industrial hemp the County rightly determined an Ordinance was necessary. - The County stated that such a moratorium was necessary:

"(r) To protect its residents and businesses from the potential negative effects of the commercial cultivation of industrial hemp, the County of Sonoma needs time to study and determine how best to regulate the cultivation of industrial hemp and if it does choose to regulate, consider appropriate zoning districts and regulatory standards."

The declaration that the preparation of the Industrial Hemp ordinance itself is exempt was made in the absence of consideration of the potential impacts of the activities it will permit, in which locations, in which watersheds, and in which communities.

In addition, authorizing an activity that poses the same impacts as cannabis, (which the county determined to pose potentially significant environmental impacts), exempt on the grounds provided does not fulfill the spirit and intent of exemptions available and related to protection of natural resources CEQA Guidelines 15307 and 15308.

For the reasons stated herein, the County must conduct a discretionary review process in order that it fully understands the potential impacts of the Industrial Hemp ordinance on the environment, and this review must be based on scientific analysis, public input, and consideration of alternatives to name just a few important components such a review would afford. Failure to conduct such a thorough review will thrust upon the County resources and its people a confusing and harmful activity without consideration of the potential impacts and feasible mitigation measures.

The current draft amendments of Chapter 26 and 37 of County Code to allow expansion of industrial hemp into Sonoma County will potentially put the health and safety of Sonoma County citizens and the environment at risk.

Potential Environmental Impacts

The California Supreme Court has ruled that creation of regulations by governmental bodies which involve where (and how) certain activities may take place which may have a reasonably foreseeable impact on the environment are subject to CEQA analysis. The Sonoma County Hemp Regulation does just this.

The Sonoma County Hemp Ordinance approval fits the definition of a project, and as explained above and thus requires environmental review of the potential impacts related to the ordinance. State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment.

Commercial hemp production is a new process in Sonoma County. Hemp has not been grown historically in Sonoma County and has not been part of any current or historical Crop Reports by the Agricultural Commissioner. Hemp production and processes have been federally illegal since 1970. Therefore, hemp production is not an existing condition under CEQA. The Staff Report prepared for the November 21, 2019 Planning Commission hearing (Staff Report) states on page 15 that "industrial hemp only recently became an agricultural crop". Hemp cultivation is currently banned in Sonoma County and many other Counties throughout the State and across the Country. Authorizing hemp to be grown commercially in the County is a relaxation of existing and historical conditions and does create a reasonably foreseeable impact on the environment especially in areas zoned for resource protection.

Because the regulation does not require environmental analysis of each individual hemp project's impacts in areas of critical habitat for listed species, failure to analyze impacts created by the regulation itself abdicates the County's legal responsibility to protect public trust resources. The State Supreme court has found that Counties do have responsibility to protect public trust resources and cannot abdicate that duty by relying on the Sustainable Groundwater Management Act. (Environmental Law Foundation v. California State Water Resources Control Board).

Hemp is Not "A crop like any other agricultural crop."

With respect to the environmental impacts of industrial hemp cultivation and cannabis cultivation, the activities are the same and pose the same potential environmental threats.

The hemp plant is identical in every way to federally illegal and highly regulated (THC) cannabis. In fact, The Staff Report admits the similarity to cannabis and further states (on page 4) that hemp cultivation presents "unique incompatibility issues". Hemp flowers can only be distinguished from regulated (THC) cannabis by laboratory testing. The plant looks identical, smells identical and will attract the same criminal element as (THC) cannabis.

Hemp fields have the potential to allow for unregulated black market (THC) cannabis to be grown "hiding in plain sight", expanding (THC) cannabis growing without State and County mandated environmental review.

The high value of the hemp crop will encourage planting in areas where other crops are not economically feasible outside of areas used for traditional agriculture.

Hemp for human consumption cannot be grown is areas contaminated by pesticides and fertilizers commonly used for traditional agriculture. Developing new planting areas may require tree removal and habitat destruction.

State registration is not required for any other crop. The state does not consider it to be "a crop like any other crop". There are no state requirements for growing and testing other crops to determine what is being grown and no mechanism for "registration" as required for hemp.

In summary, hemp is not a crop like any other crop, it is a crop identical to (THC) cannabis. (THC) cannabis is highly regulated due to its impacts on the environment and public health and safety. To compare cannabis to tomatoes or lettuce is irresponsible and irrational and turns logic on its head.

Production of Industrial Hemp Without Protections for Impaired Watersheds Will Pose Potentially Significant Environmental Impacts.

Despite the County's assertion on page 15 of the Staff Report, "that it can be seen with certainty that the project will have no significant effect on the environment", in fact the opposite is true. The regulation permitting commercial cultivation of hemp in areas outside of those zoned for agriculture or in areas which are not currently being used for agriculture will have a "reasonably foreseeable impact on the environment" thus is subject to CEQA review.

The Draft Ordinance contains no requirement for analysis of water availability or cumulative impacts of water use in the five watersheds already classified as "impaired". To allow unregulated additional water use in these watersheds puts listed species at risk. Mark West Watershed is already in overdraft condition in the summer months when hemp farmers would be using the most water. (CEMAR 2015 attached) Removing any water in the summer months will cause a "take" of listed species. Mark West Creek and Green Valley Creek are listed as high priority for Salmon and Steelhead recovery yet there is no analysis of how the Hemp Ordinance will protect the recovery effort or whether it will exacerbate current threatening conditions.

In a letter to the County concerning Cannabis permitting (the same plant), the National Oceanic and Atmospheric Association - Fisheries Division recommends that Permit Sonoma limit future groundwater use in the priority watersheds to protect listed species, (see attached letter) yet the Ordinance allows expansion of water use. This is a foreseeable environmental impact with potentially significant adverse consequences on listed species.

While we applaud the agricultural commissioner's recommendation that limits tree removal and grading in RRD zoned areas, this requirement alone is not adequate to prevent impacts to resources. Without analysis of potential impacts, this county land use ordinance has the potential to further degrade water quality, increase the release of carbon, reduce carbon sequestration, harm protected species, etc.

The county must prepare an environmental impact report on the impacts of the hemp ordinance in these critical watersheds and must require environmental review of individual projects that pose foreseeable potentially significant direct or indirect adverse impacts.

I look forward to further review of the ordinance as it moves forward, and on behalf of all who reside here, I encourage you to embrace the principle of informed decision making.

Sincerely,

Kimberly Burr

Bob Coey, National Oceanic and Atmospheric Association - Fisheries Division
 Eric Larson, Department of Fish and Wildlife
 Matthew St. John, Executive Officer, North Coast Regional Water Quality Control Board

From:	SONOMAAG
Sent:	Tuesday, November 19, 2019 7:27 AM
To:	Tony Linegar; Andrew Smith
Subject:	FW: Regulations Related to the Growing of Hemp
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: Gary Holm
Sent: Monday, November 18, 2019 5:49 PM
To: SONOMAAG ; Lynda Hopkins ; sonomafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; JohnLowryCA@gmail.com; pcook@ch-sc.org
Subject: Regulations Related to the Growing of Hemp

EXTERNAL

Dear Sonoma County Planning Commission Members:

This is to advise you we are in agreement with the concerns outlined in the following comments prepared by the Friends of Graton relative to the growing of hemp as an industrial product:

- The West County Trail and the two schools in Graton would not have **any** setbacks to hemp crops. This is bad land use policy.
- Hemp should be prohibited in all residential zoning and be subject to the same setbacks as cannabis, as the cannabis setbacks were based mostly on the biggest drawback, which is odor.
- This draft ordinance will destroy efforts to regulate cannabis and eviscerate the Cannabis Ordinance, which has taken years to fine tune, wasting thousands of hours of County time and untold amounts of public money.
- Other California counties have enacted setbacks for hemp, presumably to be cautious about introducing a new crop that not only has odors but also can be used to disguise cannabis crops. Unregulated hemp could make our Cannabis Ordinance a moot point.
- According to Sonoma County, the hemp ordinance is exempt from environmental analysis under the California Environmental Quality Act (CEQA). This is a new crop and a new law and absolutely should be subject to CEQA. There will be no public hearings or review for any hemp project in Sonoma County.
- The draft ordinance is based on the honor system. It will be the responsibility of the grower to report which crop is being grown. This system does not work and it is too dangerous in this instance to rely on self-reporting. The cannabis industry has expressed their widespread support for this draft hemp ordinance.

- The moratorium on the growing of hemp in Sonoma County, proposed to end in April 2020, should be continued one year to allow for more study and citizen input. The rush to establish hemp as a crop in Sonoma County will backfire without the time and effort to draft a thorough ordinance that takes into consideration neighborhood concerns and adequate setbacks. Hemp and cannabis should have the exact same setbacks, since there is no practical way to tell them apart.
- A recent news story told of 459 acres in Bakersfield that were reported as industrial hemp but were actually cannabis. <u>https://www.bakersfield.com/news/kcso-hemp-fields-in-arvin-determined-to-be-billion-worth/article_1a2cb128-fc43-11e9-b235-f71d5415b7e0.html</u>
- The scheduling of the Board of Supervisors hearing on this ordinance should be moved to January, 2020, not during the holiday season when people are busy and not available to make comment or attend a public hearing.

As Graton area residents we were in support of the changes proposed earlier this year to strengthen the County's Cannabis Ordinance, particularly as it relates to setbacks from County parks and residential areas. If hemp is grown in areas adjacent to parks and residential neighborhoods we believe it presents the same serious problems as cannabis.

We urge you to continue for one year the review and public input process. To do so should result in a program agreeable to all that works well when implemented and avoids costly future reviews, challenges and amendments.

Sincerely,

Gary and Karen Holm

5135 Ross Road

Sebastopol

From:	Arielle Wright
Sent:	Monday, November 18, 2019 1:52 PM
То:	Andrew Smith; Tony Linegar
Subject:	FW: Hemp Cultivation Planning Commission Meeting November 21, 2019
Attachments:	GIS Online Service, Map Gallery - Grounvailability, Sonoma County, California.pdf
Importance:	High
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

Good afternoon Tony and Andrew,

Per Amy Lyle's email earlier today, any public comments that I receive for Thursday's Planning Commission hearing will be forwarded to you. This is my first sent to you. I've got a few this morning that I will make sure are forwarded to you as well.

Kind regards,

Arielle Wright

Planning Secretary County of Sonoma 2550 Ventura Avenue, Santa Rosa, CA 95403 Direct: 707-565-1947 | Office: 707-565-1900 | Fax: 707-565-1103 www.PermitSonoma.org



OFFICE HOURS: Permit Sonoma's public lobby is open Monday through Friday from 8:00 AM to 4:00 PM, except Wednesdays, open from 10:30 AM to 4:00 PM.

From: Joan Conway
Sent: Monday, November 18, 2019 1:39 PM
To: greg99pole@gmail.com; Todd.Tamura@gmail.com; arielkelley707@gmail.com; komronshahhosseiniSCPC@gmail.com; p.davis479@gmail.com
Cc: Kyreen Gonzalez ; Arielle Wright
Subject: Hemp Cultivation -- Planning Commission Meeting November 21, 2019
Importance: High



To Members of the Planning Commission

It is our understanding that the Ag Commissioner, Tony Linegar, has asked for input regarding options for the cultivation of hemp in Sonoma County. We hope these considerations are already in the Ag Commissioner's document but if they are not, we respectfully request they be included for the Planning Commissioners' deliberations regarding the future of hemp cultivation in Sonoma County.

- 1. We do not support hemp cultivation in the five impaired watersheds regardless of the zoning. (Please note that these are also areas of high fire danger). See maps attached.
- 2. We do not support hemp cultivation in any areas of high fire risk regardless of zoning, particularly if it involves the addition of new electrical power lines.
- 3. We neither support nor oppose hemp cultivation in the agricultural zones, LIA, LEA, DA. Should those areas be approved we recommend a parcel size of 10+ acres in size and setbacks of 1,000-feet from the property line of sensitive areas (parks, schools including pre-schools- and neighboring residences).
- 4. We do not support cultivation in residential zones (RR and AR) which are both designated as primarily residential in the General Plan or in RRD which is to be preserved for its resources.

Sincerely,

Joan Conway and Horace Criswell 5362 Mill Creek Road Healdsburg CA joanc358@gmail.com

Cecile Isaacs and Norm Schneider 12888 Cloud Ridge Road Healdsburg, Ca 95448 Cecile <u>cecile.isaacs@gmail.com</u>

Cynthia and Garry Anderson 5050 Mill Creek Road Healdsburg Ca. 95448 Email: cynthia1025@sbcglobal.net

Nancy and Toney Prussiamerritt 5280 Mill Creek Road Healdsburg, CA 95448 diogi5@mindspring.com elkgirl@mindspring.com

David Henson 5259 Mill Creek Rd Healdsburg, CA 95448 <u>henson@sonic.net</u>

Christine Madley 5398 Mill Creek Rd Healdsburg, CA 95448 madleychristine@gmail.com

Alex and Martha Hunt 12660 Cloud Ridge Road Healdsburg, CA 95448 monsoon36@comcast.net

Ray & Nancy Turner 5250 Mill Creek Road Healdsburg CA 95448 tomamini@sonic.net

Douglas Fisher & Jean Hegland 5450 Mill Creek Road Healdsburg, CA 95448 pacer8901c@gmail.com jahegland@gmail.com Carol Schneider-Yates & Daylee Thompson 5360 Mill Creek Road Healdsburg, CA 95448 Carol <u>littlelowhead@gmail.com</u> Dai-Le <u>hollywoodhelpers@yahoo.com</u>

Pete Pistochini/Brian Griffiths 5354 Mill Creek Road Healdsburg, CA 95448 peterpistochini@yahoo.com vido1970@gmail.com

Laurel and Nic Anderson Healdsburg address: 5356 Mill Creek Rd Healdsburg, CA 95448 laurel.anne.anderson@gmail.com nic.r.anderson@gmail.com

Note on attachments: please click on images to see complete depiction







Cou ty of Soom Prmit dR sourc M gm tDprtm t 2550 Ventura Avenue, Santa Rosa, California 95403 707-565-1000 FAX 707-565-100

Author: PRMD Fil Numb r: S:\GIS-DATA\PRMD_BASE\Public Products - For S I D t : D c mb r 6, 2016

From:	SONOMAAG
Sent:	Monday, November 18, 2019 1:15 PM
To:	Tony Linegar; Andrew Smith
Subject:	FW: Hemp in County
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: Michael McCarthy Sent: Monday, November 18, 2019 11:40 AM To: SONOMAAG Subject: Fwd: Hemp in County

EXTERNAL

----- Forwarded message ------From: **Michael McCarthy** <<u>mccarthyorganics@gmail.com</u>> Date: Mon, Nov 18, 2019, 11:37 AM Subject: Hemp in County To: <<u>sonomaag@sonona-county.org</u>>

I have been a resident in Sonoma for 15 years. I fully support allowing industrial hemp to be grown in the county. After the guidelines were approved by the federal government, I feel this new crop fits all the requirements established in the "right to farm" act. Thank you for supporting farmers and keeping the county agcentric.

-Michael McCarthy

From:	SONOMAAG
Sent:	Monday, November 18, 2019 1:16 PM
To:	Tony Linegar; Andrew Smith
Subject:	FW: Hemp Ordinance
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: kjones95472@comcast.net
Sent: Monday, November 18, 2019 11:31 AM
To: SONOMAAG ; Lynda Hopkins ; sonomafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; JohnLowryCA@gmail.com; pcook@ch-sc.org
Subject: Hemp Ordinance

EXTERNAL

Dear Leaders,

Allowing hemp to be grown in residential and park/trail area is a bad and odoriferous idea. For it to be differentiated from marijuana on a self-reported honor system is naive. I am also concerned about the amount of water it takes to produce hemp and weed. No requirement for environmental impact studies? Really?

Please rethink this.

By the way, I was truly helped and impressed by Lynda Hopkins' staff's responsiveness during the last PSPS. Thank you so much.

Karen Jones

Karen Jones

Sebastopol Hardware Center Co-Owner, Advertising Manager

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don't know this email sender or the email is unexpected, do not click any web links, attachments, and never give out your user ID or password.

From:	SONOMAAG
Sent:	Monday, November 18, 2019 9:52 AM
To:	Tony Linegar; Andrew Smith
Subject:	FW: Hemp concerns
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: Marshall Behling
Sent: Monday, November 18, 2019 9:41 AM
To: SONOMAAG ; Lynda Hopkins ; sonomafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; JohnLowryCA@gmail.com; pcook@ch-sc.org
Subject: Hemp concerns

EXTERNAL

Hello; According to Sonoma County, the hemp ordinance is exempt from environmental analysis under the California Environmental Quality Act (CEQA). This a a new crop and a new law and absolutely should be subject to CEQA.

There will be no public hearings or review for any hemp project in Sonoma County. This is crazy given the difficulty in distinguishing hemp from cannabis.

We don't need our limited county resources being spent on policing cannabis vs hemp farming.

Thanks, Marshall Behling - Sonoma County resident

From:	SONOMAAG
Sent:	Monday, November 18, 2019 7:28 AM
To:	Tony Linegar; Andrew Smith
Cc:	Michelle Johnson
Subject:	Hemp/Cannabis
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: sedna101@aol.com
Sent: Sunday, November 17, 2019 10:05 PM
To: SONOMAAG ; Lynda Hopkins ; sonomafogg@aol.com; larry@reedgilliland.com; cameron@mauritsonfarms.com; JohnLowryCA@gmail.com; pcook@ch-sc.org
Subject: hemp/cannabis

EXTERNAL

- Our West County Trail and the two schools in Graton would not have **any** setbacks to hemp crops. This is bad land use policy.
- Hemp should be prohibited in all residential zoning and be subject to the same setbacks as cannabis, as the cannabis setbacks were based mostly on the biggest drawback, which is odor.
- This draft ordinance will destroy efforts to regulate cannabis and eviscerate the Cannabis Ordinance, which has taken years to fine tune, wasting thousands of hours of County time and untold amounts of public money.
- Other California counties have enacted setbacks for hemp, presumably to be cautious about introducing a new crop that not only has odors but also can be used to disguise cannabis

crops. Unregulated hemp could make our Cannabis Ordinance a moot point.

- According to Sonoma County, the hemp ordinance is exempt from environmental analysis under the California Environmental Quality Act (CEQA). This a a new crop and a new law and absolutely should be subject to CEQA. There will be no public hearings or review for any hemp project in Sonoma County.
- The draft ordinance is based on the honor system. It will be the responsibility of the grower to report which crop is being grown. This system does not work and it is too dangerous in this instance to rely on self-reporting. The cannabis industry has expressed their widespread support for this draft hemp ordinance.
- The moratorium on the growing of hemp in Sonoma County, proposed to end in April, 2020, should be continued one year to allow for more study and citizen input. The rush to establish hemp as a crop in Sonoma County will backfire without the time and effort to draft a thorough ordinance that takes into consideration neighborhood concerns and adequate setbacks. Hemp and cannabis should have the exact same setbacks, since there is no practical way to tell them apart.
- A recent news story told of 459 acres in Bakersfield that were reported as industrial hemp but were actually cannabis. <u>https://www.bakersfield.com/news/kcso-hemp-fields-in-arvindetermined-to-be-billion-worth/article_1a2cb128-fc43-11e9b235-f71d5415b7e0.html</u>
- The scheduling of the Board of Supervisors hearing on this ordinance should be moved to January, 2020, not during the holiday season when people are busy and not available to make comment or attend a public hearing.

Jane Eagle, Voter

From:	Charlene Stone <charlenestone99@yahoo.com></charlenestone99@yahoo.com>
Sent:	Saturday, November 16, 2019 11:50 AM
To:	Tony Linegar
Subject:	Commercial Hemp
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

EXTERNAL

It has come to my attention that consideration is currently under way to allow hemp cultivation in neighborhoods where RR adjoins other type zonings.

If the current wine/grape growers in our neighborhood were allowed to grow hemp with all the accompanying smells, traffic, etc., it would just totally destroy our neighborhood.

I am sure there are plenty of other venues for growing this "very provocative" crop that would not have the impact that would occur in neighborhoods such as ours on the west side of Fulton Road.

Thank you.

Charlene Stone, Santa Rosa Plains resident

From:	SONOMAAG
Sent:	Monday, November 18, 2019 7:30 AM
To:	Tony Linegar; Andrew Smith
Cc:	Michelle Johnson
Subject:	Hemp ordinance neighborhood comments
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

From: Grace Barresi
Sent: Friday, November 15, 2019 2:05 PM
To: SONOMAAG
Cc: Arielle Kohn ; Kyreen Gonzalez
Subject: Hemp ordinance neighborhood comments

EXTERNAL

Dear Commissioner Linegar,

We understand you are the sole author of the proposed industrial hemp cultivation ordinance and have received feedback from an advisory group. Thank you for your openness to also allow feedback from residents of unincorporated Sonoma County on this proposal.

1. Please consider prohibiting industrial hemp cultivation on DA zoned parcels **adjacent to AR/RR zoned parcels.** We agree with the proposed zoning changes to prohibit industrial hemp cultivation in Rural Residential and other residential zoning designations in the county and to restrict industrial hemp production in Agriculture and Residential (AR) zoning designations by **creating setbacks** from structures on adjacent parcels.

However, there are several examples of DA zoned properties adjacent to small AR and RR zoned parcels in unincorporated Sonoma County. Neighbors who live on these residential zoned parcels have been negatively impacted by commercial cannabis businesses due to increased noise, traffic, light pollution and odor.

Attached are spatial maps of our neighborhood showing a commercial cannabis business on a DA zoned parcel outlined in black in the middle of small AR/ RR zoned parcels in the Green Valley Area of Sebastopol.



The highlighted blue DA zoned parcel currently grows 1 acre of commercial cannabis under the Penalty Relief Program and has created a nuisance in our residential neighborhood.



2. Please consider setbacks from neighboring homes in all zones, not just from AR zoned parcels. Commissioners Lowry and Davis as well as Supervisor Hopkins have been to our neighborhood and visited our

home at 1087 Anita Lane in Sebastopol. They all commented on how close the cannabis business at 885 Montgomery Road was (highlighted in blue) to all the surrounding homes.

Supervisor Hopkins was quoted in the Press Democrat stating: "the cannabis odor was pungent" after visiting our home in May 2018 and experiencing first hand the odor from the adjacent cannabis business. 100 feet to property line and 300 feet to neighboring home are not adequate setbacks. Please consider 1000 feet.

Thank you for your attention to this important matter and for giving **fourteen families** a voice to help shape the industrial hemp ordinance.

Respectfully,

Robert and Grace Guthrie Edward Wallin and family Blake Everett and family Gregg Koss and family Richard Conger and family Pam Ress and family Bernadette Goldstein and family Jennifer Jones and family Jeff Barnum and family Marilyn Foster and family Marilyn Foster and family Peter Lange and family Emma Charlebois and family Lisa Galea and family

From:	Nancy and Brantly Richardson <nrchrdsn@sonic.net></nrchrdsn@sonic.net>
Sent:	Friday, November 15, 2019 7:22 AM
То:	SONOMAAG; Tony Linegar; Bruce Goldstein
Cc:	larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com; johnlowryCA@gmail.com; sonomafogg@aol.com; Amy Lyle; David Rabbitt; Lynda Hopkins; district4
Subject:	STAFF REPORT FOR THE PROPOSED HEMP ORDINANCE
Follow Up Flag: Flag Status:	Follow up Flagged
Categories:	Public Comment

EXTERNAL

To All Concerned:

It is highly irregular that the 64-page Staff Report with the Ag Commissioner's Options and Recommendations and draft law is not posted on the Planning Commission WEB site. There has been a great deal of questionable withholding of documents from the public regarding this document. The Legal Notice in Press Democrat on 11/10 contained a link to the additional material and documents but the said material was not added until two days later. It did not include the Staff Report. Yesterday's email announcement of the meeting on the 21st did not contain information that the Staff Report could be located on the AG WEB site. I can only conclude that all involved County officials wish to keep this information from public scrutiny as long as possible.

Nancy Richardson

From:	Grace Barresi <gmbarresi@gmail.com></gmbarresi@gmail.com>
Sent:	Friday, November 15, 2019 1:14 AM
То:	Tony Linegar
Cc:	larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com; John Lowry; sonomafogg@aol.com; Amy Lyle; Lynda Hopkins; district5
Subject:	feedback from 14 residents on proposed hemp ordinance
Follow Up Flag:	Follow up
Flag Status:	Flagged
Categories:	Public Comment

EXTERNAL

Dear Commissioner Linegar,

We understand you are the sole author of the proposed industrial hemp cultivation ordinance and have received feedback from an advisory group. Thank you for your openness to also allow feedback from residents of unincorporated Sonoma County on this proposal.

1. Please consider prohibiting industrial hemp cultivation on DA zoned parcels **adjacent to AR/RR zoned parcels.** We agree with the proposed zoning changes to prohibit industrial hemp cultivation in Rural Residential and other residential zoning designations in the county and to restrict industrial hemp production in Agriculture and Residential (AR) zoning designations by **creating setbacks** from structures on adjacent parcels.

However, there are several examples of DA zoned properties adjacent to small AR and RR zoned parcels in unincorporated Sonoma County. Neighbors who live on these residential zoned parcels have been negatively impacted by commercial cannabis businesses due to increased noise, traffic, light pollution and odor.

Attached are spatial maps of our neighborhood showing a commercial cannabis business on a DA zoned parcel outlined in black in the middle of small AR/ RR zoned parcels in the Green Valley Area of Sebastopol.



The highlighted blue DA zoned parcel currently grows 1 acre of commercial cannabis under the Penalty Relief Program and has created a nuisance in our residential neighborhood.



2. Please consider setbacks from neighboring homes in all zones, not just from AR zoned parcels.

Commissioners Lowry and Davis as well as Supervisor Hopkins have been to our neighborhood and visited our home at 1087 Anita Lane in Sebastopol. They all commented on how close the cannabis business at 885 Montgomery Road was (highlighted in blue) to all the surrounding homes.

Supervisor Hopkins was quoted in the Press Democrat stating: "the cannabis odor was pungent" after visiting our home in May 2018 and experiencing first hand the odor from the adjacent cannabis business. 100 feet to property line and 300 feet to neighboring home are not adequate setbacks. Please consider 1000 feet.

Thank you for your attention to this important matter and for giving **fourteen families** who have first-hand experience living next to a commercial cannabis business the opportunity to help shape the industrial hemp ordinance.

Respectfully,

Robert and Grace Guthrie Edward Wallin and family Blake Everett and family Gregg Koss and family Richard Conger and family Pam Ress and family Bernadette Goldstein and family Jennifer Jones and family Jeff Barnum and family Marilyn Foster and family Marilyn Foster and family Peter Lange and family Emma Charlebois and family Lisa Galea and family

Nancy Richardson
Bruce Goldstein; Tony Linegar
Sheryl Bratton; district4; Lynda Hopkins
Public Notice for Hemp Ordinance
Wednesday, November 13, 2019 7:39:10 PM

EXTERNAL

The Public Notice for the hearing on November 21, 2019 was not properly noticed. The Public Notice in the 11/10/19 edition of the Press Democrat referenced the project materials and associated documents were available to the public and published at https://sonoma county.cs.gov/AWMs. These additional materials were not available until two days later on 11/12/19. You cannot publish a Public Notice with a link to nonexistent documents. The hearing needs to be canceled and rescheduled or continue as a study session. Nancy Richardson

Sent from my iPhone

EXTERNAL

Dear Commissioner Linegar,

Please consider my comments regarding a hemp ordinance below:

- A cautious approach to the establishment of rules for hemp is recommended to avoid the debacle that has ensued after the cannabis ordinance was enacted and unsuccessfully enforced. Starting with a stringent policy, which would include setbacks, and then reconsidering it in a year or two would allow conflicts to be identified and dealt with in a later revision. I understand the reasoning to declare hemp an agricultural crop, but it is more complicated than the known crops and it is newly-permitted in the country. What is the rush?
- As hemp is indistinguishable from cannabis except with expensive and unlikely testing, it is reasonable to subject it to similar setbacks to sensitive uses, such as parks, trails, schools and homes. Zoning alone cannot be the sole determination of the location of hemp. For example, our home is DA as is every house in our neighborhood, though some are on minuscule lots. However, our house is 7' from a large DA parcel. Obviously, we are not moving our house farther away from the property line, so with zero setbacks we would have hemp or undeclared cannabis just a few feet from our bedroom windows. A 1000' setback would lessen the odors and the conflicts.
- Do you believe that hemp will survive as a successful crop in Sonoma County where land prices are astronomical, as opposed to the Midwest, which has more appropriate weather and cheaper acreage? It seems risky to encourage a crop that will probably not survive the test of time.
- Other California counties have enacted setbacks, presumably to be cautious about introducing a new crop that not only has odors but also can be used to disguise cannabis crops. Unregulated hemp could make our Cannabis Ordinance a moot point.
- Many hemp supporters seem to believe that the hemp grown in Sonoma County will replace plastic, provide nutritious food and save the world. We all know that our land prices will not support hemp grown for any purpose but CBD. All fine, as well as it is understood that CBD is the purpose for growing hemp.
- At the least, hemp should be prohibited in RR, AR, RRD zoning and in Water Impaired Watersheds as identified in the 12/02/19 map (prepared by the Center of Ecosystem Management and Restoration) and within 1000' of schools, parks and residences. This

would help to avoid multiple odor complaints or proximity of sensitive uses to cannabis masquerading as hemp and the resultant burden on County staff to deal with the fallout.

Sincerely,

Anna Ransome for Friends of Atascadero Wetlands and Friends of Graton

From:	SONOMAAG
To:	Tony Linegar; Andrew Smith
Cc:	Michelle Johnson
Subject:	Hemp Cultivation Planning Commission Meeting November 21, 2019
Date:	Tuesday, November 12, 2019 7:48:19 AM
Attachments:	<u>GIS Online Service, Map Gallery - Grounvailability, Sonoma County, California.pdf</u>

From: Joan Conway <joanc358@gmail.com>

Sent: Friday, November 8, 2019 2:55 PM

To: sonomafogg@aol.com; larry@reedgilliland.com; pcook@ch-sc.org;

cameron@mauritsonfarms.com; JohnLowryCA@gmail.com

Cc: SONOMAAG <SONOMAAG@sonoma-county.org>; Tony Linegar <Tony.Linegar@sonoma-county.org>

Subject: Hemp Cultivation -- Planning Commission Meeting November 21, 2019

EXTERNAL

November 8, 2019

To Members of the Planning Commission

It is our understanding that the Ag Commissioner, Tony Linegar, has asked for input regarding options for the cultivation of hemp in Sonoma County. We hope these considerations are already in the Ag Commissioner's document but if they are not, we respectfully request they be included for the Planning Commissioners' deliberations regarding the future of hemp cultivation in Sonoma County.

- 1. We do not support hemp cultivation in the five impaired watersheds regardless of the zoning. (Please note that these are also areas of high fire danger). See maps attached.
- 2. We do not support hemp cultivation in any areas of high fire risk regardless of zoning, particularly if it involves the addition of new electrical power lines.
- 3. We neither support nor oppose hemp cultivation in the agricultural zones, LIA, LEA, DA. Should those areas be approved we recommend a parcel size of 10+ acres in size and setbacks of 1,000-feet from the property line of sensitive areas (parks, schools including pre-schools- and neighboring residences).
- 4. We do not support cultivation in residential zones (RR and AR) which are both designated as primarily residential in the General Plan or in RRD which is to be preserved for its resources

Sincerely,

Joan Conway and Horace Criswell 5362 Mill Creek Road Healdsburg CA joanc358@gmail.com

Cecile Isaacs and Norm Schneider Cecile Isaacs and Norm Schneider 12888 Cloud Ridge Road Healdsburg, Ca 95448 Cecile <u>cecile isaacs@gmail.com</u>

Cynthia and Garry Anderson 5050 Mill Creek Road Healdsburg Ca. 95448 Email: cynthia1025@sbcglobal.net

Nancy and Toney Prussiamerritt Toney & Nancy Prussiamerritt 5280 Mill Creek Road
Healdsburg, CA 95448 diogi5@mindspring.com elkgirl@mindspring.com

David Henson 5259 Mill Creek Rd Healdsburg, CA 95448 henson@sonic.net

Christine Madley 5398 Mill Creek Rd Healdsburg, CA 95448 madleychristine@gmail.com

Alex and Martha Hunt 12660 Cloud Ridge Road Healdsburg, CA 95448 monsoon36@comcast.net

Ray & Nancy Turner 5250 Mill Creek Road Healdsburg CA 95448 tomamini@sonic.net

Douglas Fisher & Jean Hegland 5450 Mill Creek Road Healdsburg, CA 95448 pacer8901c@gmail.com jahegland@gmail.com

Carol Schneider-Yates & Daylee Thompson 5360 Mill Creek Road Healdsburg, CA 95448 Carol <u>littlelowhead@gmail.com</u> Dai-Le <u>hollywoodhelpers@yahoo.com</u>

Pete Pistochini/Brian Griffiths 5354 Mill Creek Road Healdsburg, CA 95448 peterpistochini@yahoo.com vido1970@gmail.com

Laurel and Nic Anderson Healdsburg address: 5356 Mill Creek Rd Healdsburg, CA 95448 Jaurel.ane.anderson@gmail.com nic.r.anderson@gmail.com

Note on attachments: please click on images to see complete depiction



From:	SONOMAAG
To:	Tony Linegar; Andrew Smith
Cc:	Michelle Johnson
Subject:	PUBLISHED MATERIALS? Legal Notice Industrial Hemp Cultivation
Date:	Tuesday, November 12, 2019 7:34:46 AM
Attachments:	image001.png
	image002.png
	image003.png
	image004.png
	AWM Legal Notice Hemp.pdf

From: Nancy and Brantly Richardson <nrchrdsn@sonic.net>
Sent: Sunday, November 10, 2019 8:28 AM
To: SONOMAAG <SONOMAAG@sonoma-county.org>; Tony Linegar <Tony.Linegar@sonoma-county.org>; Bruce Goldstein <Bruce.Goldstein@sonoma-county.org>
Cc: larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com; johnlowryCA@gmail.com; sonomafogg@aol.com
Subject: PUBLISHED MATERIALS? Legal Notice Industrial Hemp Cultivation

EXTERNAL

Good morning Mr. Linegar and Counselor Goldstein,

The legal notice for this hearing is published in this morning's (November 10, 2019) Press Democrat on page A 8 directing the public to published project materials and associated documents at:

<u>https://sonomacounty.ca.gov/AWM</u>. I am unable to find these documents and have also been unable to find them using the link sent to me via email. See attachment.

Surely this is a gross oversight when a Public Notice is published, and the available materials are not really available to the public? Brantly Richardson

From: Nancy and Brantly Richardson <<u>nrchrdsn@sonic.net</u>>

Sent: Friday, November 8, 2019 12:13 PM

To: 'chelsea.Holup@sonoma-county.org' <<u>chelsea.Holup@sonoma-county.org</u>>; 'SonomaAg@sonoma-county.org' <<u>SonomaAg@sonoma-county.org</u>>; 'tony.linegar@sonomacounty.org' <<u>tony.linegar@sonoma-county.org</u>>; Amy Lyle (<u>Amy.Lyle@sonoma-county.org</u>) <<u>Amy.Lyle@sonoma-county.org</u>>

Cc: Eppstein, Debby (<u>deppstein@gmail.com</u>) <<u>deppstein@gmail.com</u>>; <u>gdexter833@gmail.com</u>; Joan Conway <<u>sophiesfiveacres@gmail.com</u>>; Laura Waldbaum (<u>laura@waldbaumswildridge.com</u>)

<laura@waldbaumswildridge.com>; 'Anna Ransome' <ransome@sonic.net>; Grace Barresi<gmbarresi@gmail.com>; Craig Harrison <craigspencerharrison@gmail.com>Subject: FW: Legal Notice Industrial Hemp Cultivation

Ms. Holup, The attachment containing the legal notice for Industrial Hemp Cultivation has a link to the documents. When I use it the Ag WEB site appears but no project documents or additional materials pertaining to the hemp report or the options and recommendations of the Ag Commissioner. I'd appreciate any help you can give or please send the Staff report separately. Thank you, Brantly Richardson

From: Chelsea Holup <<u>Chelsea.Holup@sonoma-county.org</u>>
Sent: Thursday, November 7, 2019 2:56 PM
To: 'deppstein@gmail.com' <<u>deppstein@gmail.com</u>>; 'nrchrdsn@sonic.net' <<u>nrchrdsn@sonic.net</u>>;
'gdexter833@gmail.com' <<u>gdexter833@gmail.com</u>>; 'Joanc358@gmail.com'
<<u>Joanc358@gmail.com</u>>; 'Rzierdt@gmail.com' <<u>Rzierdt@gmail.com</u>>; 'schellenberg3@gmail.com'
<<u>schellenberg3@gmail.com</u>>; 'Hbuck@sonic.net' <<u>Hbuck@sonic.net</u>>;
'laura@waldbaumswildridge.com' <<u>laura@waldbaumswildridge.com</u>>; 'Ransome@sonic.net'
<<u>Ransome@sonic.net</u>>; 'gmbarresi@gmail.com' <<u>gmbarresi@gmail.com</u>>; CannabisTax
<<u>CannabisTax@sonoma-county.org</u>>
Cc: Amy Lyle <<u>Amy.Lyle@sonoma-county.org</u>>
Subject: Legal Notice Industrial Hemp Cultivation

Please find the attached legal notice Industrial Hemp Cultivation.

Thank you,

Chelsea Holup <u>Chelsea.holup@sonoma-county.org</u> County of Sonoma Administrative Assistant, Planning Division 2550 Ventura Avenue, Santa Rosa, CA 95403 Direct: 707-565-6105 | Office: 707-565-1900 Fax: 707-565-1103



OFFICE HOURS: PRMD's Public Lobby is open Monday through Friday from 8:00 AM until 4:00 PM, except Wednesdays, open from 10:30 AM to 4:00 PM.

From:	<u>SONOMAAG</u>
То:	Tony Linegar; Andrew Smith
Cc:	Michelle Johnson
Subject:	Hemp Cultivation hearing Nov. 21st, 2019
Date:	Tuesday, November 12, 2019 7:33:40 AM

From: Paula Cook <pcook@ch-sc.org>
Sent: Sunday, November 10, 2019 4:55 PM
To: Janus MATTHES <bjmatthes@comcast.net>
Cc: SONOMAAG <SONOMAAG@sonoma-county.org>
Subject: Re: Hemp Cultivation hearing Nov. 21st, 2019

EXTERNAL

Thank you.

Paula Cook Executive Director Community Housing Sonoma County 131-A Stony Circle, Suite 500 Santa Rosa, California 95401 v 707 578 2338 f 707 578 2339 www.ch-sc.org

On Nov 10, 2019, at 11:21 AM, Janus MATTHES <<u>bjmatthes@comcast.net</u>> wrote:

To Sonoma County Ag Commissioner and Planning Members_

RE: Hemp Cultivation hearing Nov. 21st, 2019

Nov. 9, 2019

Wine and Water Watch is a local organization of over 250 citizens concerned with the overdevelopment of the wine tourism industry and promotes ethical land and water use. We oppose the industrialization of agricultural lands not growing food, medicine, fiber or sileage and advocate agricultural practices that are ecologically regenerative.

We have reviewed the submission of regulations on the proposed hemp cultivation as submitted by the Ag Commissioner Tony Linegar and his staff. We applaud the decision to not allow in RR zoning however AR is just as problematic even with setbacks of 1,000 feet. AR is clearly designated in the General Plan as a residential zone. Furthermore, RRD zoning which is to protect our resources should also be included in a no planting zone.

Hemp is a water intense plant and the noxious odors associated with the crop easily permeates more than 1,000 feet. While we are a "Right to Farm" county, new legal cases are arising as a result of this ordinance which in reality creates a "taking" of personal property rights away from the neighbors. No one wants to buy a home next to this odor. Hemp is being grown in massive plantings all over the country where they have better weather and more water resources.

Why is there not a moratorium also *on any parcel listed as water impaired area*? The state has documented 5 such watersheds(Mill Creek, Mark West, Green Valley, Dutch Bill, Grape Creek) where no commercial plantings should even be considered, *number one priority*. We already have one water intensive industry and do NOT need another. Private well owners have born the costs for years for drilling deeper after vineyards move in with no protection from the County.

Years of drought and firestorms show we need to protect our watersheds not drain them for a crop that will not last long in this county with the rest of the nation planting thousands of acres.

Please do not allow cultivation in RR, AR, RRD zones but most important NO IMPAIRED WATERSHEDS.

Sincerely,

Wine & Water Watch Board

From:	Amy Lyle
То:	Tony Linegar; Andrew Smith; Scott Orr; Sita Kuteira
Subject:	Fwd: Hemp Legislation Concern
Date:	Monday, November 11, 2019 8:13:22 PM
Attachments:	DRAFT Industrial Hemp Ordinance 10.17.19.docx ATT00001.htm

Remotely responding from my phone

Begin forwarded message:

From: Erich Pearson <epearsonsf@gmail.com> Date: November 11, 2019 at 6:51:06 PM PST To: Amy Lyle <Amy.Lyle@sonoma-county.org> Subject: Fwd: Hemp Legislation Concern

EXTERNAL

Hi Amy,

Attached, I have highlighted a section of the hemp legislation that is of concern. I'm not sure your involvement here, but I am aware that the provision I am highlighting has come from Permit Sonoma, and not Ag.

I see no nexus between hemp, a federally legal crop, and cannabis. So, why should those who have violated cannabis rules not be allowed to farm a federally legal crop?

As well, even if we accept that there is a nexus, the language is too broad. Who are we trying to prevent from growing hemp exactly? In my own situation, we have multiple cannabis violations as a result of punitive code enforcement actions enforced with an intention to harm our business, and not what the BOS had in mind when they passed the penalty rules. As well, multiple other legal cannabis cultivators have been subjected to unfair enforcement, making them ineligible to grow hemp, per these proposed rules.

If some form language is to stay, then I think it would be best for the community to see who exactly Permit Sonoma intends to exlude from registering t.grow hemp.

-erich

Erich Pearson | CEO

6010 Commerce Blvd, Suite 152, Rohnert Park, CA, 94928

?

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r.

Erich Pearson | CEO

6010 Commerce Blvd, Suite 152, Rohnert Park, CA, 94928

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THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don't know this email sender or the email is unexpected, do not click any web links, attachments, and never give out your user ID or password.

From:	Ms. Harriet Buckwalter
To:	Arielle Kohn; sonomafogg@aol.com; larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com;
	JohnLowryCA@gmail.com; Tony Linegar; Andrew Smith
Cc:	<u>Susan Gorin; district4; David Rabbitt; Lynda Hopkins; Shirlee Zane; Tennis Wick; John Mack; Amy Lyle</u>
Subject:	FMWW Comment Letter regarding Draft Hemp Ordinance - November 21 Planning Commission Hearing
Date:	Monday, November 11, 2019 8:22:47 AM
Attachments:	2019-11-11 FMWW Letter to Planning Commission re Draft Hemp Ordinance.pdf
	2018-0806FMWWLetter on Cannabis OrdinanceSMW.PDF

Please see attached letter and supporting documents, to be entered into the public comment record for the draft hemp ordinance hearing November 21, 2019.

Many thanks, Harriet

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM. Warning: If you don't know this email sender or the email is unexpected, do not click any web links, attachments, and never give out your user ID or password.



Ms. Harriet Buckwalter, Co-Chair Friends of the Mark West Watershed Upper Mark West Watershed Fire Safe Council hbuck@sonic.net (707) 538-5307 6985 Saint Helena Road Santa Rosa, CA 95404 markwestwatershed.org



A watershed community dedicated to preserving, protecting, and restoring the Mark West Creek and its watershed as a natural and community resource. Friends of the Mark West Watershed 6985 Saint Helena Road Santa Rosa, CA 95404 Email: info@markwestwatershed.org Tel: 707-538-5307 www.markwestwatershed.org

Date:	November 11, 2019
To:	Sonoma County Planning Commission
RE:	Draft Hemp Ordinance, Planning Commission November 21 Meeting
	Request for Ordinance Language to Protect Critically Impaired Mark West Creek
	Watershed

Dear Planning Commission Members,

The Friends of the Mark West Watershed (FMWW) is a community of neighbors, landowners, and supporters dedicated to preserving, protecting, and restoring the Mark West Creek and its watershed as a natural and community resource. FMWW is a 501(c)(3) non-profit organization that works to engage the community in hands-on ecologically-based stewardship projects and educational opportunities. FMWW also collaborates with several other non-profit and governmental agencies invested in the ecological health and sustainability of the Mark West Watershed.

This letter is to request that the Planning Commission Members adopt Hemp Ordinance language that includes standards to protect streamflow in the Mark West Creek Watershed to avoid takings of endangered salmon.

The Mark West Watershed is a crucial component of government efforts to restore Coho salmon populations in the Russian River watershed. Significant public funds have been expended for studies and restoration projects for the Mark West Watershed.

Mark West Creek has been identified as a high priority stream for preservation and restoration by numerous federal, state, and local agencies including:

- National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service
- California Department of Fish and Wildlife
- Wildlife Conservation Board
- State Water Resources Control Board
- Sonoma County Water Agency
- Sonoma Resource Conservation District

The Mark West Watershed is a significant area for conservation and protection because of its high water quality, extensive in-stream and riparian habitat, and endangered species.

A typical assessment of the current condition of the Mark West Watershed is reflected in the Wildlife Conservation Board's staff analysis contained in its Streamflow Enhancement Meeting Agenda (Item #7, Flow Availability Analysis for Mark West Creek Funding Request, March 9, 2017), which describes the challenges facing the watershed:

"The Mark West Creek watershed's streamflow impairment is the result of many factors, including the watershed's Mediterranean climate, increasing demand for water over time, hydrologic modification due to agricultural and rural development, and the effects of climate change and prolonged drought. These factors have resulted in insufficient summer baseflows, lack of high quality pool habitat, lack of winter refugia, and stream temperature which have been identified as limiting factors for steelhead trout (threatened) and Coho salmon (endangered) throughout the watershed."

Failure to prevent the impacts of hemp cultivation will further threaten the recovery of the watershed and will further exacerbate negative streamflow impacts.

Additionally, the area has been a high-priority region for conservation easements and public lands acquisition by both the Sonoma Land Trust (SLT) and Sonoma County Agricultural Preservation and Open Space District (SCAPOSD). These lands include the SCAPOSD's Cresta, McCullough, Rancho Mark West, and Saddle Mountain properties and the SLT's Nefertierra and Rock Fall Woods. The Mark West Watershed also contains portions of Bothe-Napa Valley State Park and Pepperwood Preserve. Furthermore, SCAPOSD has chosen Upper Mark West Creek for a proposed riparian easement pilot program, recognizing the largely intact riparian area as a high priority for both fish and wildlife and human needs.

In 2015, as a part of the Governor's Water Action Plan, the California Department of Fish and Wildlife and the State Water Resources Control Board identified Mark West Creek as one of five high priority stream systems statewide to support critical anadromous fish, based on detailed studies that the creek was deemed restorable.

The Upper Mark West Watershed was also selected as a keystone watershed for the Sonoma Resource Conservation District Russian River Creek Stewardship and Volunteer Monitoring Program in 1999. The watershed was selected by a multi-agency Technical Advisory Committee due to the significant aquatic resources and the relative interest, awareness and stewardship ethic shown by landowners and residents to restore and protect the watershed.

Please see the attached letter submitted on our behalf to the Board of Supervisors on August 6, 2018, which contains legal and scientific information that provides credible support for the decision to disallow any projects that could impact streamflows in the critically impaired Mark West Watershed. We ask that it also be included in the public comment record for the Hemp Ordinance.

The Friends of the Mark West Watershed believes that granting hemp operations the ability to simply apply for ministerial permits on an individual basis does not allow for their impacts to be included in an overall assessment of cumulative stressors on the watershed.

The California Environmental Quality Act (CEQA) requires that the County determine that its approval of this ordinance will not have a significant adverse impact on the environmental resources of the Mark West Watershed.

Any Negative Declaration presented as part of the ordinance must contain adequate baseline data, evaluation of the consequences of yet unknown hemp cultivation projects on the watershed's environmental resources, and proposals for mitigations capable of reducing those yet to be known impacts to a less than significant level.

There are no data and, in fact, have been no adequate surveys of archaeological sites, rare and endangered species, wildlife corridors, vegetative communities, springs and wetlands, and other characteristics, all of which are subject to substantial impact and that cannot be adequately evaluated on an individual, project by project basis.

Consideration of these impacts on a cumulative basis is essential and required by law. The County has in its 1978 Franz Valley Area Plan and its General Plan identified the Mark West Watershed as an area whose environmental resources are to be protected as mitigation for environmental impacts resulting from the development of and loss of such resources in other parts of Sonoma County. Without adequate evaluation of the cumulative environmental impacts resulting from the Ordinance on the environmental resources of the Mark West Watershed, these policy requirements cannot be fulfilled.

This is especially true of watershed hydrology. Merely having applicants provide a project site specific hydro-geologic report prepared by a qualified professional with supporting data and analysis certifying that the onsite groundwater supply is adequate to meet the proposed uses and cumulative projected land uses in the area on a sustained basis **is not sufficient to mitigate impacts.**

No such site specific report could possibly accomplish the mitigation asserted. There is no existing geologic mapping or subsurface data to determine the extent of influence on any individual well, let alone the cumulative impact of an unknown projected number of future hemp cultivation operations yet to be proposed and established in the watershed. This is simply not possible without first undertaking detailed geologic study and mapping of the area and conducting multiple year streamflow and groundwater level monitoring and constructing a hydrology model for the entire watershed.

Without such watershed hydrology work, it cannot be demonstrated that the Hemp Ordinance will not result in significant adverse effects on Mark West Creek and in particular to the Coho salmon and other endangered species that it now supports.

Including protections in the hemp ordinance for the entire Mark West Watershed is necessary to protect this sensitive area from damage before it is too late. Already this watershed is stressed due to the Tubbs fire, the Kincade fire, years of drought, and the explosive increase in illegal cannabis operations during the last few years. **At the very least, hemp cultivation should be restricted to Intensive Ag zoning (LIA), and prevented in the Extensive Ag (LEA), Diverse Ag (DA) and Resource and Rural Development (RRD) Zoning areas.**

Thank you for your time and attention to this matter. We appreciate your consideration of our point of view. The Friends of the Mark West Watershed has worked with federal, state and local agencies for many years to promote the protection and restoration of our watershed for future generations. Adoption of the hemp ordinance without protective measures in place threatens to reverse these critical efforts.

Sincerely,

Harriet Buckwalter FMWW Co-Chair hbuck@sonic.net

Penny Sinta

Penny Sirota FMWW Co-Chair

Cc: Sonoma County Board of Supervisors Sonoma County Agriculture Commissioner Sonoma County Agriculture Deputy Commissioner Permit Sonoma

Dear Tony,

In our earlier conversation, you stated that the Right to Farm Law prevents a neighbor from declaring a hemp farm a nuisance, eg from odor, traffic, etc. I was not aware of that ordinance when we spoke, but have since researched it as well as the real estate disclosure you referenced. The Sonoma County Right to Farm law only prevents an ag operation on ag land from being declared a nuisance if it was not a nuisance from the start. The disclosure must follow the ordinance. If hemp is grown on non-ag land, the Right to Farm law does not apply at all and it can be declared a nuisance at any time.

The odor issue cannot be ignored; it is very real and will create significant legitimate nuisance complaints if there are not large setbacks. Furthermore, it has been recently shown by scientists in Colorado that terpenes form ground level ozone, which causes significant harm to humans, animals and plants.

I urge you and the Planning Commissioners to only allow hemp cultivation on Ag land (LIA. LEA, DA), and to require minimum setbacks of at least 1000 ft to property lines of neighbors, schools, parks and other sensitive areas. Setbacks may need to be increased for down-wind properties. We have documented strong odors over 2000 ft down-wind from a 1 acre cannabis site, and a scientific consulting firm (Ortech) has documented odor at 3000 ft away.

Also please do not allow it in high fire-risk areas accessed my narrow or dead end roads (which violates local and state fire codes), or in water scarce zones 3 or 4. Our increasing vulnerability to wild fires necessitates these restrictions.

Thank you for your consideration, and I look forward to your reply.

Best regards, Deborah Eppstein 801-556-5004

From:	Deborah Eppstein
To:	Tony Linegar; Dick Fogg; larry@reedgilliland.com; Paula Cook; cameron@mauritsonfarms.com;
	JohnLowryCA@gmail.com
Cc:	Arielle Kohn
Subject:	Hemp Regulations
Date:	Saturday, November 9, 2019 3:17:37 PM

Dear Planning Commissioners and Agriculture Commissioner,

For Hemp Regulations Consideration:

 Right to Farm Law only applies on Ag land, and does not prevent nuisance odor complaints even if on Ag land if such existed from the start of operations. It does not pertain to non-Ag land.
 Only allow hemp cultivation on Ag land (DA, LEA, LIA); it is more water intensive than vineyards and should not be allowed in Class 3 or 4 water zones.

3. Require 1000 ft setbacks to neighbor's property line as well as parks, schools and preschools/childcare centers (ages 0-18). This is necessary due to VOCs (terpenes) that have been shown to produce ground-level ozone causing respiratory and cardiovascular harm in people and harm to the environment, in addition to the strong odor issues.

4. Do not allow hemp cultivation on shared one-lane or dead-end roads or in high fire-risk areas. 5. Ozone damages crops and people- we need to study and better understand effects on crops and people from ozone production from hemp fields before we enable widespread hemp cultivation. Suggest extending moratorium until the County has adequately studied this (County-Wide EIR). Perhaps could include it with the EIR on cannabis, since effects are identical, but with hemp effects will be magnified many fold due to higher quantities.

BACKGROUND:

Right to Farm: California and Sonoma County (ORD 5203) Right to Farm laws **do not protect Ag operations from being declared a nuisance** <u>if they were a nuisance when they started</u>. All hemp farm operations will be new ag operations as hemp only became legal in 2019. Thus if odor and/or ozone are a nuisance, even if on ag land, neighbors can file complaints and the County must uphold its laws concerning no public nuisance or adverse health effects. Hopefully this can be minimized with thoughtful regulations. ORD 5203 <u>only covers agriculture products grown on agriculture land</u>. Limiting hemp to ag land, but with 1000 ft setbacks from neighbors and sensitive areas (eg, schools, preschools/childcare centers, parks) hopefully should minimize local odor and ozone issues and frequent complaints to the county, as even if on ag land, nuisance complaints can be filed if it was there from the start of the operation (hence the need for setbacks). Hemp fields greater than 1 acre and prevailing winds need to be taken into account and may necessitate greater setbacks.

Water: Hemp has the same high water requirements as cannabis (more than vineyards); it will have disastrous effects in water zones 3 and 4, especially with fields of one acre or larger.

Ozone: Very importantly, recent scientific studies have shown that the VOCs (terpenes) produced by cannabis result in substantial ground-level ozone production, which causes respiratory and cardiovascular damage to humans as well as environmental damage. Many of the ill health effects experienced by residents near cannabis grows are identical to those caused by ozone- stinging eyes and throat, chest pain, coughing- it also causes cardiovascular harm and environmental damage. This will also occur with hemp, and will be even worse for larger hemp fields. More information on ozone production caused by terpenes was sent to you in an Oct 8 email.

Ground-level ozone harms people and plants

https://www3.epa.gov/region1/airquality/oz_prob.html

High concentrations of ozone near ground level can be harmful to people, animals, crops, and other materials. Ozone can irritate your respiratory system, causing you to start coughing, feel an irritation in your throat and/or experience an uncomfortable sensation in your chest. Ozone can aggravate asthma, and can inflame and damage cells that line your lungs. Ozone may also aggravate chronic lung diseases such as emphysema and bronchitis and reduce the immune system's ability to fight off bacterial infections in the respiratory system. Lastly, ozone may cause permanent lung damage. These effects can be worse in children and exercising adults.

Effects on crops:

https://www.ars.usda.gov/southeast-area/raleigh-nc/plant-science-research/docs/climate-changeair-quality-laboratory/ozone-effects-on-plants/

Odor: Hemp has the same odor-causing terpenes (Volatile Organic Compounds, VOCs) as cannabis, with a strong skunk odor that travels over 1000 ft (much more if down wind). Independent outside scientific analysis by Ortech has shown that to prevent nuisance from (cannabis) terpenes, outdoor cultivation setbacks need to be over 3000 ft, using real-life measurements of distance traveled by odor-causing terpenes. It has also been documented using quantitative analysis that <u>trees don't mitigate terpene odor; the only mitigation for the odor is distance</u>. This agrees with real-life experience in Sonoma County.

Market: Growing female hemp plants allows for processing and sale of CBD, a non-psychoactive cannabinoid. Currently CBD from hemp sells for about 1/2 of what its THC-containing sibling cannabis does, and prices of hemp are predicted to continue falling as its production becomes more widespread in states where farmland is cheap. As prices drop, Sonoma County will likely become non-economical for hemp production. Hemp has been used for structural buildings ('hempcrete'); however the selling price for this application (bulk fiber, not buds) will be orders of magnitude less than for CBD and not economical for Sonoma County.

Issues for Sonoma County:

Sonoma County needs to implement appropriate regulations on hemp cultivation that both protect agriculture on ag land as well as protect rights of residents in our county. Sonoma County's <u>Right to Farm</u> <u>Ordinance only applies to ag land</u>; it stipulates that if an <u>agricultural operation on agricultural land</u> was not a nuisance when it began, it cannot be called a nuisance under county codes. State law stipulates that declaration of such nuisance can be done in the first 3 years after it began as a nuisance. If the hemp is not grown on ag land, neighbors can declare it a nuisance at any time. The real estate disclosure that references our Right to Farm Ordinance cannot legally go against that ordinance or state law.

Important points include:

1) If there are not sufficient setbacks required from a neighbor's property, it is very likely that a neighbor could declare hemp a nuisance when it starts, even if it were on ag land. We know this is occurring with cannabis odor with much smaller growing areas than could occur for hemp. Such odor nuisance complaints occurring from the start can be filed up to year years after the start of the operation.

2) If hemp cultivation is allowed in areas other than ag land (DA, LEA, and LIA), then Right to Farm does not apply at all and there is no restriction on a neighbor objecting to the odor (or other issues).

3) Much of RRD is in water-scarce zones and areas of extreme fire risk with poor road access that does not meet fire-safe access road requirements. Hemp has the same very high water requirements as does cannabis, and the same issues (but magnified for larger grows) concerning growing in remote fire-prone areas with narrow, winding and often dead-end road access.

4) Schools, preschools, day care centers and the like need to be protected from hemp odors.

5) Unscrupulous farmers can easily hide cannabis plants (which look identical) within a larger field of hemp, thereby avoiding all of Sonoma County's cannabis regulations.

Suggestions:

1. Only allow hemp cultivation on conforming ag zoned land (DA, LEA, LIA); do not allow on RR, AR or RRD. For <u>ag land adjacent to non-ag land</u> (which has been very problematic with cannabis) further restrictions need to be applied to protect neighboring residents; eg limit cultivation to 1 acre, and evaluate prevailing winds to determine if greater than 1000 ft setbacks are needed.

Require minimum setbacks of 1000 ft from outdoor or mixed-light hemp cultivation to neighboring property line, schools (including all schools and care centers all age 0-18), and parks. Require setbacks of 600 ft from indoor cultivation, and require fully contained air handling/charcoal or better filtering systems).
 Do not allow RRD due to high fire risk, poor access roads and water scarcity. However, if this is to be considered, then require a conditional use permit, with restrictions including not in water zones 3 and 4, not in high fire-risk areas, and not if accessed by one-way or dead-end roads.

4. Complete County-wide EIR before finalizing the hemp regulations.

The county cannot afford to waste budget fighting setback issues and nuisance complaints, with the inevitable lawsuits. We know a lot more than before we started with cannabis; let's get this one correct from the get-go.

There is already 8X more CBD (from hemp) being produced in the US that the market wants, so prices will keep falling, making it ultimately uneconomical in Sonoma County. From the article below: "The US can only reasonably consume 22.5M lbs of 10% CBD Hemp in a year, and we're currently growing closer to 180M. That's 8X what we need which is leading to a massive price crash."

https://finance.yahoo.com/news/america-growing-8x-amount-cbd-200809777.html

Use of hemp in building is indeed interesting, but the price for that would be orders of magnitude less than for CBD, not sustainable in Sonoma County.

Although we still need sufficient setbacks for hemp cultivation from neighbor's property to prevent odor nuisance, in light of that hemp is not likely here to stay in Sonoma County, we cannot let hemp VOC issues (odor/ozone) derail the VOC (odor/ozone) issues of cannabis, which is here to stay.

The following article on problems caused by odors in schools from hemp fields in Oregon is very relevant.

The scent of even a few rows of plants can travel far, and Oak Grove is within a quarter-mile of at least two industrial hemp grows."

http://mailtribune.com/news/top-stories/school-sours-on-stench-of-hemp

Thanks for carefully studying these very significant issues. I look forward to your thoughts.

Best regards, Deborah Eppstein 801-556-5004

From Sonoma County Right to Farm Ordinance 5203. (underline added)

Sec. 30-22. Relationship to other laws. This article is not intended to, and shall not be construed or given effect in a manner that modifies or abridges federal law or regulation, or state law as set out in the Civil <u>Code</u>, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, Division 7 of the Water Code, or any other applicable provision of state law relative to nuisances;

Sec 30-25. Nuisance-agrcultural operations. No agricultural operation conducted or maintained <u>on</u> <u>agricultural land</u> in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the county, shall be or become a nuisance for purposes

of this code or county regulations <u>if it was not a nuisance when it began</u>, provided that such operation complies with the requirements of all applicable federal, state, and county statutes, ordinances, rules, regulations, approvals, and permits. The provisions of this section shall not apply where a nuisance results from the negligent or improper management or operation of an agricultural operation.

Hello Mr Linegar. First I want to apologize for the terrible way my previous letter (Oct.24) reguarding setbacks got jumbled in the sending- not sure what happened. Very hard to read-hopefully you persevered.

Wanted to forward this as an example of what will very likely to happen here just say it's hemp. Even more reason to protect the public from unscrupulous players.

Sent from my iPad<u>https://www.bakersfield.com/news/kcso-hemp-fields-in-arvin-determined-to-be-billion-worth/article_1a2cb128-fc43-11e9-b235-f71d5415b7e0.html?utm_medium=social&utm_source=email&utm_campaign=user-share</u>

Thank you Bridget Beytagh

From:	Harriet Buckwalter - FMWW
То:	<u>Tony Linegar; Andrew Smith; larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com;</u> johnlowryCA@gmail.com; sonomafogg@aol.com; Amy Lyle; Susan Gorin; district4
Cc:	Raymond Krauss; RICHARD BAKER
Subject:	Fwd: STAFF REPORT FOR THE HEMP ORDINANCE
Date:	Friday, November 8, 2019 12:16:30 PM
Attachments:	image001.png

Hello Tony and Andrew,

The email below was forwarded to me and I thought it would be good to clarify with you that although Laura Waldbaum has environmental concerns and is a resident of our watershed, she is not a member of FMWW and does not represent the viewpoints of our membership. She has also not been in contact with any of us about what has been happening in the informal hemp advisory group, nor have we provided her with any input from our membership regarding the hemp ordinance.

FMWW does plan to submit a comment letter and supporting documents, although we have not seen a draft of anything, nor have we been a part of any discussions. We would welcome an opportunity to meet with you and discuss our concerns in person.

Best regards,

Harriet

Harriet Buckwalter

Co-Chair, Friends of the Mark West Watershed Upper Mark West Watershed Fire Safe Council 6985 Saint Helena Road Santa Rosa, CA 95404 <u>hbuck@sonic.net</u> (707) 538-5307 markwestwatershed.org

From: Nancy and Brantly Richardson <nrchrdsn@sonic.net>
Date: November 8, 2019 at 10:59:59 AM PST
To: tony.linegar@sonoma-county.org, SonomaAg@sonoma-county.org
Cc: larry@reedgilliland.com, pcook@ch-sc.org, cameron@mauritsonfarms.com,
johnlowryCA@gmail.com, sonomafogg@aol.com, Amy Lyle <Amy.Lyle@sonomacounty.org>
Subject: STAFF REPORT FOR THE HEMP ORDINANCE
Reply-To: <nrchrdsn@sonic.net>

Hello, again, Mr. Linegar,

The Neighborhood Groups share your goal of supporting our local farmers and giving them the opportunity to diversify by growing hemp. We certainly all want to avoid controversy and public blowback if a flawed hemp ordinance is quickly passed without purposeful deliberations.

With all due respect it is not the public's duty to do any GIS or spatial analysis to determine what parcels are eligible for cultivation. Clearly a professional planner at Permit Sonoma should do such a study and it should be included in the staff report they make to the Planning Commissioners. I would think the Commissioners would like to know how many parcels would be eligible in every zoning category under the various options. Will this information be included at the meeting?

Yes, Laura Waldbaum, an environmentalist, sat on the informal hemp advisory group and we understand that she promoted our point of view, but she was always very circumspect and never revealed the discussions and/or the final options. We are very worried about overdraft of water and enhanced fire dangers if agricultural development occurs in inappropriate areas. To this date, these options and your recommendations have not been made public and we are in the dark. Perhaps, when we see your options and recommendations, we will be very satisfied and support them.

Thank you including our options in your document.

Brantly Richardson

From: Tony Linegar <Tony.Linegar@sonoma-county.org> Sent: Friday, November 8, 2019 9:29 AM To: 'nrchrdsn@sonic.net' <nrchrdsn@sonic.net> Subject: RE: HEMP OPTIONS SUBMITTED FROM THE PUBLIC

Mr. & Mrs. Richardson,

Thank you for submitting your recommendation for the hemp ordinance. I have been the sole author with the assistance of my staff. In addition, I convened an informal hemp advisory group to help develop the proposal. Laura Waldbaum was a member of that group and repeatedly assured me that she was in communication with the neighborhood groups through our process. Your recommendation on its face appears to be a long worded prohibition. Have you done any GIS or spatial analysis to determine if there are actually any eligible parcels left after applying these restrictions? I can assure you that a complete prohibition will be one of the options for the Planning Commission's consideration. As the Agricultural Commissioner, it is my job to promote agriculture, therefore I am not able to support a prohibition of this legal agricultural crop, thereby depriving our farmers of this opportunity to diversify agriculture in Sonoma County. Your recommendation however is duly noted.

Tony Linegar

Agricultural Commissioner/Sealer

County of Sonoma

Phone (707) 565-2371



From:	Nancy and Brantly Richardson
To:	Tony Linegar; SONOMAAG
Cc:	<u>larry@reedgilliland.com; pcook@ch-sc.org; cameron@mauritsonfarms.com; johnlowryCA@gmail.com; sonomafogg@aol.com; Amy Lyle</u>
Subject:	STAFF REPORT FOR THE HEMP ORDINANCE
Date:	Friday, November 8, 2019 10:59:58 AM
Attachments:	image001.png

Hello, again, Mr. Linegar,

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With all due respect it is not the public's duty to do any GIS or spatial analysis to determine what parcels are eligible for cultivation. Clearly a professional planner at Permit Sonoma should do such a study and it should be included in the staff report they make to the Planning Commissioners. I would think the Commissioners would like to know how many parcels would be eligible in every zoning category under the various options. Will this information be included at the meeting?

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Thank you including our options in your document. Brantly Richardson

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Sent: Friday, November 8, 2019 9:29 AM
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Tony Linegar Agricultural Commissioner/Sealer County of Sonoma Phone (707) 565-2371



Now that the new hemp suggested guidelines have been published by the county, I hope that you will consider the impacts that its cultivation will have on the neighborhoods. Below are my suggestions.

I **support** hemp cultivation in the agricultural zones, LIA, LEA, DA, providing the parcel is 10 acres in size and **IF** there are 1,000-foot setbacks to the property line of sensitive spots (parks, schools – including pre-schools- and neighboring residences).

I **do not support** cultivation in residential zones (RR and AR) which are both designated as **primarily residential** in the General Plan or in RRD which is to be preserved for its resources.

I do not support hemp cultivation in the five impaired watersheds regardless of the zoning.

I **do not support** hemp cultivation in any areas of high fire severity zones regardless of zoning particularly if it means the stringing new lines or adding more electricity by whatever means...new transformers, heavier wires, more wires to meet increased electricity demand for processing, water production, housing etc.

Best,

Rachel Zierdt

Mr. Linegar, this email is for you rather than Ms. Lyle since you are the author of the Hemp Ordinance and the lead agency is the Dept of Agriculture, Weights and Measures. Is there anyone else to whom we should submit our input or are you the sole author? B.R.

From: Amy Lyle <Amy.Lyle@sonoma-county.org>
Sent: Thursday, November 7, 2019 2:29 PM
To: 'nrchrdsn@sonic.net' <nrchrdsn@sonic.net>
Cc: Tony Linegar <Tony.Linegar@sonoma-county.org>
Subject: RE: HEMP OPTIONS SUBMITTED FROM THE PUBLIC

Thanks Brantly, the lead agency and author of this ordinance is the Dept of Agriculture, Weights & Measures. Please make sure your group are sending comments to Tony Linegar (cc'd above). I'll forward along what I receive. Thanks, Amy

Amy Lyle

Supervising Planner Comprehensive Planning <u>www.PermitSonoma.org</u> County of Sonoma 2550 Ventura Avenue, Santa Rosa, CA 95403 Direct: 707-565-7389 | Office: 707-565-1900

From: Nancy and Brantly Richardson [mailto:nrchrdsn@sonic.net]
Sent: Thursday, November 07, 2019 10:09 AM
To: Amy Lyle <<u>Amy.Lyle@sonoma-county.org</u>>
Cc: larry@reedgilliland.com; pcook@ch-sc.org; johnlowryCA@gmail.com;
cameron@mauritsonfarms.com; sonomafogg@aol.com; Tony Linegar <<u>Tony.Linegar@sonoma-county.org</u>>
Subject: HEMP OPTIONS SUBMITTED FROM THE PUBLIC

EXTERNAL

Good morning, Ms. Lyle,

Since the public was not invited to sit at the table when Mr. Linegar, the Ag Commissioner,

asked for input regarding the options for the cultivation of hemp in Sonoma County, we submit the following options. The public has not yet had a peek at the options and the turnaround time on this issue is very short and at a busy time of year with the Thanksgiving holidays and heavy vacation plans of many. We hope these options are already in the Ag Commissioner's document but if they are not, we respectfully submit they be included for the Planning Commissioners' deliberations.

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Brantly Richardson (for various groups and individuals available on request)

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From:Amy LyleTo:Tony Linegar; Andrew Smith; Sita KuteiraSubject:FW: Hemp cultivationDate:Thursday, November 7, 2019 2:25:36 PM

FYI

Amy Lyle

Supervising Planner Comprehensive Planning <u>www.PermitSonoma.org</u> County of Sonoma 2550 Ventura Avenue, Santa Rosa, CA 95403 Direct: 707-565-7389 | Office: 707-565-1900

From: Rachel Zierdt [mailto:rzierdt@gmail.com]Sent: Thursday, November 07, 2019 1:10 PMTo: Amy Lyle <Amy.Lyle@sonoma-county.org>Subject: Hemp cultivation

EXTERNAL

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Rachel Zierdt

From:Amy LyleTo:Tony Linegar; Andrew Smith; Sita Kuteira; Scott OrrSubject:FW: HEMP OPTIONS SUBMITTED FROM THE PUBLICDate:Thursday, November 7, 2019 10:12:01 AM

FYI

Amy Lyle

Supervising Planner Comprehensive Planning <u>www.PermitSonoma.org</u> County of Sonoma 2550 Ventura Avenue, Santa Rosa, CA 95403 Direct: 707-565-7389 | Office: 707-565-1900

From: Nancy and Brantly Richardson [mailto:nrchrdsn@sonic.net]
Sent: Thursday, November 07, 2019 10:09 AM
To: Amy Lyle <Amy.Lyle@sonoma-county.org>
Cc: larry@reedgilliland.com; pcook@ch-sc.org; johnlowryCA@gmail.com; cameron@mauritsonfarms.com; sonomafogg@aol.com; Tony Linegar <Tony.Linegar@sonoma-county.org>
Subject: HEMP OPTIONS SUBMITTED FROM THE PUBLIC

EXTERNAL

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Brantly Richardson (for various groups and individuals available on request)

Dear Tony and Andrew,

Good morning! Can you please send me your draft proposals on hemp regulations for the PC meeting on Nov 7? This article points out some of the challenges- I cannot see how one can effectively prevent hemp fields from sheltering cannabis- the growers could have a grid that would be impossible to monitor without testing every plant.

I look forward to your proposals.

Thanks, Deborah Eppstein

https://www.bakersfield.com/news/kcso-hemp-fields-in-arvin-determined-to-be-billion-worth/article_1a2cb128-fc43-11e9-b235-f71d5415b7e0.html?utm_medium=social&utm_source=email&utm_campaign=user-share

Deborah Eppstein Sent from my iPhone

Dear Tony and Andrew,

Hope you are safely back in your homes and with power!

Here is another relevant article on the falling price of hemp, down ~50% since April.

When will you be issuing your proposals for hemp guidelines for the Planning Commission meeting scheduled for Nov 7? On that note, I was staying with friends in Penngrove during the evacuation, and there were areas with an ambient smell of cannabis in the air. I can only imagine the level of ambient odor if outdoor hemp cultivation becomes widespread.

Thanks,

Deborah Eppstein 801-556-5004

https://www.hempbenchmarks.com/wp-content/uploads/2019/10/hemp-henchmarks-spot-priceindex-report-october-2019.pdf

U.S. Price Commentary

Feedback from our price contributor network paints a picture of many market participants scrambling in the wake of the harvest, which was in some cases carried out hurriedly or under duress due to inclement weather conditions. Numerous farmers with whom Hemp Benchmarks have spoken have not found buyers for their biomass. Such market conditions are reflected in the significant downturns in prices for CBD Hemp Biomass observed this month; assessed prices for every volume bracket declined month-over-month by between 23% and 33%.

At the processing level, an operator in Colorado stated that they have more biomass on hand than they can process currently and are seeing offers for such material as low as \$0.90 / %CBD / pound. Another Colorado processor reported that they are fielding many calls from farmers trying to move their produce, but they are not purchasing biomass at this time. The second processor said that material that

is at least 10% CBD appears scarce; he expects to see the average CBD potency for biomass harvested this year decline overall compared to last year. He also stated that he is seeing a lot of seedy biomass.

As we expand upon in more detail below, bad genetics, poor weather conditions, and lack of drying infrastructure in many major hemp-producing states have not only impacted yield, but in some cases the quality of successfully harvested biomass has been compromised in various ways.





Dear Mr Linegar, I am writing to ask that the County use setbacks as a way of ensuring neighborhood compatibility in the cultivation of hemp. Although hemp is terrific plant it comes

with a well known downside - a strong odor while flowering. I understand that the County needs to use zoning as a means of deciding where cultivation may take place

but there are many parts of the county where the zoning does not solve the problem of neighbors being adversely affected by the strong odor. We have seen the problems

caused by the Cannabis ordinance not having addressed this issue - belatedly acknowledged by the BOS, and being rethought. Having 100s of acres under cultivation

is very different than smaller cannabis grows - way more odor. Right to farm laws are being questioned in many states (even Iowa!) and Merced and San Joaquin counties

have enacted setbacks. My guess is that they are more rural and have fewer schools, parks, trails and residences than Sonoma County.

Now that we know that odor can be measured I would hope that the County use all the available science and look to what other places have done successfully (Colorado, Canada)

to ensure that there are no negative affects on people in schools, parks and homes. It's unfortunate that it blooms from Aug- Sept. - a time when we have open windows, ride bikes, walk etc.

I understand that the recommended distance is 1000 meters, whereas for Cannabis the County only asks for 1000 ft from schools and parks, and a tiny 300 ft from residential property lines.

The County has said that the latter was based on the rule used for winery events and noise - I think it's safe to say that no science was used and no odor was measured. My fence (DA) is

about 6ft from a neighbor with a 3 and 5 year old, about 40 ft from a 90 year old and about 15 ft from another house- surely I shouldn't be allowed to plant hemp that close to anyone.

There is also the problem of having setbacks for cannabis but not for hemp -the exact same plant. Unless they are treated the same in terms of odor I imagine there will be lawsuits-

either from the Cannabis Industry (clearly against any setbacks) or the public having negative affects from too close a proximity. The County should definitely err on the side of caution.

Another problem- does the County have the manpower to ensure that all the hemp being grown is that - not cannabis? As it's visually impossible to tell and a lot of money is involved in permits

and profits it would be very tempting to bypass the whole process and just say it's hemp. Setbacks would give a little protection from the bad players.

I'm sorry this is so long but it's important that the County gets it right from the start. FYI I'm pro hemp and cannabis (use everyday) but bad land use decisions affect us all- and cost the County money.

Thank you

Bridget Beytagh Graton

https://apple.news/AS4pD32q1TGWj4E7n5OkSpw
EXTERNAL

https://hemptoday.net/cbdoversupply-usa/

Massive oversupply means a violent crash is on the way for CBD

September 25, 2019

A massive oversupply in the CBD markets can only lead to a violent crash by the end of the year, observers in both the USA and Europe say. With estimates that the U.S. is currently growing eight times more CBD hemp than can reasonably be consumed in the domestic market, there are clearly rough waters ahead.

"With many businesses and farms still just expanding into the industry, the boom in growth is leading to a massive price crash in all forms of the product," said Chase Nobles, Co-CEO at <u>Kush.com</u>, an online cannabis marketplace. "Derivative prices continue to drop while many farms are still holding strong on price, which will likely make the crash swift when it happens."

Conservatively calculating that the U.S. will produce 180 million lbs. of biomass that would yield 4.7M kg of isolate this year, Kush estimated that supply would be eight times current market demand.

Kush reported an average price per percentage point of \$3.94 on 10% raw CBD material in July, and Nobles said it expects a further decline to below \$2.30 for early harvests, with potential to get much worse starting in October.

Discounts on volume deals

Biomass prices continued a downward slide in August, with discounts on larger volume deals declining by at least 9.1% from July's price assessments, according to HempBenchmarks.com, which tracks hemp commodities. Observing in its August report "significantly larger discounts this month for bigger volume sizes," HempBenchmarks said lower biomass prices ahead of the 2019 harvest are due to producers looking to get rid of old plant material, much of which is of lower quality, with CBD potency having degraded over the course of the past year.

Europe hit hard

European stakeholders, meanwhile, say the U.S. oversupply situation has hit them hard; the USA had been a major destination for European CBD producers. At mid-August prices reported in Europe were half what they were a year ago.

"We're having to adjust prices monthly because there is so much isolate out there," one major European player said. "We have no idea where the pricing will bottom out."

Boom-bust cycle

Kush.com's Noble said he's seen the crash phenomenon play out on a smaller scale when marijuana was legalized in the U.S. states of Oregon and Washington. Sudden legalization leads to an immediate increase of demand but supply is limited so prices skyrocket, Noble noted.

Farms then raise capital and increase production based on inflated prices. Due to the seasonality of farming, however, no one farm knows how much the other farms are producing, and everyone increases production at the same time, Noble said. When the harvest occurs, the prices crash. Unable to return a profit, local farms are often forced out of business, he added.

"Farms that go out of business are typically bought by a naive purchaser, who repeats the same mistakes of overproduction without building downstream demand or growing under contract," Noble noted.

Sent from my iPad

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