



**Report Prepared for the Sonoma County Cannabis Program
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March 16, 2021**

Town Hall #1: March 8, 2021, 2:00-3:30 pm; 115 participants, 276 comments/questions
Town Hall #2: March 8, 2021, 5:00-6:30 pm; 63 participants; 334 comments/questions
Town Hall #3: March 12, 9-10: 30 am; 115 participants; 536 comments/questions
Town Hall #4: March 12, 12:00-1:30 pm; 142 participants; 462 comments/questions

**Summary Report of Public Comment:
*Proposed Policy Changes on Permitting for Commercial Cannabis Cultivation
in Agricultural and Resource Zoned Areas***

The Sonoma County Cannabis Program hosted four 90-minute Zoom webinars on March 8 and 12, 2021, facilitated by Sonoma-based consultants Dr. B.J. Bischoff and Sarah Stierch of Bischoff Consulting, to obtain public input regarding expanded ministerial permitting for commercial cannabis cultivation in agricultural and resource zoned areas. During each 90-minute session, consultants presented an overview of the proposed changes from each of the 15 sections of the newly proposed Section 38 of the Sonoma County Code. Consultants presented an overview of the seven sections with minimal proposed changes, the three sections with moderate proposed changes, and the five sections with substantial proposed changes. The consultants then requested participant feedback through an open forum in which participants typed their opinions, comments, and questions into the Q&A feature of Zoom.

After participants heard the seven sections with minimal proposed changes, they were asked to provide their feedback. Then, after hearing the three sections with moderate proposed changes, they were asked to provide their feedback. Then, after hearing each one of the five sections with substantial proposed changes, they were asked to provide specific feedback on that one section of proposed changes. The town halls yielded a total of 435 participants and 1,608 comments/questions. This report contains a summary of participant comments and questions.

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1. Parcel requirements

A. Comments

- i. Increasing the minimum to 20 acres provides a reasonable chance for a grower to set up operations on their parcel, ensuring minimal impact on neighbors.
- ii. Ridge top protection clause should be eliminated. Manage it using the same language as other agriculture for consistency.
- iii. We request that Industrial zoned cultivation, which remains in Chapter 26, be better aligned with cultivation allowances in Chapter 38 (specifically square footage and ownership limits).
- iv. Please respect the intersection of RR and DA parcels.
- v. I would like to see RR and AR added back, as a right to farm in Sonoma County. (Small farming is essential in our agricultural county.) *(Multiple participants made or supported this comment)*
- vi. Please consider eliminating setback requirements on internal parcel lines on contiguous parcels under the same ownership. This provision is provided for in other jurisdictions, including Lake County. This action would allow for the aggregation of cultivation operations and would serve to protect County resources, reduce the overall footprint of operations, and reduce the burden on cultivators with operations on contiguous parcels. *(Multiple participants made or supported this comment)*
- vii. 10-acre parcels is twice the size of what was previously allowed. We should reduce the lot size back to 5 acres. *(Multiple participants made or supported this comment)*
- viii. 10 acres may be adequate if there are no homes surrounding it. Sonoma County is full of many non-conforming DA zoned parcels adjacent to AR and RR and in this case, 10 acres is not adequate.
- ix. 10 acres is too big.
- x. No change to parcel size is outrageous. The toxic air quality, heavy water use of cannabis, security issues that surround cannabis grows in rural neighborhoods does not address neighborhood compatibility.
- xi. Land zoning in the county for specific uses seems to be very clear. Why does it seem like extra consideration of land use rights is being given to RRD and RR zoned property owners land rights who border Ag zoned properties over their neighbor's Ag zoned property "right to farm"? This ordinance takes good steps but still seems to give more rights to the non-Ag zoned property owners' rights over the farmer's land use rights. *(Multiple participants supported this comment)*
- xii. Mendocino and Humboldt County are relaxing cannabis cultivation ordinances and allowing up to 10% of total parcel size. Is this something Sonoma County will consider? Sonoma County cultivators need to be able to compete in the market.
- xiii. 20-acre minimum is more appropriate for setbacks - there are nearly 5,000 twenty plus acre parcels in Ag and resource zones.
- xiv. Can we add eligibility to parcels in rural and residential zoning that are over 10 acres? There are existing legacy farmers in this zoning that will not be able to cultivate cannabis.
- xv. As a landowner in Sonoma County, clustering would allow for consolidation of operations within the county. It will also reduce fuel and travel expenses.

- xvi. Multi-tenant properties should continue to require separate permits per tenant to prevent those that violate permitting requirement from affecting other tenants.
- xvii. Commercial cannabis cultivation does not belong in neighborhoods, regardless of the zoning. It should be relegated to areas of the county where it does not jeopardize the health, welfare, and safety of residents and where it can be properly monitored, regulated and contained by the County.
- xviii. A solution to setback issues for odor and noise is to make the minimum parcel size 20 acres. There are still 4,971 parcels of 20 plus acres in LIA, LEA, RRD and DA zones.
- xix. Minimum parcel size should be that which was recommended by the Planning Commission in 2016 (5 acres) and should be extended to RR and AR for cottage grows, also recommended by county staff and the Planning Commission. *(Multiple participants supported this comment)*
- xx. Create opportunities for cottage growers on all rural zoning types. *(Multiple participants supported this comment)*
- xxi. I agree that micro businesses should be allowed in ag and RRD.
- xxii. Appellations development on small parcels in all rural zoning classifications is what will allow our county to compete worldwide.
- xxiii. Clustering is the only thing that I see that needs to be added. It's logical for everyone.
- xxiv. The county should provide incentives to local farmers to add cannabis cultivation over their land. There are great examples of one acre farms immersed within vineyards that you would never know are there.

B. Questions

- i. Will the Williamson Act (California Land Conservation Act) change on an LEA grow size?
- ii. Please define "resource zone area."
- iii. Please define and clarify what is considered a "ridge top." *(Asked by multiple participants)*
- iv. West County neighborhoods are intermingled with rural residential and agricultural parcels. In our neighborhood we have 16 lots. Four of those are above 10 acres. If all four of these lots farm cannabis, our neighborhood would become unlivable. Would you consider raising the lot size to 15 or 20 acres?
- v. What about light industrial zones?
- vi. Can a commercial enterprise take place in a residential neighborhood?
- vii. Has the County defined a process for permittees who are on less than 10 acres, but were grandfathered in as existing operators?
- viii. What is the maximum footprint for outdoor grows? Is it the same as winery buildings on parcel size?
- ix. Can legacy farmers that are zoned RR be exempt for "Right to farm"? *(Asked by multiple participants)*
- x. Can agricultural zoned parcels owned by the same property owner be co-allocated when considering the 10% maximum acreage? i.e., can a person who owns multiple ag zone parcels co-allocate the parcels for the cannabis ag permitting considerations instead of treating each individually? *(Asked by multiple participants)*
- xi. Can we make zoning exceptions for legacy farms that have been recently affected by the fires? *(Asked or supported by multiple participants)*

- xii. Has the county calculated how many parcels would actually be eligible for Chapter 38 permits once all of the farmland protection, cultural resources, water use, and other requirements are taken into account? *(Asked or supported by multiple participants)*
- xiii. Show us an example of ridge protection.
- xiv. Why is the county not allowing clustering on Ag zoned parcels? This seems like it would address so many concerns in terms of being able to better collectively locate farms for economic sustainability, better security, and less use of land over all in the county. *(Asked or supported by multiple participants)*
- xv. If the lot size is not changing, why is the county currently permitting cannabis operations on lots less than 10 acres?
- xvi. In our neighborhood, there are a small handful of DAs surrounded by numerous RR (small parcels and houses). To protect the air quality and safety conditions of these smaller lots (and property values), shouldn't there be a minimal concentration of DAs required for this to apply?
- xvii. Will clustering be allowed like in Mendocino county and other parts of the state?

2. Biotic resources

A. Comments

- i. Under a ministerial process, cannabis grows will not align with State environmental standards, which are designed to protect waterways, wetlands and species.
- ii. We have already lost forest, wetlands and riparian habitat due to ministerial permitting of vineyards. Ministerial permitting of cannabis will result in loss of more of the same. We cannot afford to lose more than we already have.
- iii. Any Biotic Resource Assessment should be done by a Sonoma County approved Biologist - one familiar with the region and not by any "Qualified" Biologist.
- iv. This ordinance puts protections in place for the environment thus far not seen.
- v. I am worried about protecting our creeks and rivers, and the wildlife--even organic chemicals can kill wildlife. Ongoing CEQA oversight is critical.

B. Questions

- i. Will changing cannabis from a product to a crop mean that 50% of the sensitive biotic habitat zoning, riparian and wetland setbacks can now be encroached on by cannabis projects? For instance, many agricultural activities are allowed in these areas that would be disallowed for other non-ag categories of use. Sec. 26-65-040. - Allowed land uses, activities and permit requirements. Section H appears to show that each category of setback would be reduced by half. Is there a study of the cumulative impacts of more than doubling the potential encroachments on these sensitive uses?
- ii. Please explain what animal species are supposed to be protected in your biotic requirements.

3. Timberland and farmland protection

A. Comments

- i. Young native trees, specifically oak species, need to be protected. There is very little regeneration currently and we need to see more to protect watersheds, native habitat, biodiversity and ecosystem health.
- ii. Eliminate the tree language in the cannabis ordinance and reference the larger tree policy that is currently being created.
- iii. There should be no 1:1 offset for cannabis. Please align with other agricultural crops.
- iv. The licenses per acreage should be changed to a property basis. If someone has 100 acres to support 10 acres, it should be applicable to license under one name.
- v. Regarding the language around forests in 2016, please allow an exception for areas deforested via wildfires. These areas no longer have living trees on them and should not be disqualified. *(Multiple participants supported this comment)*

B. Questions

- i. Are you considering impact on rural character?
- ii. How will the County address impervious surface and visual impacts?
- iii. How can forest conversions be halted if the forest is young? How can we be sure to protect oak forests that include grasslands, previously grazed but not cultivated?
- iv. Why trees of a certain diameter? Young trees grow into larger diameter trees.

4. Grading and sloping

A. Comments

- i. Large hoop houses should not be allowed on ridge lines. They destroy scenic corridors.
- ii. Slope planting limitations should be eliminated and managed using the same language as other agricultural crops.
- iii. 50% grades are VERY STEEP--on a 49% grade, erosion would be huge problem.

B. Questions

- i. What are you doing to screen huge hoop houses on ridge lines?
- ii. Why is the slope noted at 50%? That is extreme. 50' from top will still be very visible.

5. Air quality and odor

A. Comments

- i. Odor control for outdoor cultivation makes no sense. *(Multiple participants made or supported this comment)*
- ii. I smell cow manure all the time in Sonoma County, are we really going to set odor limits on cannabis? *(Multiple participants made or supported this comment)*
- iii. Cannabis odor is pervasive, offensive, wafts great distances in wind, etc. *(Made by multiple participants in various ways)*
- iv. I believe the draft language about odor is absolutely appropriate as it is currently written.

- v. Sonoma County General Plan states that all residents in agricultural areas shall recognize that the primary use of the land may create agricultural "nuisance" situations such as flies, noise, odors, and spraying chemicals.
- vi. The already existing setbacks established address odor mitigation. Additionally, the County's environmental consultants seem to address odor in the Mitigated Negative Declaration that they prepared in association with cannabis cultivation and this draft ordinance.
- vii. Please remove the requirement of carbon/air filters for indoor, greenhouse and nurseries on ag and resource properties. These smells are already mitigated by large parcel sizes. Also, many if not all of these properties will be eligible for outdoor growing making the filters a moot point. They are expensive and a waste of carbon and energy resources. *(Multiple participants made or supported this comment)*
- viii. Hemp is now allowed and also smells the same as cannabis, because they are essentially the exact same plant. *(Multiple participants made or supported this comment)*
- ix. The only sure way to control odors is to require airtight enclosure and filtration. This is exactly what Santa Rosa has done, as a reference.
- x. Please do NOT require odor mitigation for mixed light and outdoor grows. *(Multiple participants made or supported this comment)*
- xi. In Santa Barbara County, the pervasive odor is driving away tourists from wine tasting rooms.
- xii. Cannabis Greenhouses create ozone and air pollution, outdoor cultivation creates many nuisances including odor, noise and air pollution due to volatile organic compounds (terpenes) in the cannabis plants.
- xiii. Regarding generators, I request to eliminate this in the cannabis regulations and manage it using the same language as other agriculture for consistency. *(Multiple participants supported this comment)*
- xiv. Current setbacks are sufficient to mitigate aromas. *(Multiple participants supported this comment)*
- xv. Indoor cannabis cultivations have HVAC and odor control equipment that runs 24/7. The SMND pages 80-82 identified that unshielded HVAC equipment will exceed the nighttime noise standard at 1,000 feet and even with 10 dBA shielding, the HVAC equipment would still exceed the nighttime standard within a distance of 300 feet.
- xvi. Are you aware of a lawsuit from residents in Carpinteria who have experienced eye irritation and asthma from the FOG odor neutralizing system that is placed 100 feet from their property lines to neutralize the pungent cannabis odor? Reference: <https://keyt.com/news/cannabis/2020/02/27/carpinteria-residents-file-lawsuit-against-marijuana-growers-over-cannabis-odor/>
- xvii. If I am bothered by the terpenes from my neighbors rose bushes can I have my government regulate that for me? Smell enjoyment vs disliking is highly subjective and is a silly thing to spend government dollars to mitigate.

B. Questions

- i. How will the County regulate outdoor grow odor? *(Asked by multiple participants)*
- ii. What other types of agriculture is restricted regarding odor control? I have an apple orchard across the street which gets sprayed with partialized fertilizer

- that our family is inhaling. How is this acceptable and the smell of a plant is not?
- iii. Does this mean that if I can detect odor from a cannabis operation on an adjacent property that they will be required to mitigate the odor? Will odor mitigation have to be present before a permit is granted?
 - iv. What is the standard for odor detection?
 - v. Please clarify how growers will mitigate odor on outdoor grows. Does it require equipment that might impose an additional nuisance (i.e., fans, filtration systems, light/power)?
 - vi. Do air quality requirements address diesel generators? Are they allowed?
 - vii. We live 1,000 feet from an illegal outdoor grow. We are down-wind and suffered from terrible, noxious odors July through October 2020. How will the County deal with odors carried by the wind from outdoor operations?
 - viii. Hemp smells the same and it is not possible to control odor outdoors. Why is there a restriction on cannabis and not hemp? (*Asked by multiple participants*)
 - ix. What ministerial standard and method will be applied when reviewing odor control plans to determine that they are adequate to prevent offsite odors from being detected? (*Supported by multiple participants*)
 - x. Hoop houses can produce two to three crops a year if they are using nursery clones thus the odor will be around for a period of eight months or so, not two months as indicated in the SMND.
 - xi. How is noise pollution addressed? Fans can be very noisy.
 - xii. Why are there odor control regulations for indoor grows, which acknowledges the problem, and not for outdoor?
 - xiii. I have a concern with section 38.1 2.110 section B. We need clarity on if the second and third sentence of B applies to all cultivation types or just those with a permanent structure mentioned in the first sentence. (*Supported by multiple participants*)
 - xiv. How is the external odor control going to be measured, controlled and monitored? This is a huge issue in the rural areas.
 - xv. What scientific data is the County using to recommend the FOG odor neutralizing system to mitigate odors from outdoor grows, given this system has been used primarily in greenhouses?
 - xvi. The SMND analyses were from the noise generating operation or equipment to the residence, not the property line. What new mitigations are required when using the correct standard measuring to the property line?
 - xvii. What data demonstrates the FOG system, which uses neutralizing chemicals, is safe for residents and cannabis cultivators to inhale chronically? What long term studies have been conducted?
 - xviii. Why does the SMND only require outdoor HVAC equipment to be a minimum of 300 feet from a "sensitive receptor" and requires "sound barriers" if the equipment is within 1,000 feet. If shielding is required at 1000 or 600 feet, how will the barriers reduce noise to less than significant at 300 feet?
 - xix. Why does the draft ordinance require that no odor can be detected on a neighboring property from an indoor grow, which acknowledges odor is an intrusion on a neighbor, but there is no such requirement for an outdoor grow?
 - xx. Will you require a third party company with expertise in odor analysis/dispersion to study how winds will affect odor dispersion for outdoor cultivation?

xxi. Has the commission investigated noise from grow operations?

6. Waste management

A. Comments

- i. No comments provided during the town halls

B. Questions

- i. What will the County be doing about managing human waste? How long will a cannabis grow be allowed to use temporary toilets?
- ii. If other agricultural operations are allowed to use temporary or portable restroom services to manage human waste, why should cannabis be singled out and not be allowed to utilize local business providers for this service? *(Multiple participants supported or made this comment)*
- iii. Are there paths to build bathrooms in ag exempt buildings? Many of our commercial cannabis activities require bathrooms and we don't want to have to open our home bathroom to the operations.
- iv. Hoop house plastic only lasts for about three years. Is there a plan for waste disposal for such a high volume of debris?

7. Wastewater and runoff

A. Comments

- i. Bloomfield floods from all surrounding hills. That flood water goes into our watershed, streets, and Estero Americano. The majority of the water runoff comes from the hills of the proposed cannabis grow. So we can know what types of chemicals affect those waterways, require a CUP and CEQA for every permit.

B. Questions

- i. How are you inspecting for herbicides and pesticide use relative to sensitive neighboring habitats?

Proposed Changes to Chapter 38 with Moderate Changes

8. Historic and cultural resources

A. Comments

- i. Growing areas adjacent to historic cemeteries should not be allowed.
- ii. I don't understand why the tribes have full approval of each application. It seems ripe for bribery by the tribes and is against the entire effort of a ministerial process! *(Multiple participants supported this comment)*
- iii. I request that a list of cultural surveyors pre-approved by local tribes be utilized to perform the required cultural surveys. *(Multiple participants supported this comment)*
- iv. This provision should be struck in its entirety. It is not aligned with State law and creates veto power with the tribes for all projects. *(Multiple participants supported this comment)*

B. Questions

- i. Are local cemeteries considered cultural resources?

9. Fire prevention

A. Comments

- i. I'm extremely concerned about further development of cannabis in areas accessed by one lane dead end roads. These roads are not truly fire safe. *(Multiple participants made or supported this comment)*
- ii. Sonoma County must not allow any NEW commercial facilities, including cannabis operations, to be located down any UNSAFE fire roads, all roads narrower than 12 feet. None of these sites should be allowed down narrow roads, and definitely not down dead end roads or rural lanes.

B. Questions

- i. Will cannabis farms be required to have 20 ft. wide roads? Will that only be required if there is new construction? Or are you changing the zoning code to classify us as an agricultural crop? *(Multiple participants supported this question)*
- ii. How will the county deal with the Board of Forestry's new Fire Safe Ordinance? *(Multiple participants supported this question)*
- iii. Can you confirm that the water resources permitted for cannabis farmers, including ponds, catchment tanks and wells, will be available for firefighting should they be needed? *(Multiple participants asked or supported this question)*
- iv. Does the County propose adding wildfire evacuation to this section of the ordinance and also developing standards for evacuation of cannabis sites?
- v. When is the County going to make the permit process for obtaining a temporary hoop structure fire permit easier?

10. Design, lighting, security, and screening

A. Comments

- i. Artificial lighting policy should be consistent with State policy and allow a small, immature plant area with safe and permitted outdoor lighting. We should not require a mix-light permit.
- ii. I am concerned about increased crime and the use of drones and our privacy.
- iii. Please remove the requirements for plant screening of Cannabis farms. (Other crops are not subjected to this) They draw attention to the fact that there is a cannabis farm behind a fence as opposed to a horse or dog, they cost extra money, and they use extra water. *(Multiple participants made or supported this comment)*
- iv. Doesn't the presence of fencing in our landscape represent a significant impact visually?
- v. Contra Costa County allows armed guards on site to prevent robbery/theft.
- vi. Growers neglect to put tarps over their hoop houses in Humboldt county and now there are "glows worms" lighting up what were originally dark areas.
- vii. Temporary hoop structures and manipulation of light for control of quality or yields is very common in other agriculture. Why not allow for mixed lighting in temporary hoop structures and shift to tax on total annual yield tax as reported in METRC track and trace versus a canopy tax? *(Multiple participants made or supported this comment)*
- viii. Write an ordinance that protects neighbors from crimes associated with such a highly-valued crop.

- ix. Mixed light cultivation using hoop houses allows a comparable product to indoor cultivation but with a significantly reduced carbon footprint, fulfilling consumer demands. *(Multiple participants supported this comment)*
- x. To improve safety concerns, we should no longer make cannabis business addresses public. This only creates targets.

B. Questions

- i. Artificial lighting is permissible only to maintain immature plants outside the canopy area. How does the proposed ordinance allow for outdoor cultivators to have an immature plant area outside the canopy area?
- ii. How can we be assured that, as neighbors located quite a distance from enforcement agencies, we are safe?
- iii. If nighttime security lights are no longer required, and an operation still puts them in and they disrupt the nighttime rural ambience, will there be any controls put on that?
- iv. Do hoop houses have to be white? Can they blend in better with the environment?
- v. Will permits be required for electricity and plumbing?
- vi. Will screening include more than the immediate street and neighbors as many growing operations can be seen from private properties and view corridors not immediately contiguous to the grow operations?

Proposed Changes to Chapter 38 with Substantial Changes

11. Limitations on canopy and structures

A. Comments

- i. Establish a policy to allow hoop houses to be permanent to reduce unnecessary material and labor waste. This will also improve sustainability and reduce water use. *(Multiple participants made or supported this comment)*
- ii. Hoop houses need to be allowed to stay up all year, as taking them down is a gross waste of plastic. As well, 6 months limit on hoop houses before they need to be taken down. If you cannot extend the season (to 8 or so months), then they have little purpose. *(Multiple participants supported this comment)*
- iii. Increased minimum parcel sizes make land acquisition near impossible for low-income farmers, creating barriers into entry into the regulated market. *(Multiple participants made or supported this comment)*
- iv. Clustering should be allowed for landowners who own multiple parcels. *(Multiple participants made or supported this comment)*
- v. Clustering is the environmentally and economically superior policy. Given the world-renowned sustainable farming movement in Sonoma County, cannabis farming should be viewed and treated similarly to Sonoma County vineyard operators clustering their vineyard operations within a specific appellation for better economic sustainability and reduced environmental impacts. *(Multiple participants made or supported this comment)*
- vi. Agriculture exempt buildings that have been on properties for years should be allowed to be used for hanging and drying.
- vii. Hoop houses are only valuable if you can cover the crop in spring and fall. Six months defeats the purpose. *(Multiple participants made or supported this comment)*

- viii. Do we really want the county vistas to be covered with fully visible and ugly hoop houses? I am concerned about losing our beautiful countryside and the effects on our tourism industry and tourists who come to see the beauty. *(Multiple participants made or supported this comment)*
- ix. In RRD or LEA parcels which may be 100 acres - this change to 10% allows 10 acres and 2.5 acres of structures... these are large projects requiring a discretionary use permit. *(Multiple participants made or supported this comment)*
- x. Can you review the maximum of 50% of lot areas for built structure?; Isn't that a lot?
- xi. The definition of "new buildings" should reflect when the ordinance is adopted (not Jan. 1, 2021 — the draft wasn't even available then). *(Multiple participants made or supported this comment)*
- xii. Allowing hoop houses on outdoor cannabis maintains the yields while creating a higher quality product per square foot and protects it from pesticide drift and other contaminants. Hoop houses are a critically important allowance for Sonoma County cannabis farmers in order to protect the medicine from contamination of smoke, dust, and spray from adjacent neighbors.
- xiii. Clustering-- If an owner owns multiple parcels with cannabis permits, they should be able to operate on one parcel using the cultivation square footage allotment granted to all parcels. It's common sense. *(Multiple participants made or supported this comment)*
- xiv. Vegetables are grown in hoop houses frequently. They are equal to ag operations and should be allowed without restriction. (Like constructed vineyard rows) *(Multiple participants made or supported this comment)*
- xv. 10% lot coverage is big area on some parcels.
- xvi. We are competing with Santa Barbara, Mendocino, and Lake County for tax dollars. 10% of the land allows for Sonoma to be competitive.
- xvii. Require a bond on permit approval to remove infrastructure if crop is no longer grown by permit holder.
- xviii. Changing hoop houses into de facto greenhouses with allowable electrical, plumbing and mechanical features without the need for the environmental review that a permanent structure requires will have a negative impact on County fees and property taxes. Has this been studied as a CEQA issue?
- xix. What is impermanent about these structures, that may have foundations and infrastructure? Would Permit Sonoma require a demolition permit to tear them down when they have outlived their usefulness? If so, they are permanent.
- xx. Hoop houses year round also serve as a screen from public view and can add helpful layers of security to the operation.
- xxi. Plastic hoop houses destroy the view of our countryside and turn our landscape into industrial white moonscapes.
- xxii. Changing to 10% of the parcel instead of 1 acre is a great move and will do a lot to provide a chance for small business owners to succeed instead of only behemoth cannabis cultivators.
- xxiii. I think the 10% max per parcel makes more sense than 1 acre.
- xxiv. I agree with minimum parcel size of 20 acres. 20 acres makes total sense. There are over 4,000 acres in the ag and RRD zones that are over 20 acres.
- xxv. Allowing cannabis cultivation on at least 10% of lot coverage is great for many other local businesses.

- xxvi. Here is some good language concerning the placement of permitted farms near each other: (F) Permit Density. Multiple permits shall be allowed on parcels that meet the requirements of the zoning table attached as Exhibit A so long as the total canopy permitted on any such parcel does not exceed ten percent (10%) of the total acreage of the parcel as measured in square feet. For avoidance of doubt, this provision allows for, among other things, the issuance of multiple permits to a single person or permittee for the same parcel and for different parcels. Total acreage of contiguous parcels under common ownership may be aggregated for purposes of determining allowable canopy. The cultivation site(s) for all aggregated contiguous parcels under common ownership may be concentrated on one or more of the commonly owned contiguous parcels with total canopy not to exceed 10% of the aggregate acreage. *(Multiple participants supported this comment)*
- xxvii. I propose the operation be required to put generators in a sound proofed building.
- xxviii. Allowing hoop houses year round protects valuable cannabis crops from pesticide drift from adjacent parcels.
- xxix. Many small diverse ag farms throughout Sonoma County use temp houses and do not take them down. I know of at least one well-known veggie CSA that has never had the County hound them to take them down. Those hoops were not maintained well either and visible from roadways and neighbors. Feels like a double standard here.
- xxx. Remove the 6 month window between permitted temp structures. If they are only up for the allotted time why does it matter if 6 months pass between getting the permit?
- xxxi. Hay tantos aspectos positivos que la industria del cannabis aporta al condado de Sonoma, especialmente al permitir casas de haro que se crean para cosechas escalonadas, y mantienen trabajo e ingresos constante durante todo el año.
- xxxii. There are many questions raised with the new hoop house language. No longer is there a requirement that they are not visible to the public. Contrary to what the SMND says, what mitigation is possible to prevent fields of hoop houses especially those on a slope to be not visible on our Sonoma county treasured scenic vistas?

B. Questions

- i. What are the new requirements for greenhouses or nursery production?
(Asked by multiple participants)
- ii. Are there ministerial paths for nurseries?
- iii. Why should hoop houses be allowed to be permanent?
- iv. How can the size of cannabis grows be allowed to increase when we have such huge concerns about water draw down?
- v. What is the administrative tool for existing, compliant legacy operators to apply for increased acreage under their pending permits?
- vi. Does this mean that if you have a 22 acre parcel, you can have an indoor grow that covers 11 acres of land?
- vii. Can agriculture exempt buildings be used for hanging and dry?
- viii. Can cultivators still use 22% of the flower canopy for propagation of which is exempt of the 10% canopy measurement?

- ix. Do these proposed changes address only large outdoor operations, or the current prohibition of small boutique indoor operations in rural residential areas?
- x. Is here a maximum number of hoop houses?
- xi. Many ranchers and farmers that are looking to cultivate cannabis to diversify their income have abutting parcels. Will they have to maintain a 100' setback of a property line that is in between two properties owned by the same owner? Many other counties allow for clustering of canopy to consolidate operations which makes more sense for landowners, operators and county staff by not having to review multiple applications for one owner's collective properties. *(Asked or supported by multiple participants)*
- xii. You could allow a 43,560 sq. ft. operation 300 ft. from my home and it could be built without my knowledge? Why does the County feel that I do not deserve the right to know about this BEFORE it is approved? *(Asked or supported by multiple participants)*
- xiii. What if you're already operating hoop houses that are over 200 ft (the old rule) and under 300 ft (new rule)?
- xiv. Will operators have to remove the infrastructure if the crop is no longer grown?
- xv. Why are 10-acre caps being allowed before priority processing applicants are through the queue? Please prioritize these applicants! *(Asked or supported by multiple participants)*
- xvi. Why is there a differentiation between buildings and temporary hoop structures that are both used for standard growing? Visually they are both potentially visible from off site.
- xvii. Why is PRMD in control of temporary hoop structure permits, and doesn't have them available for online permitting? Temporary hoop structure seems like it should be an Ag permit not PRMD permit.

12. Setbacks

A. Comments

- i. A commercial cannabis operation 300 ft. from our residential homes and 100 ft. from our property lines is insufficient to protect rural residences from cannabis cultivation environmental impact.
- ii. We are requesting a minimum 1,000 ft. setback from residential property lines that can be extended depending on local prevailing conditions and that cannabis processing facilities be located in commercial/industrial zone district where such uses are allowed.
- iii. The Board of Supervisors set 1,000 ft. setback for schools, parks and bikeways. A residence should have the same setback. *(Multiple participants made or supported this comment)*
- iv. Cannabis setbacks should be treated just like other crops in the County.
- v. State law mandates only 600 ft. from sensitive use sites. Please have the Board of Supervisors align the County setback requirements with state law rather than implementing a different standard of 1,000 ft.
- vi. Setbacks should mirror state law. *(Multiple participants made or supported this comment)*
- vii. Many of the setback requirements provided in the draft ordinance are overly restrictive and put a burden on operators, especially those who seek to expand or alter their operations with respect to sensitive uses.

- viii. We believe that if a sensitive use chooses to locate within the setbacks of an existing cannabis operation, the cannabis operation ought to reserve the right to expand regardless of the proximity of the sensitive use. In other words, the cultivator was there first and ought to be able to have a degree of confidence in their ability to grow and expand their business without risk of losing that ability at no fault of their own.
- ix. We ask that you provide a setback waiver for such parties who own adjacent parcels and wish to share the facilities across the permits. The state recognizes the value in this as well as it allows for the use of these shared facilities across adjacent license type.
- x. The setbacks seem so weak for any neighbor of a new grow.
- xi. Setbacks should be considered on a case-by-case basis. *(Multiple participants made or supported this comment)*
- xii. Wouldn't 1,000 ft. buffers around rural residential neighborhoods and even more if the topography demands help to mitigate the opposition to commercial cannabis in our county? *(Multiple participants made or supported this comment)*
- xiii. A 300 ft. setback from a residence is totally inadequate and will without question lower property values.
- xiv. Setbacks need to be defined from property lines. 100 ft. is totally inadequate. Children's backyard play areas could be 100 ft. from a large cannabis grow. Schools require a 1,000 ft. setback.
- xv. We need to make sure setbacks include indoor grows to mitigate odor and noise. They should be the same as outdoor setback requirements. *(Multiple participants made or supported this comment)*
- xvi. 10% of parcel makes sense! We also need clustering.
- xvii. Drying and processing structures should also be included in setback requirements. *(Multiple participants made or supported this comment)*
- xviii. 600-1,000 ft setbacks should be a minimum to property lines....not residences. Anything less will create constant, ongoing conflict and between cannabis growers and their rural neighbors. *(Multiple participants made or supported this comment)*
- xix. The Noise Element requires measurement from noise source to the property line. Expert testimony shows that setbacks are only effective for odor at 500-1,000 feet...
- xx. The setback should be measured from the grow area NOT the property line. *(Multiple participants made or supported this comment)*
- xxi. Setbacks for schools should be no less than 1,000 feet BUT from property lines -- 300ft (a full football field) is more than sufficient and has been working without issue for the last five years. Furthermore, cannabis is already limited to very few zoned properties, which will limit the number of circumstances where this will even happen. *(Multiple participants made or supported this comment)*
- xxii. If an owner owns multiple properties and wants to cultivate everything in a consolidated area rather than having multiple operations with one on each property, they won't be able to consolidate their operations without clustering or removing the need for setback from and landowner's own property lines.
- xxiii. The setbacks as defined are very clear for permitting purposes and are also generous in terms of respecting the "Not in my back yard" cohort's wishes. These are agricultural, not residential zoned properties. *(Multiple participants made or supported this comment)*

- xxiv. If a setback is just under the requirement, a waiver process should allow consideration with an adequate buffer. *(Multiple participants made or supported this comment)*
- xxv. If those who want shorter setbacks (100 ft) are willing to put up a bond so that if their grow creates odors or lights, or whatever, then perhaps 100 feet wouldn't be a problem, and if it is, that bond would pay to create a 300 or 1000 ft setback.
- xxvi. Humboldt county has also done an EIR and has adopted 1,000 ft. setbacks around communities and neighborhoods.
- xxvii. Can there be a difference between buffer zoning adjacent to rural residential enclaves and town vs. agricultural lots further away? *(Multiple participants made or supported this comment)*
- xxviii. I believe the setbacks should be building to building when it comes to schools at times. I don't know what you can do about this but sometimes a MASSIVE parcel in rural Sonoma County is within (or close) to 1,000 ft of a school parcel but the actual farming site and the school are separated by way more than 1,000 ft.
- xxix. Yolo County did a proper EIR, and the Planning Commissioners are now recommending 1,000 foot setbacks to property lines to protect residents from cannabis odor, noise and light pollution.
- xxx. Chapter 38 defines greenhouse setbacks at the parcel base zone; however, they were previously required to meet the 100 & 300 ft. setback requirements. Please align greenhouse setbacks with indoor cultivation setbacks. *(Multiple participants made or supported this comment)*
- xxxi. Setbacks should be reduced on commonly owned or farmed parcels. There is no reason for a setback from yourself. Setbacks to your own property are not needed. *(Multiple participants made or supported this comment)*
- xxxii. Operations will be 200 ft. from each other, it makes no sense, and breaks up existing operations
- xxxiii. A 300 ft. distance from a residence is not sufficient distance, especially for people who are sensitive to or allergic to cannabis, dust, noxious chemicals, etc.
- xxxiv. 100-foot setbacks can force farmers to place their operations within public view. Many farmers and ranchers would like to set up their operations away from public view in unused space on their property. Having to meet 100' setbacks from their own property line often pushes them to setting up operations that are not in the most favored area by themselves and the neighborhood. *(Multiple participants supported this comment)*
- xxxv. The county states that, "New cannabis cultivation sites would be located in rural areas of the County where nearby sensitive receptors would be sparse, if present at all". This is false. My home, for example, is directly adjacent to a property with a pending cannabis use permit. The cannabis would be 300 ft. from the wall of my home (not my property line), and in the center of a neighborhood with at least 25 family homes with over 15 school aged children. We are just one of several neighborhoods in this situation. Once Sonoma County allows such grow operations in residential communities to begin, we will not see the end of grow operations near residential areas county-wide.
- xxxvi. Recently 260 people signed a petition against a large cannabis permit directly adjacent to many residential properties in Bloomfield. Bloomfield only has 400 residents of all ages, so obviously the objections were from beyond the local

- community. Does this give the BOS an indication of the level of opposition to cannabis in rural neighborhoods?
- xxxvii. The setback should be measured from the grow area NOT the property line. *(Multiple participants supported this comment)*
 - xxxviii. I can easily see an avalanche of lawsuits if we get the setbacks wrong. This will be costly.
 - xxxix. Please allow for variances for setbacks, not every neighbor is opposed and allowing flexibility for operators could help gardens be placed in locations that make the most sense!
 - xl. Variances should be allowed with a CUP. *(Multiple participants supported this comment)*
 - xli. Current setbacks are working well. 1000', over three football fields, is very excessive. *(Multiple participants supported this comment)*
 - xl.ii. Setbacks are not needed on commonly owned parcels. *(Multiple participants supported this comment)*
 - xl.iii. The setbacks seem to be very generous and provide more consideration to the neighbor's rights than the landowner's rights. Why does it seem like the county is giving higher priority to RR or RRD landowner rights than those of Ag zoned property owner rights?
 - xl.iv. Sensitive areas should include schools, hospitals, clinics.
 - xl.v. Leave setbacks to creeks as they are.
 - xl.vi. Yolo County, at two-thirds the population density of Sonoma County, conducted a CEQA study, in which the environmental impact report concluded that outdoor cannabis plants must be 1,000 feet away from neighboring properties. *(Supported by multiple participants)*
 - xl.vii. In the Draft Subsequent Mitigated Negative Declaration dealing with outdoor cultivation odors claims that there would only be strong odors in September and December. With the practice of Perpetual Harvesting becoming more common, there will be multiple harvests and therefore odor issues nearly year round. It also comments that vegetative screening can deflect odor plumes. It goes on to say "Despite the factors discussed above, the updated Ordinance could allow new cannabis uses near sensitive receptors, especially in areas where prevailing winds carry cannabis odors to downwind residences and other land uses. Odor plumes can be transported on the wind beyond neighboring properties. Cannabis cultivation sites could potentially generate odors that adversely affect a substantial number of people." This is why setbacks from residential areas should be increased to 1,000'.
 - xl.viii. We should allow the setbacks an optional bypass if neighbors will sign off on it, same as hemp ordinance.
 - xl.ix. Increased setbacks eliminate working class farmers by raising the barrier to entry and forcing people to acquire larger parcels to meet these setback conditions. *(Supported by multiple participants)*
 - l. It is difficult to find a property that meets the setbacks. increasing setbacks will make it very difficult to farm, unless you are very rich and can get a big lot. This cuts out the little farmers, as do large lot requirements. *(Supported by multiple participants)*

B. Questions

- i. What research has the County done regarding impacts on residential neighborhoods? *(Asked by multiple participants)*

- ii. Why does the draft provide less protection to my family at home than in public? School, park and bikeways have 1,000 ft. setbacks, yet the draft provides 100 ft. setbacks from personal residents.
- iii. What are the new requirements for greenhouses or nursery production? *(Asked by multiple participants)*
- iv. Many farmers have abutting parcels. Will the setback of 100' be removed when a property line is in-between two properties owned by the same owner?
- v. Will setbacks be waived for pre-existing nurseries/greenhouses?
- vi. Why is there no pipeline clause for the setbacks? Some people listened to the original rules when they set their farms up. *(Asked or supported by multiple participants)*
- vii. Can you show with your county map and/or tell me how much acreage is currently available for cannabis cultivation with the current setbacks of 300 ft. to residences and how much acreage is available with the proposed setbacks of neighborhoods with increased setbacks of 500 ft., 750 ft., and 1000 ft. to residences?
- viii. Why does the ordinance ask for a 300 foot buffer/setback starting at the residence? And why does it make sense for that buffer/setback to begin on my property?
- ix. We are surrounded by vineyards and trees, in a DA zoning of Sonoma County. Why are the vineyards allowed a 30 foot setback, but we are required to have 100 foot setback from property line?
- x. Why does the County feel it appropriate & necessary to...."revise measurement technique for sensitive uses...from the parcel line to the activity area, rather than parcel line to parcel line?
- xi. Why has the measurement technique been changed from the property line to cultivation area?
- xii. Why are setbacks the same for an outdoor operation versus indoor and contained nursery operations which have immature plants?

13. Water use

A. Comments

- i. The location of wells in Zone 3 and Zone 4 from 100 ft. to 300 ft. should not be changed. It should align with other agriculture in Sonoma County. Use hydrogeological surveying to decide on well locations as it does for other agriculture.
- ii. I live in an unincorporated community. All of us rely on wells. There is not enough adequate protection regarding the amount of water usage by cannabis growers. *(Multiple participants made or supported this comment)*
- iii. Grows should not be allowed to expand in order to meet water needs.
- iv. Bloomfield does not have enough water to support proposed grows in our community. They will interfere with our water supply.
- v. Do not include water regulations in the ordinance. Instead, let the California Water Board manage it. *(Multiple participants made or supported this comment)*
- vi. Cultivators should be allowed to truck in recycled water to reduce pressure on groundwater. *(Multiple participants made or supported this comment)*
- vii. Water catchment systems should be incentivized. *(Multiple participants made or supported this comment)*
- viii. Align the cannabis water use regulations to those of other ag crops. *(Multiple participants made or supported this comment)*

- ix. Do not allow new wells to be created.
- x. We believe that a professional hydrologist would be better able to determine water sufficiency, at less of a burden to the applicant, than a dry season well yield test. Cannabis farmers should be held to the same standards as farmers of other agricultural crops and commodities.
- xi. The proposed current ordinance does not allow for study of impacts on underground water.
- xii. Very clear monitoring and then solutions need to be clarified before any expansion is allowed.
- xiii. Water usage for cannabis should be treated the same as wine. Cannabis testing regulations do not allow the use of any harmful pesticides, unlike vineyards that spray Round Up leaching into our water ways.
- xiv. Dry well tests waste a lot of water and should not be allowed.
- xv. The existing hydrogeological studies required more than satisfy needs. Creating additional protections that are applied specifically to cannabis, and not to other agriculture or residential use is inappropriate.
- xvi. Applying the same setback for perennial, seasonal, and ephemeral streams is not logical.
- xvii. Cannabis should not be treated differently from residents or other crops with water use. *(Multiple participants made or supported this comment)*
- xviii. Regenerative cultivation practices greatly reduce water usage by up to 200% if grown in the ground versus growing in pots. *(Multiple participants made or supported this comment)*
- xix. NOAA has sent letters that stated groundwater pumping will impact aquifers and stream flow - Fish and Wildlife is clear that that zone 3 and 4 and impaired watershed should be off limits. *(Multiple participants made or supported this comment)*
- xx. The groundwater restrictions are a dangerous precedent for all Ag in Sonoma County.
- xxi. The USGS has determined the NW area of Petaluma water basin is in decline. That area is the most well dense in the Petaluma basin. The county should require the grower to pay for the surrounding residents to measure their well output prior to starting their operation, and to pay to have the neighbors' wells tested annually, to see the effect of the operation on the surrounding wells.
- xxii. Promote/incentivize dry farming and other water sustainable practices. *(Multiple participants made or supported this comment)*
- xxiii. Make dry farming a requirement.
- xxiv. Require stream depletion evaluation if within 500ft, similar to how the County required water use assessments if in a low water area.
- xxv. Given the existing requirements, the additional protections of increasing a setback to 500 feet from riparian corridors or blue line creeks is excessive as it will eliminate virtually all existing wells within Zone 3 & Zone 4.
- xxvi. Most cannabis properties are Zone 3 or 4. Water is variable and not always low. Zone 1 and 2 are salamander habitats or next to homes. Zones 3 and 4 must be allowed.
- xxvii. Construction of holding ponds for rain water prevents critical runoff into habitat impaired salmon streams.
- xxviii. We are in a drought again. Our aquifers are not being replenished. Trucking in water is not a solution...hard on roads, water is reused and therefore possible pollution to ground water.

- xxix. There are very strict water regulations and has to be a net zero impact. Trucking water will never make sense economically. These operations will never survive and weed themselves out.
- xxx. Net zero usage of water is no solution. Catchment water does not percolate into the soil and into the aquifer. It is not a solution since its takes water away from downstream neighbors.
- xxxi. The Groundwater Available Classifications used are based on a study of surface geology done in 1980. There are areas close to the current boundaries between Class 4 and Class 2 areas that should be closely studied prior to any permits being issued, particularly in areas where there is a high concentration of residential areas. One would expect that more modern methods could be used to ensure that large grow operations do not affect the water tables in these areas.
- xxxii. In its 2/26/21 letter to the County, National Marine Fisheries Service (NMFS) expressed grave concerns about the impacts of new cannabis wells on groundwater and concluded a Mitigated Negative Declaration is inappropriate.
- xxxiii. Our water table dropped from 150' to 1000' after a nearby vineyard began operation. We had to drill a new deep well at great expense. Adding 65,000 new acres of water will drain our aquifers.
- xxxiv. Dry farming and chemical free are the solution.
- xxxv. SoCo is already facing significant water shortages (both surface & groundwater) so any permittee must be required to show that there is sufficient water to meet their needs without further negatively impacting our ESA listed species and causing harm to local drinking supplies. Groundwater wells are not an infinite water supply and there is evidence that groundwater wells can draw down on the Russian River and tributaries surface waters. Impacts on public trust resources must be considered in all decisions.
- xxxvi. Clustering allows for increased water efficiency. More tanks, longer irrigation lines, and more pumps all lead to water loss.
- xxxvii. Rely on the experts. Local environmental scientists are available to help the county determine water requirements that are fair and based on science. Require stream depletion evaluation if a well is within 500ft of a blue-line stream, similar to how the County requires water use assessments if in a low ground water availability zone.
- xxxviii. Don't allow trucking of water if the trucks have to utilize residential streets to access the property needing water. Causes increased traffic, noise, and danger to residents.
- xxxix. Please remove the requirement for an emergency to be government declared (Example: There may be a power outage on a single parcel that will still create an emergency for that farmer. They must be able to pump water or turn on lights to save their crop.) *(Multiple participants supported this comment)*
 - xl. The basins in the County that are under Groundwater Sustainable Agencies should be in the loop to evaluate the groundwater usage of commercial production in order to stay sustainable.
 - xli. Water is already regulated by 3 state agencies with overlapping jurisdiction. Additional County regulations are redundant. Our ordinance should just point to existing state law as related to water use. It is more than sufficient to address scarcity concerns. *(Multiple participants supported this comment)*

- xlii. Given the existing requirements, the additional protections of increasing setbacks to 500 feet from riparian corridors or blue-line streams is excessive. *(Multiple participants supported this comment)*
- xliii. Grape cultivation ships our water out of the state and often out of the country. Restrictions are stricter for cannabis. Cannabis should be treated like the agriculture that it is. *(Multiple participants supported this comment)*
- xliv. Groundwater varies from neighborhood to neighborhood. An analysis needs to be made of the well outputs adjacent to a grow operation to determine the appropriateness of an operation going in there.
- xlvi. Requiring dry weather tests for those in the CUP process means they cannot switch to a ministerial permit in time for this season. Consideration for those in the CUP process that want to switch to ministerial should be made.
- xlvii. I request that the county refrain from adding additional water requirements beyond what is already required under the current ordinance (Ch 26). As an agricultural crop, cannabis should not be subject to any water restrictions that are not applicable to all agricultural crops. Please get educated about legal cannabis and water use efficiency. Please read this recent report: <https://newfrontierdata.com/cannabis-insights/legal-cannabis-cultivations-footprint-sinks-common-assumptions-about-comparative-water-use/> *(Multiple participants supported this comment)*

B. Questions

- i. Does Sonoma County have the same water restriction for all other agriculture? Why is cannabis being treated differently from other crops? *(Asked by multiple participants)*
- ii. Why is there a change to the location of wells in Zone 3 and Zone 4? *(Asked by multiple participants)*
- iii. What will the County do to more closely assess water use and the drawdown of neighboring wells?
- iv. Why is the amount of water cannabis uses still not an established number? It needs to be, in order to establish an ordinance.
- v. What protection do rural residents have if grows dry up wells?
- vi. While it sounds heroic to support water catchment, reliance on water should not be dependent on trucking water or collection. How can the County support expansion of a product in water sensitive areas? Why allow increased sizes and demands if a site doesn't have enough water?
- vii. Catchment keeps rainwater from infiltrating to groundwater. How will this impact downstream wells?
- viii. Why can't we truck in water to decrease the pressure on groundwater? *(Asked by multiple participants)*
- ix. How is water supply determined to be adequate and sustainable? Is the cultivator required to commission a water study?
- x. What happens if it becomes clear that a site is drawing water down of neighboring properties? What recourse will neighbors have?
- xi. Please explain how the Net Zero Water Plan works. *(Asked by multiple participants)*
- xii. Can you provide specific guidelines for Net Zero Increase Groundwater plans where applicants can replace a previous water use with cannabis? What evidence is required to show previous water use? And what time frame of previous water use is considered valid evidence? Water use from a year

- previous? Two or three years previous to the application? How can this be included in a way that does not require discretion of the Ag Dept?
- xiii. If groundwater monitoring is required, will all growers using a well(s) be required to have meters and report their usage to the county? (*Asked by multiple participants*)
 - xiv. How will groundwater consumption be publicly reviewable, albeit anonymous and aggregated, as needed to protect individual privacy?
 - xv. How is fire season water use being addressed with these new water-related changes?
 - xvi. What studies has the County done to determine the potential for groundwater contamination from wastewater application rates 6 times higher than those studied for vineyard wastewater irrigation?
 - xvii. Many cannabis operations will use groundwater, yet several of our groundwater basins are already over-drafted. The dairy belt already has permitted cannabis operations. Why does the Petaluma GSA assume no cannabis water demand? How has cannabis demand been factored into the Santa Rosa, Sonoma Groundwater Sustainability Plans?
 - xviii. Will a professional licensed hydrogeologist be allowed to conduct certified well depth readings in lieu of requiring a depth sounding probe for groundwater depth readings?
 - xix. How are the GHG impacts associated with trucking in water going to be addressed given the County climate change goals?
 - xx. Will the county put self-reporting meters at grow sites? How is the monitoring going to realistic?
 - xxi. In 2015 due to the drought, the residents of 5 Sonoma County watersheds were required by Dept. of Fish and Wildlife to reduce our water use during the drought to protect Coho Salmon; however commercial and agricultural growers were exempt from these restrictions. So, is the County is going to expand water use in our area for agricultural use while homeowners may be restricted by the state?
 - xxii. Since our groundwater aquifers are already in overdraft, where will growers get water?
 - xxiii. Hemp and cannabis are the same plant. Why are there water restrictions for cannabis but not hemp? (*Supported by multiple participants*)
 - xxiv. Why is Sonoma County wasting its time and resources trying to regulate water use and zones in this ordinance revision when this is completely addressed by California State Water Resources Control Board? (*Asked or supported by multiple participants*)
 - xxv. The USGS has determined the NW region of Petaluma's groundwater basin is in decline. Is this being taken into consideration in determining the appropriateness of permitting cannabis operations in that area?
 - xxvi. How do you certify adequate ground water?
 - xxvii. Have automated well water meter usage been considered for cannabis wells? This requirement seems to be in compliance with Sustainable Groundwater Act?
 - xxviii. If a licensed hydrogeologist can be contracted for groundwater monitoring services, why is the County in this draft ordinance trying to force farmers to put in expensive groundwater monitoring equipment instead of letting them contract a local licensed hydrogeologist at a lower expense while providing work to that contractor?

- xxix. If most of these operations will be using well water, has the County studied the effect of pumping groundwater from shared aquifers?
- xxx. Have the County planners considered drought and climate change in their SMND?
- xxxi. Given the County did not complete a Program EIR and the SMND does not address cumulative water demand, how can the County assert that there is adequate supply for even 650 acres let alone 6,500 acres of cannabis cultivation?

14. Operating requirements

A. Comments

- i. No permit should be allowed for more than one year to give the County time to evaluate how the permit process is working and if it is in fact protecting the public health, safety, welfare and the environment. *(Multiple participants made or supported this comment)*
- ii. Lessening permit renewal periods from 1 to 5 years seems like a less burdensome permit and regulatory structure. *(Multiple participants made or supported this comment)*
- iii. Being that it took four years for me to get my permit, five years is too low. *(Multiple participants made or supported this comment)*
- iv. 5-year permits with annual review makes sense. *(Multiple participants made or supported this comment)*
- v. This makes complete sense in terms of best utilizing county resources and also in helping operators to better manage their cultivation operations. The annual inspections process is very thorough and can be utilized to address operators who are not in compliance.
- vi. So, if this is ag and ministerial and neighbors are not informed, how will they be able to comment? Once the permit is approved, they have to put up with this for 5 years? A trial time might be better to see how things are working.
- vii. If you are investing in buildings and equipment, you should be allowed at least five years to use them. *(Multiple participants made or supported this comment)*
- viii. A grower cannot build a viable business plan for a one year permit that takes years to be awarded. The investment is huge; and anyone can make complaints, so the review needs to consider validity of complaints. *(Multiple participants made or supported this comment)*
- ix. All original jurisdiction applicants need to be switched over for ministerial processing immediately. 5 years in limbo is inexcusable. *(Multiple participants supported this comment)*
- x. Yearly reviews and site visits by County scientists and regulators make sense, but processing applications and renewals yearly would slow down an already slow permitting process.
- xi. The County should consider a longer permit than 5 years. If cannabis operators are compliant with the law, then they should get to keep their permit indefinitely. Increase scientific inspections, not paperwork and administrative bloat.
- xii. I support 5 year permits but lifelong is better.
- xiii. The permit should be one year.
- xiv. Neighbors should be able to submit input prior to initial permitting.
- xv. Permits should just run with the land. State licenses are already subject to annual review.

- xvi. The current draft provides a permit for 5 years. This too long! The County, growers, and neighbors need to be able to re-evaluate the impacts and adjust accordingly. A 1 year permit is plenty during this initiate rollout period
- xvii. The permit term increasing is great. We had issues getting our County permit last year due to Covid-19 related setbacks and increasing the permit term would help decrease problems in scenarios such as the pandemic and would help cultivators remain compliant.
- xviii. Keep it one year so that problem growers can be better regulated.
- xix. Permits of 5 years with annual inspections make sense. The County does not have enough staffing already to deal with permitting at any level and this holds up the potential for economic development and wastes time and money for everyone involved.
- xx. Permits need to be transferable or stay/run with land. *(Multiple participants supported this comment)*
- xxi. Problem growers will be identified during annual inspections and renewals, the term increase is a great idea.
- xxii. People invest a lot of money to start cannabis operations. They should get to see the fruits of their labor as long as they remain compliant with the law. *(Multiple participants supported this comment)*
- xxiii. Regarding permitting: align with the state and take note from other successful counties. A 5-year permit with periodic compliance review is by far more realistic. Ask, what do other Ag permit terms look like? Eliminate double standards. If operators remain compliant, they should be able to continue operating. *(Multiple participants supported this comment)*
- xxiv. Currently a cannabis ag operator has to have a permit with the county, the state CDFA, CA Water Board, and CDFW. Each of these permits or licenses involves an expense and impacts business planning and operations. Will the County consider a 5 year permit with annual inspections instead of just an annual permit so that cannabis business operators can be on a more level playing field with other Sonoma County agriculture and industry, and so that we have better planned business operations? *(Multiple participants supported this comment)*
- xxv. Extend canopy structures to 270 versus the current 180 days. This helps with early seasonal weather and fire damage later in the year.

B. Questions

- i. Does the 5-year permit cost any more than the 1-year permit?
- ii. How will enforcement work (i.e., odor violations)? *(Asked by multiple participants)*
- iii. What's the review and comment process for permits?
- iv. Five years is a good start, but have you considered longer? What happens if a sensitive use moves in during a five-year term at renewal?
- v. After five years, at renewal, a sensitive use that came in during the permitted cannabis use should not by itself preclude that renewal. Is this being addressed? *(Asked by multiple participants)*
- vi. If the state licenses on an annual basis, why is the County considering a five year permits?
- vii. How will renewals work? *(Asked by multiple participants)*
- viii. What is the functional difference between a five year term with annual reviews vs. one year term?

- ix. The 180 days that are proposed allowable, will the days be contiguous, using nursery clones, how many crops can be harvested in a year? Who will monitor the 180 days allowable?

15. Allowable activities

A. Comments

- i. Please remove the 25 plants for cottage outdoor plants and align with the state, which has removed plant count. Vegetative and non-odor producing plants are crucial for breeding stock and vegetative preparedness. *(Multiple participants made or supported this comment)*
- ii. Propagation areas should not be limited.
- iii. I think the propagation area for nurseries should be removed. *(Multiple participants supported this comment)*
- iv. Farm stands must be allowed to support small farms. Or, when the state allows farm stands, this ordinance should change to allow them. *(Multiple participants made or supported this comment)*
- v. Cannabis tourism and events should be prohibited. *(Multiple participants made or supported this comment)*
- vi. I support the idea of removing the 1 acre cap per person.
- vii. I would like to see the County align events with the policy governing the wine industry. *(Multiple participants made or supported this comment)*
- viii. Cannabis tourism should not be restricted any further than wineries or vineyards. *(Multiple participants made or supported this comment)*
- ix. Allow cannabis education programs for students.
- x. Sonoma County's motto is literally "Agriculture, Industry, Recreation." Cannabis fits in with all of these and ought to be embraced rather than demonized. I am excited to see the inclusion of cannabis events and tourism in the draft ordinance. *(Multiple participants made or supported this comment)*
- xi. I agree with self-transportation being allowable. *(Multiple participants made or supported this comment)*
- xii. Weed & Wine tourism will be what drives the Sonoma County economy forward for decades to come. Allowing for tasting rooms similar to wineries via the use permit process makes sense. *(Multiple participants supported this comment)*
- xiii. Cannabis sales of a farmer's cannabis should be allowed at their farms, on Ag land. All other Ag is afforded this. Direct to consumer sales is the reason we are such a successful tourism destination. With millennials and Gen Z drinking less wine than older generations, we need to diversify options for tourists. *(Multiple participants supported this comment)*
- xiv. Please don't put caps on propagation. If it is used on-site, it should not be limited by square footage. Plants grow very quickly and must be held until they are used. We have strain banks and Mother Stock that must be kept alive. This requires extra space. *(Multiple participants supported this comment)*
- xv. Allowing farmers to sell their cannabis direct to consumer is critical to the survival of the cannabis industry. Please allow cannabis farmers to apply for retail licenses in Ag land with a Use Permit. *(Multiple participants supported this comment)*
- xvi. Please allow farmers to get Type 11 distribution permit so they can actually distribute their products and not just transport.

- xvii. The proposed ordinance allows for large scale cultivation, but do not contemplate where the cannabis will get dried and processed. The ordinance should allow as-of-right centralized processing for farmers that possess multiple 10,000 sf. permits so long as that centralized processing facility only dries cannabis from that one farmer or from parcels that share borders. This is a complicated consideration which is critical. The fact that I need to try to communicate this in a text right now one week before Planning Hearing is unfortunate. *(Multiple participants supported this comment)*
- xviii. Allowing retail of cannabis onsite will create the potential for increased crime and having impaired drivers on our narrow county roads.
- xix. This ordinance allows farmers to “stack” permits to get to large scale cultivation. This is good. The issue is that each 10,000 sf permit needs its own “premise” in order to dry the cannabis. So, you need to allow for a centralized processing permit as-of-right. You can limit this by mandating that an as-of-right centralized processing facility only be used by that one farmer that is “stacking” the permits. You should allow this on commonly owned parcels and can further limit it to no transporting of cannabis on the public roads. This is a complicated issue and needs to be fully understood by staff. NOT HAVING PLACES TO PROCESS MEANS THE CANNABIS GOES TO THE ILLICIT MARKET. *(Multiple participants supported this comment)*
- xx. On March 2, Napa County Supervisors denied commercial cannabis given the risk and impact to tourism - this denial was supported by the vintners, grape growers and tourism industries.
- xxi. Please have an honor system farm stand only.
- xxii. We should adopt microbusiness licenses for cultivation sites to allow for manufacturing, distribution, and cultivation on site without being in an industrial zone.
- xxiii. State regulations require permits, licenses, Cannabis Event Organizer Licenses, etc. The county cannot usurp state laws. These events must get a permit for each specific event.
- xxiv. My request is for the land use table to be amended to allow for the “farmer retail” model to allow for retail with on-site consumption on ag zoned lands. This will create the opportunity for a parallel experience for cannabis as with wine and is allowed by CA law.
- xxv. Cannabis cultivation sites should be allowed to have manufacturing license for self-manufacturing on ag land.
- xxvi. Incentivize food production, beekeeping and community micro grids through the cannabis permitting process.
- xxvii. Forcing cannabis farmers to grow vegetables as well will contribute further to disenfranchising small business as opposed to major growers.
- xxviii. I love the idea of mixed veg, and agree it great for the environment and the ecosystems, but this suggestion should be implemented on all established high-use ag land before being added as further restriction on an already highly regulated NEW industry.
- xxix. Existing Permanent Structures must be required to have the same filtration and ventilation requirements as any new structures if they are used for growing or processing.

B. Questions

- i. Please clarify if nurseries can transport immature plants.

- ii. Will tasting, and consumption (either smoking, eating or drinking) of cannabis product (either grown on site or brought in), still be prohibited under the proposed new ordinance as written?
- iii. Will farms be allowed to process onsite in ag exempt structures?
- iv. How many cannabis events will be allowed per year?
- v. Why are you allowing an industrial process to extract THC oil, with no oversight, no use permit, no ban on flammable solvents? Currently this is only allowed in industrial zones, and flammable solvents are prohibited. It needs to be kept that way. *(Multiple participants made or supported this question)*
- vi. Please define "self-distribution." *(Multiple participants supported this question)*
- vii. Have you conducted a Countywide traffic impact study for all the new traffic trips involved with marijuana operations?
- viii. What ordinances will apply to cannabis 'tasting rooms'? Will they be allowed in the same zoning as the grow operations?
- ix. Is outdoor processing allowed or prohibited?
- x. Will the number of events allowed be permitted by size of facility or number of participants or as wineries, allowed number of events?

Other

16. Other

A. Comments

- i. Please treat cannabis like any other agricultural crop. *(Multiple participants commented about this)*
- ii. Cannabis is not an agricultural crop. It is a product/drug/toxic. *(Multiple participants commented about this)*
- iii. Align the County protocols with the State. *(Multiple participants made or supported this comment)*
- iv. Follow the new hemp ordinance that does not have so many inequality barriers.
- v. It is harder to get a dairy farm permit. Make cannabis cultivation aligned with dairy farm permitting.
- vi. Incentivize farmers to convert conventionally farmed/pesticide ridden acreage into clean cannabis farms.
- vii. The Sonoma County Cannabis Advisory Committee reviewed the issue of establishing exclusion and inclusion zones and recommended they not be implemented here in Sonoma County.
- viii. Sonoma County farmers and ranchers see this ordinance as an amazing opportunity to diversify their income from their properties in times when Sonoma County's staple agriculture industries are seeing a decline in demand.
- ix. In the zoning regulations under the definition of "crop production" please remove "except cannabis" to match the General Plan amendment.
- x. Don't give "Stop Work" orders unless there is due process. This may allow a whole year's worth of crop to be lost over a misunderstanding. This should only occur during the most serious offense and after arbitration.
- xi. Each cannabis grow should be evaluated on a case by case basis, not through ministerial permitting. *(Multiple participants made or supported this comment)*

- xii. The best approach is to secure as many acres as needed for local growers in a single area where adequate security, water, lighting, power, etc. can be had and where rural neighborhoods won't be impacted by this activity, which is much more labor, resource intensive and more intrusive than agriculture. It's commercial product development, not agriculture. Then growers can rent space in this area and share functions as needed. Processing can be placed nearby. *(Multiple participants made or supported this comment)*
- xiii. RRD and LEA parcels are huge... clustering only impacts confined aquifers more. So, 2 acres of hoop houses or greenhouses in our open space lands - with electrical and lighting.
- xiv. My own experience is that vineyards are hidden in beautiful wild lands that are quickly disappearing in our county. We made the mistake years ago of letting vineyard development become a ministerial process. I don't hate cannabis, but I do hate rampant conversion of our county to parceled high security hoop houses or greenhouses.
- xv. Align with the state at 2,500 sqft for "Cottage Outdoor," rather than the 625 sqft the county currently allows.
- xvi. Hemp and Cannabis are the same plant. The hemp ordinance is the newest agricultural ordinance which has been adapted without as much controversy. It does not have the same environmental restrictions i.e., smell mitigation, setbacks, water, ridges etc. If nothing else, treat cannabis the same on the environmental aspects as hemp. The county has a double standard and an obvious prejudice to cannabis. The analogy would be it would be like treating Cabernet grape different from a Pinot grape. *(Multiple participants supported this comment)*
- xvii. Require a CUP and CEQA for all commercial cannabis. *(Multiple participants supported this comment)*
- xviii. A full EIR is required for this proposed ordinance. *(Multiple participants made or supported this comment)*
- xix. Clustering will expedite the application review process. If an owner has multiple parcels that they plan on cultivating on they would be able to submit 1 application for all of their parcels rather than having to submit multiple applications with 1 for each parcel. *(Multiple participants made or supported this comment)*
- xx. Ministerial permits do not allow due process for residents living next to these businesses. Rural residents demand due process to raise compatibility issues before the County allows a cannabis business to begin next door.
- xxi. Cap the number of commercial cannabis permits. Cannabis permits must be limited to prevent over-concentration and over-supply in the County. In addition to the cumulative environmental impact, this presents a problem for public safety. The County should publish a target number of permits to allow for the proper planning of supporting services. The County should not allow a condition to exist which inadvertently supports growers who supply the black market to other states.
- xxii. I like the concept of keeping cannabis farming sustainable as long as that is also required of all agriculture in the County as well. With that being said, we have to keep in mind that any regulations that require hiring further personnel will also hurt small cultivators and will only be a minor inconvenience for large "big cannabis" cultivators.
- xxiii. If there were less restrictive pathways for applicants seeking permitting (ones that weren't laden with double standards and residual criminal treatment),

there would be less illicit grows. (*Multiple participants supported this comment*)

- xxiv. Farmers and ranchers have been hit the hardest by the economic downturns of the last 15 years. They need an ordinance that gives them the ability to supplement their income with cannabis cultivation.
- xxv. These improved policies and regulations are important and helpful. Thank you!
- xxvi. Seeing some of these comments, we may need County study sessions to educate the public on the current and proposed policy. I appreciate your patience with people who aren't up to speed

B. Questions

- i. What provisions have been added to this amendment to address neighborhood concerns and strengthen protections for non-growing citizens, residents and neighborhoods?
- ii. How will the County protect neighboring property owners if permits are now issued via a ministerial process?
- iii. What protections are in place to protect cannabis operators from “bullying” non-growing neighbors?
- iv. Is there any discussion of developing a Cannabis Equity Program in Sonoma County? The state is offering funding for counties with an Equity Program. (*Asked by multiple participants*)
- v. If cannabis is agricultural, why are other agricultural crops not being put to task like this? (*Asked by multiple participants*)
- vi. How do we create a neighborhood exclusion process?
- vii. Will permits be allowed to be transferred from one individual to another?
- viii. With more cannabis growth, is there going to be a proportional increase in the number of code enforcement officers? How do we make sure that resources will not be stretched too thin?
- ix. Is it true that a cannabis cultivation projects 7 day a week, 24 hour operation with security lighting and fencing, waste management and water run-off issues, water use and groundwater use, dust control, odor control, energy use and noise limits, 300 feet from my residential home is mitigated by the Negative Declaration of Environmental Impacts?
- x. In reference to the potential maximum 65,753 acres, the County notes “This would be the potential maximum buildout and it is extremely unlikely that all available land would be put into cannabis cultivation.” Why is it unlikely that this amount of land would not be converted to commercial cannabis? Please clarify. Currently there are approximately 78 Ministerial and 55 Cannabis Use Permits in progress in Sonoma County. Lessening restrictions would further increase these numbers.
- xi. Why was the Health and Safety Clause removed from the draft ordinance?
- xii. How will Permit Sonoma and/or the Ag Department enforce compliance for non-compliant cultivators who begin operating without a permit or the required studies? For example, any person performing any activity without first obtaining a permit shall be required to stop all activities immediately, dismantle operation and pay a fine. There should be a probationary period (5 years) where they can’t apply for a permit. There needs to be enough of a penalty to assure compliance.
- xiii. How does this proposed ordinance effect previously approved permits still in the building phase?

- xiv. Does issuing a permit under ministerial standards mean that the project does not get full review such as EIR, etc.?
- xv. Chapter 38 leaves out a key phrase of the County Right-to-Farm law: "if it was not a nuisance when it began." This omission changes the entire meaning of the RTF ordinance, to make it appear that there is no recourse if a farming activity impacts your right to peaceful enjoyment of your property. State RTF law reads that farming activity has to be determined to be a nuisance at the beginning and then a complainant has three years to file suit. Why has this important distinction been omitted from Chapter 38?
- xvi. If a property owner wants to make improvements to their property and could do so with a legal permit through PRMD, why is this being limited in this draft ordinance?