

Attachment O Addendum 7

Public Comment Received
May 17, 2021 after 5:00 PM through
May 18, 2021 7:00 AM

From: [Bret Campoy](#)
To: [Cannabis](#)
Subject: Cannabis
Date: Monday, May 17, 2021 5:19:38 PM

EXTERNAL

Dear Supervisors:

We ask that the Board return to its earlier decision to do a project-wide EIR for Phase 2. Sonoma County needs an EIR, one which will protect our natural resources, will comply with CEQA requirements and at the same time give residents a right to their health, safety and peaceful enjoyment of their properties.

Regards,
Bret and Joann Campoy
2775 Bardy Road
Santa Rosa

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From: [Cheryl Mendiola](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Monday, May 17, 2021 11:21:16 PM

EXTERNAL

Sonoma County Cannabis Program,

My name is Cheryl Mendiola and I am a resident of Boise, ID, USA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Cheryl Mendiola
earthpurse@yahoo.com
1614 North 9th Street
Boise, ID, USA, Idaho 83702

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From: [Deborah Eppstein](#)
To: [BOS](#); [Cannabis](#)
Subject: Energy and Water cumulative usage cannabis cultivation per SMND
Date: Monday, May 17, 2021 6:41:08 PM
Attachments: [5-18-21 Energy Calculations from SMND Eppstein 5-17-21.pdf](#)

EXTERNAL

Please find attached a calculation of cumulative effects of energy and water usage under the proposed new chapter 38 cannabis ordinance, based on figures from the Feb 16, 2021 SMND.

Thanks you
Deborah Eppstein

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Cumulative Energy and Water Use Calculations from February 16, 2021 SMND
Deborah Eppstein May 17, 2021

The Subsequent Mitigated Negative Declaration (SMND) provided the Sonoma County on February 16, 2021 attempted to support increasing cultivation area to 10% of parcel size, from the current 1 acre cap per parcel, as well as to justify ministerial permitting in the proposed Chapter 38. It failed miserably on both counts. Shute, Mihaly & Weinberger have detailed many of these deficiencies in letters to the County on March 18 and May 17, 2021. I have submitted prior letters to the Planning Commission and the Board of Supervisors on several of these deficiencies. This summary below will illustrate the abject failure of the SMND to consider cumulative energy usage, calling the effects “no significant impact”.

Based on the figures provided in the SMND (page 48), 1 acre of indoor cultivation uses an average of 200 kWh per sq ft per year and 1 acre of mixed light cultivation uses 110 kWh per sq ft per year. This is 8.7 million and 4.8 million kWh/year respectively for just 1 acre of indoor and 1 acre of greenhouse cultivation, for a total of 13.5 million kWh/year for just one parcel. If the upper limit of 8289 parcels in Sonoma County in the three agricultural zones + RRD is used, this is 111.8 billion kWh/year. The average annual power usage per family in California is 6684 kWh per year (CA Public Utilities Commission Policy & Planning, 2015); thus this power usage equates to 16.7 million families. Even if one restricts this cultivation to only 5% of available parcels, this is still the electrical usage of 836,000 families, which is ~4.4 times more than all of Sonoma County. Then one needs to do a separate calculation for the energy used in hoop houses functioning as mixed light- if limited to only one acre as in chapter 38, that is another 5.8 million families. Thus according to the SMND, energy usage for indoor and mixed light cannabis cultivation in Sonoma County could equal that of 22.5 million families in California. Clearly the conclusion of “no significant impact” is grossly wrong, and the allowable cultivation for indoor and mixed light need to be severely limited.

Other calculations have shown water usage of more than 10X than used by all of Santa Rosa in one year (19,387 acre ft used by Santa Rosa in 2020, City of Santa Rosa 2020 Urban Water Management Plan May 2021) if 65,000 acres of outdoor cannabis were cultivated using 1.1 million gallons per acre (a low estimate). Greater water usage would be obtained with indoor and mixed light

To summarize, the SMND grossly failed to analyze cumulative impacts of Energy and Water usage among its many other failings as enumerated by Shute, Mihaly & Weinberger. It must be discarded and a full programmatic EIR must be undertaken to analyze where, what type and at what level cannabis cultivation could be undertaken in Sonoma County..

From: [David Southwick](#)
To: [Cannabis](#)
Subject: Bennett Valley marijuana grow proposal
Date: Monday, May 17, 2021 9:00:25 PM

EXTERNAL

I am opposed to expanding marijuana grow facilities in the Bennett Valley area.

I feel expanding the acreage for cultivation will tax Bennett Valley's resources as well as infrastructure. Bennett Valley Rd is treacherous as it is, just look at the number of accidents we've seen over the last few years. It is essentially a single egress to the local population and had been bearing the brunt of the heavy construction traffic needed to rebuild after the 2017 fire. We're seeing crumbling of the pavement, rapidly developing and expanding pot holes. Don't know what, if any, heavy equipment will be needed for these grows but just the added traffic will tax our roadways.

Other effects of opening the Valley to these businesses, or any other water intensive commercial enterprises for that matter, will only deplete our dwindling water table. Sonoma County needs to take a close look at our water resources and harbor it closely. It is not an inexhaustible resource and once gone it is gone. The grows can move on but most residents cannot.

Additionally allowing the "grows" will change the overall appearance of the valley. From what can be seen by the existing "grow" it appears that we're allowing light industry to set up shop in the valley. White plastic greenhouses and storage sheds are more in keeping with an industrial park not an agricultural zone. They are unsightly and have the potential to add the effluvium of marijuana odor to the area.

As such I strongly oppose allowing expansion of marijuana cultivation into Bennett Valley.

David Southwick
2832 Bardy Rd

Sent from my iPad

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From: [Annette Cadosi](#)
To: [Cannabis](#)
Cc: dcva_board@lists.sonic.net
Subject: COMMENTS re: County of Sonoma re: Cannabis Land Use Ordinance, General Plan Amendment, and Subsequent Mitigated Negative Declaration. Hearing Date May 18, 2021
Date: Monday, May 17, 2021 5:55:05 PM

EXTERNAL

Board of Supervisors, C/O McCall Miller
Department Analyst
Cannabis Program
County Administrators Office

Dear Supervisors,

My wife and I own land at 1421 West Dry Creek Road, Healdsburg, CA. For the following reasons, I believe strongly that it would be patently improper for Sonoma County to adopt a Mitigated Negative Declaration, re: the referenced Land Use Ordinance Changes and General Plan Amendment:

A CORNERSTONE of the CEQA process is to allow the public to meaningfully participate re: governmental consideration of projects that may have substantial adverse impacts on the environment that we all live in. It is obvious here, that the public has NOT had a meaningful opportunity to participate in the process that has brought this extremely significant matter before the Board of Supervisors, on May 18, 2021. Frankly, one gets the feeling that the decision has already been made, without meaningful public participation, and that the County is just going through the motions to try to support the decision it has already made. The Mitigated Negative Declaration that the Board of Supervisors is on the verge of adopting, is a disgrace to CEQA, on many levels. Ironically, the County is, in effect, using a process without meaningful public participation to approve amendments and additions to the County Code that would effectively eliminate the opportunity for the public to meaningfully participate in future considerations by the County of applications for Commercial Cannabis Cultivation in the finest agriculture lands in Sonoma County. The euphemisms by the County are “Ministerial Permitting” and “administrative review process”. What it really means is that public participation is stifled at best and eliminated at worst. The answer to all this is for the Board of Supervisors to order a full blown EIR as mandated by CEQA. It is my understanding that many of the representatives of the cannabis industry are not opposed to an EIR. So, if the neighbors who feel that their very quality of life and the health of the environment is at stake, want an EIR, and representatives of the cannabis industry do not object, then why wouldn't the County just order an EIR? It has been suggested that the reason is that the County can't wait to get the substantial revenue that will probably be generated by commercial cannabis operations.

I ask that the Board of Supervisors do what is morally, environmentally, legally right, and order an EIR to be prepared. After all, our water, our finest ag land (LIA), and the rural agricultural landscapes that Sonoma County is famous for, are all under siege.

Thank you,

Edwin W. Wilson

Edwin and Annette Wilson
1421 West Dry Creek Road
Healdsburg, CA 95448
Phone/Fax (707) 433-2177
Annette's Cell (707) 481-1958

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From: [John Mackey](#)
To: [Cannabis](#)
Subject: Vote No to Commercial Cannabis Grows in Bennett Valley & Sonoma Co
Date: Monday, May 17, 2021 11:54:51 PM

EXTERNAL

Dear Sonoma County Supervisors,

I am strongly opposed to Supervisor approval to allow expansion of commercial growing of Cannabis in Bennett Valley especially, let alone Sonoma County. Bennett Valley is a small, beautiful valley, made of smaller residential properties adjacent to larger agricultural (winery's mostly) or ranch properties, and adjacent to Annadel State Park. It is an area of Sonoma County no less valuable to the landscape of Sonoma County than other viticultural areas, and higher densely populated. The current approved (against publicly raised opposition last year) Commercial Cannabis Growth Operation has already had negative effects on the beauty of the landscape as well as the odor and lights in the area. With concerns of drought looming and concerns over water levels in wells already, this consideration of approval for this growth and expansion seems more egregious. Roads, crime and security, more lights, ecological impact, the list of negative impacts on Bennett Valley and its residents goes on. The tax benefits for the county are not worth it, and the resources needed must be found some other way than from this negative impact to Bennett Valley Residents. Who wants to live next to beautiful vineyards? Versus, who wants to live next to a commercial Cannabis Grow operation? There are other more rural areas, far removed from the many impacts on the residents of Bennett Valley as well as other unique characteristics of Sonoma County, where this business activity can be done. But, not here! **Vote NO!**

Respectfully,
John Mackey
2540 Bennett Ridge Road
Santa Rosa

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From: [Jeanette Newman](#)
To: [Cannabis](#)
Subject: Opposed to Commercial Cannabis
Date: Monday, May 17, 2021 7:03:21 PM

EXTERNAL

The fact that cannabis farming uses 4-6 times as much water than grapes should be reason to ban this crop in our dry and fire prone county! In addition to that, the stench of this crop makes it incompatible for the residential areas as well as the food and wine industry. Food and wine define Sonoma county. PLEASE vote to ban commercial farming in Sonoma County.

Thank you,
Jeanette Newman
17272 Cragmont Dr
Sonoma, CA 95476

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From: [JACKIE PETERSON](#)
To: [Arielle Kubu-Jones](#); [district3](#); [Jenny Chamberlain](#); [district5](#); [Cannabis](#)
Date: Monday, May 17, 2021 8:04:45 PM

EXTERNAL

Dear Supevisors

I have been closely following the amendments and revisions to the cannabis ordinance for Sonoma County, have read the letters in the newspapers and the information and analysis from neighborhood groups. I am unhappy that the County has not reached out to residents and has been influenced too much by the industry in the drafting. I have come to the conclusion that Sebastopol Mitigated Declaration is fatally flawed and unfixable. It is time to return to the Board's earlier decision to do a project-wide EIR for Phase 2. Sonoma County needs an EIR, one which will protect our natural resources, will comply with CEQA requirements and at the same time give residents the right to their health, safety and peaceful enjoyment of their properties. I am also a supporter of the 1,000 ft set back from property lines.

Jeff Petersen, Santa Rosa 95401 West County

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From: [Jose Rodriguez](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Monday, May 17, 2021 8:22:27 PM

EXTERNAL

Sonoma County Cannabis Program,

My name is Jose Rodriguez and I am a resident of Santa Rosa, CA, USA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Jose Rodriguez
rodriguezj1122@yahoo.com
2041 Northfield Drive
Santa Rosa, CA, USA, California 95403

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From: [Kristin](#)
To: [Cannabis](#)
Subject: Cannabis in Sonoma County
Date: Monday, May 17, 2021 5:48:25 PM

EXTERNAL

Linda Hopkins and James Gore only see dollar signs in front of them. Save us from the greedy.

I hope there are some rational people among the County Supervisors. Please do not ruin Sonoma County because of Cannabis greed.

Kristin Merrihew
5225 Burnham Ranch Road
Santa Rosa 95404

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From: [Lance Barbour](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Monday, May 17, 2021 11:09:22 PM

EXTERNAL

Sonoma County Cannabis Program,

My name is Lance Barbour and I am a resident of Tustin, CA, USA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Lance Barbour
herbn.arts@gmail.com
2934 Player Lane
Tustin, CA, USA, California 92782

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From: [Lynn Scholten](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Monday, May 17, 2021 10:02:12 PM

EXTERNAL

Sonoma County Cannabis Program,

My name is Lynn Scholten and I am a resident of Sebastopol, CA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Lynn Scholten
lynnscholten1@hotmail.com
Pleasant Hill Road
Sebastopol, California 95472

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From: [Michele Bellah](#)
To: [Cannabis](#)
Subject: Please save 1000ft setbacks for our trails!
Date: Monday, May 17, 2021 5:49:07 PM

EXTERNAL

Hello, I hear that the 1000K setback protecting our trails is in peril. Please save the 1000ft setbacks from cannabis operations that are currently in place for the Joe Redota and West County trails, which are threatened by a County error in recording a clarification of the 12/11/18 Board of Supervisors meeting. In that meeting the BOS confirmed that they are both, in fact Parks.

Thank you so much,
Michele Bellah
Sonoma County resident

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From: [Sou Garner](#)
To: [McCall Miller](#)
Subject: Fwd: Do not pass the Sonoma County Cannabis Land Use Ordinance Update and General Plan Amendment
Date: Monday, May 17, 2021 10:12:46 PM
Attachments: [Neighborhood Response to Cannabis Ordinance.pdf](#)

EXTERNAL

FYI for your files!

Southisone S. Garner, MPA

Project Manager/Planner

she/her/hers



PLANNING | DESIGN | COMMUNICATIONS | MANAGEMENT | SCIENCE | TECHNOLOGY

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

From: **Matthew Brady** <matthewbee54@gmail.com>

Date: Mon, May 17, 2021 at 9:19 PM

Subject: Do not pass the Sonoma County Cannabis Land Use Ordinance Update and General Plan Amendment

To: <Susan.Gorin@sonoma-county.org>, <david.rabbitt@sonoma-county.org>, <Chris.Coursey@sonoma-county.org>, <District4@sonoma-county.org>, <Lynda.Hopkins@sonoma-county.org>, <larry.reed@sonoma-county.org>, <todd.tamura@sonoma-county.org>, <caitlin.cornwall@sonoma-county.org>, <cameron.mauritson@sonoma-county.org>, <gina.belforte@sonoma-county.org>, <greg.carr@sonoma-county.org>, <scott.orr@sonoma-county.org>, <sgarner@migcom.com>, <senator.mcguire@senate.ca.gov>

Elected Sonoma County Supervisors,

Pushing through a major policy change like this — during a pandemic when so many people are struggling, without adequate environmental review, during a drought emergency with no adequate evaluation of water availability, or listening to affected neighbors — it's an unnecessary rush to judgment. Do not pass this Ordinance just to get it off your agenda; this will come back to haunt you. Did anyone mention 'recall'?

A Voter,

Matthew Brady

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May 3, 2021

Sonoma County Board of Supervisors
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

RE: CANNABIS ORDINANCE, PROPOSED IMPROVEMENTS

Dear Supervisors:

We represent a coalition of neighbors and environmental activists who are trying to preserve what makes Sonoma County so special: our scenic beauty and precious natural resources. The solution is small cannabis grows away from residences, not in public view, and not spreading noise or odor. This is not what is proposed.

We don't expect to make millions of dollars from this policy change, like growers will, nor are we backed by major investors or powerful political players. We are ordinary homeowners and nature lovers, and we vote, consistently, as do our friends. We are local people who want to make Sonoma County better for everyone.

Members of our coalition have been constructively participating in this issue for years. At your behest, we have volunteered for community planning groups, reached out to staff, participated in public meetings, written letters and made endless suggestions to improve this new policy — only to see most of our recommendations sidelined and ignored. We are frustrated.

The proposed changes to the cannabis permitting process will be some of the most significant land use changes in Sonoma County in the last 40 years and, during a crushing pandemic when families are struggling with immediate needs, almost no one who's not already a grower or adjacent neighbor knows about it. Consider the context:

- Written into the Subsequent Mitigated Negative Declaration (SMND) document, more than 65,000 acres have been identified by the County for potential ministerial permits. The County, however, has *not* identified high fire danger zones, areas without a reliable source of water, lands with endangered species, areas away from neighborhoods, nor important open spaces, among other omissions. While proponents say they don't expect that many acres to actually be approved for grows, no one is offering a smaller number of acres than the 65,753 acres already stated. It's too much cannabis, and we need the County to clearly state a reduction in the acreage available for permits.
- This policy will grow tons of a new water-guzzling product, yet it relies on water survey data from 1980. We face a historically bad drought emergency that will likely extend for multiple years, caused by climate change, never considered in that 1980 data, the 20-year old General Plan Environmental Impact Report (EIR) or the SMND prepared for this policy. This policy change should not move forward without evaluating our current water resources, determining if we have enough supply to meet current and projected demand in normal and drought years.
- Calls from environmental experts and affected community members (and several Planning Commissioners) for a full Environmental Impact Report (EIR) have been ignored too many times to count. The SMND is fatally flawed. We need a full EIR which could allow the County to determine suitable areas for future grows.
- The legal recommendations and Agency input, including the California Department of Fish and Wildlife (CDFW) recommendations, among others, have not been incorporated, putting our county and taxpayers at risk of another expensive lawsuit.

This is not how we should run our county. Fortunately, you have the power to course-correct and find true consensus in our community. We offer these recommendations below in that spirit.

1. Recognize the Cumulative Impacts on Neighborhoods and our Environment

- A. Invest in a full Programmatic Environmental Impact Report (EIR) to comply with California Environmental Quality Act (CEQA) requirements, fully analyze and proactively identify locations for cannabis cultivation that are least impactful on residences and agricultural, resource, commercial and industrial zoned parcels, plus set an acreage cap for each groundwater basin.
- B. Suspend issuing and renewing cannabis permits until the EIR is completed, until setbacks between cannabis cultivation and residences and other sensitive uses are increased, and until other flaws in the newly revised Commercial Cannabis ordinances are addressed.
- C. Improve the Conditional Use Permit (CUP) processes as follows: Undertake normal land use planning for cannabis by identifying suitable sites, after the EIR is completed, and clearly identify State permit requirements, including project-specific environmental review and site criteria for proposed projects. Then determine areas suitable for cannabis operations based on evaluation of:
 - i. Water availability and impacts
 - ii. Proximity to residential homes, schools/childcare, parks/recreation, waste stream impacts from excess wastewater and plastic hoop houses
 - iii. Avoiding open spaces, all identified scenic resources, community separators, access roads, wildfire danger and other hazards, endangered or sensitive species, wildlife corridors, riparian corridors, wetlands, and historic/archeological/cultural resource sites
 - iv. Providing accessibility to law enforcement
- D. Satisfy CEQA including for ministerial permits, predetermine suitable locations that remove the need for discretion by County staff on aspects like hydrogeological analysis, biotic assessment, proper access roads, analysis of visual blight, fire risk, etc. Projects resulting in fencing, 24-hour security, nuisance lighting and odor emissions are by definition changing their surrounding environment, and thus triggering CEQA requirements.
- E. In short, align with California state regulations including:
 - i. Prop 64 – as implemented by the California Department of Food and Agriculture
 - ii. Fire safe roads – as implemented by the Board of Forestry
 - iii. CEQA – include CEQA requirements for ministerial permits
 - iv. State Water Resources Control Board and Department of Water Resources requirements for water demand, wastewater disposal and required setbacks for biotic resources, riparian habitats, etc.
- F. Eliminate the practice of issuing multiple ministerial permits to separate growers on the same or adjacent parcels. This is a loophole which leads to cumulative impacts as it amplifies the impacts many times over, obfuscates liability for violations, and does not comply with project-specific CEQA review and cumulative impact review as currently required by State law.
- G. Restore the Health and Safety clause in Chapter 38. Residents have a right to health, safety and peaceful enjoyment of their properties.
- H. Limit permitted acreage in any 10-mile square zone to prevent saturation of any one area.
- I. For all ministerial permits, impose a local residency requirement to stop the influx of non-Sonoma County operators, where “operators” are defined as owning at least 51% of the applying business.
- J. Prohibit the use of all single-use plastics in cannabis grow operations, especially for hoop houses.
- K. End the Penalty Relief Program (PRP) after May 31, 2021 and schedule public hearings for all remaining PRPs by September 30, 2021. Enough time has elapsed to give aspiring growers the opportunity to fix their applications and reapply.

2. Preserve Water and Open Spaces

- A. Maintain the Planning Commission’s inserted prohibition on all cannabis cultivation in Sonoma County’s Class 3 and 4 groundwater areas for all ministerial permits, and the County should assess water availability in all water zones as recommended by CDFW, before issuing new conditional use permits.
- B. Prohibit trucking of water or recycled wastewater under all circumstances.
- C. Require all wells to be independently monitored using a micro grid network system. Take precautionary steps to ensure that residential and agricultural wells do not run dry due to cannabis groundwater extraction or catchment systems.
- D. Prohibit all cannabis cultivation in voter-passed Community Separator parcels.
- E. Limit permit approvals during a drought, as declared by the State of California, to applicants that grow cannabis only using dry farming techniques with strict monitoring by the County.
- F. Trees with fruit or nuts have, since the original draft ordinance was published, been exempted from tree protections. Since many (or most) trees have fruits or nuts – including oak trees, whose acorns are both fruits and nuts – this exemption must be removed from proposed Chapter 38, or clarified so that the explicit intent is clear, resulting in continued protections from removal for oak and other trees.

3. Increase Setbacks, Neighborhood Compatibility and Odor Controls

- A. Require 1,000 foot minimum setbacks, from the property line, for outdoor and hoop house cultivation and 300 foot minimum setbacks for indoor cultivation — for all residences, schools, childcare facilities and parks.
- B. Require that no odor will cross the property line for all indoor cultivation and processing.
- C. Create a “Rural Residential Exclusion Zone” option for neighbors to pursue, which would be a simple and speedy (less than six months) mechanism to exclude commercial cannabis production from certain locations based on potential harm to watersheds, including wells serving residential homes, endangered species, neighborhoods with multiple homes, poor access roads and/or other site-specific constraints.
- D. Do not open agricultural or resource lands to cannabis events. Follow CalCannabis’ rules for events in commercial and industrial areas.
- E. For outdoor cultivation, require the applicant to submit the results of air quality modeling that show terpene emission levels under a series of typical weather conditions during the growing and harvesting season at the cultivation location. The modeling shall include all current and proposed sources of terpene emissions within one mile of the cultivation location, and the County may require setbacks deeper than 1,000 feet to mitigate offsite odor from outdoor and hoop house cultivation.

4. Centralize Processing of the Product

- A. Prohibit cannabis processing on-site and in residential, agricultural and resource zones. Instead, focus processing in facilities in commercial and industrial zoned land only.
- B. Prohibit cultivation and processing in areas without fire safe roads, which are narrow and often dead-end roads. This is another reason all processing should be done in our central corridor and not in our rural areas.

- C. State explicitly that cannabis is an agricultural product, not an agricultural crop, and therefore not the same as conventional agriculture and not subject to right-to-farm law.

5. Enforce with Penalties that Deter Law-breakers

- A. Change the initial term of permits to match the State License term of one year. This will allow the County to monitor performance and adjust standards on compliance with water, odor control, plastic handling and disposal. All evidenced claims of potential violations will be investigated immediately.
- B. Renew permits with no violations or unresolved complaints for two years, with the caveat that if violations and complaints occur later, the County will revoke the permit, effective immediately.
- C. Require posting of a \$50,000 bond upon issuance of each permit, to be used to remove structures, fencing and trash if the operator abandons a grow site, as well as to pay for enforcement; otherwise, the taxpayers will shoulder these costs.
- D. Do not give cannabis growers notice prior to inspections of their facilities for compliance checks. State law does not require this.
- E. Implement an enforcement team, similar to Humboldt County, consisting of Sheriffs, Fish and Wildlife and Water Resources staff to perform surprise inspections for compliance.
- F. Stop bad actors. Any person performing an illegal or un-permitted activity shall be required to stop all activities immediately, dismantle operations, pay a fine and be put under a two year probation where the violating operator will not be issued any cannabis permits.

In a news article from Sunday, April 18, the Press Democrat reported “cannabis varies in value from \$5.5 million to \$6 million per acre annually, compared to wine grapes that were about a \$11,000 per-acre value in 2019, county Agriculture Commissioner Andrew Smith said.” There’s a lot of money on the table, we understand that.

But pushing through a major policy like this — during a pandemic when so many people are struggling, without adequate environmental review, during a drought emergency with no adequate evaluation of water availability, or listening to affected neighbors — it’s an unnecessary rush to judgment. Don’t pass this Ordinance just to get it off your agenda, like an ill-advised Chanate sale or an ill-conceived school funding ballot measure, because this will come back to haunt you. Slow down, listen to neighbors and the environmental community, learn from past mistakes, and let’s do this the right way.

Make the changes we requested above and give neighbors and our environment a better deal. We cannot afford to get this wrong. Thank you.

Sincerely,

Bridget Beytagh
Friends of Graton (FOG)

Tess and Tom Danaher
Barlow Lane Neighbors

Deborah Eppstein

Ron Evenich
No Pot on Pepper Lane

Chris Gralapp
Bennett Valley Citizens for
Safe Development

Kim Gutzman
Barlow Lane Neighbors

Bill Krawetz
Gold Ridge Neighborhood

Katie Moore

Anna Ransome
Friends of Graton (FOG)

Vi Strain
Concerned Citizens of
Bloomfield

***Marsha Vas Dupre and Jack
Dupre***

Rachel and Gene Zierdt
Coffee Lane Neighbors

CC:

Sonoma County Administrators Office
Sonoma County Counsel's Office
Sonoma County Agriculture Commission
Mayors of Sonoma County Cities
The Press Democrat
Petaluma Argus Courier
Sonoma West Times & News
Kenwood Press
Oakmont Times
North Bay Business Journal
Sonoma County Gazette
Sonoma Index-Tribune
Sonoma Sun
Greenbelt Alliance
Sierra Club
Sonoma County Water Coalition
Sonoma County Conservation Action
Preserve Rural Sonoma County
Bay Area Chapter of the Gospel Coalition
Interfaith Council of Sonoma County
League of Women Voters
North Bay Labor Council
Sonoma County Vintners Association

From: [Marilyn Currier](#)
To: [Susan Gorin](#); [district3](#); [Cannabis](#)
Subject: Cannabis vote
Date: Monday, May 17, 2021 8:07:07 PM

EXTERNAL

My husband, Barry Currier, and I are aware of the cannabis controversy. Judy Young shared her letter with us, and we agree with the points she made. We too hope that you will slow the process down so that there is ample time for citizen input.

Thank you,
Marilyn Currier

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From: [Wendy Smit](#)
To: [Cannabis](#); [Susan Gorin](#); [Arielle Kubu-Jones](#); [David Rabbitt](#); [Andrea Krout](#); [district3](#); [Chris Coursey](#); [Sean Hamlin](#); [district4](#); [James Gore](#); [Jenny Chamberlain](#); [district5](#); [Lynda Hopkins](#); [Leo Chyi](#)
Cc: [Wendy Smit](#)
Subject: Comment letter from Milo Baker chapter of California Native Plant Society (CNPS) re Cannabis ordinance
Date: Monday, May 17, 2021 6:05:15 PM
Attachments: [Final Cannabis Ord letter.pdf](#)



March 17, 2021

Planning Commission
c/o McCall Miller - Department Analyst
Cannabis Program, County Administrator's Office

RE: Amendments to the County Code, Chapter 26 and new Chapter 38, to allow expanded ministerial permitting for commercial cannabis cultivation in agricultural and resource zoned areas

Dear Mr. Miller:

On behalf of the Milo Baker Chapter (Sonoma County) of the California Native Plant Society (CNPS), thank you for the opportunity to share our comments on the Sonoma County Cannabis Land Use Ordinance Update and General Plan Amendment. The Milo Baker Chapter is dedicated to protecting native plants and their habitats in Sonoma County. This letter addresses the concerns we have regarding the County of Sonoma's proposed general plan amendment to include cannabis within the definition of agriculture. A Subsequent Mitigated Negative Declaration is proposed to be adopted pursuant to the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines. Sonoma County has stated that the draft Subsequent Mitigated Negative Declaration for the Sonoma County Cannabis Land Use Ordinance Update has found that the proposed ordinance amendments and general plan amendment as written will not have a significant effect upon the environment.

While we appreciate the scope and intent of the County's ordinance, we have provided some comments in an effort to better achieve the purpose of the ordinance. The issues that are of concern are as follows:

Ministerial versus full California Environmental Quality Act Review

Ministerial permits have minimal review and protections. Generally, they require a public official to determine only that the project conforms to the applicable zoning and building code requirements and that applicable fees have been paid. In a County as ecologically diverse as Sonoma County many projects have unique site characteristics that would benefit from discretionary review where site specific parameters could help the cannabis applicant protect the environment while developing their agricultural property.

We recommend that the review should be a discretionary review not ministerial.

The current proposal requires review by the California Department of Fish and Wildlife (CDFW) only for state listed species or for a lake or stream bed alteration.

There are many other species that have been identified as being rare or species of special concern by CDFW, California Native Plant Society and the Native Plant Protections Act (NPPA). For example, the CNPS, which works closely with CDFW, has several plant rankings that include the following:

- 1A. Presumed extirpated in California and either rare or extinct elsewhere
- 1B. Rare or Endangered in California and elsewhere
- 2A. Presumed extirpated in California, but more common elsewhere
- 2B. Rare or Endangered in California, but more common elsewhere.
3. Plants for which we need more information - Review list
4. Plants of limited distribution - Watch list

Species of Special Concern, a designation under CDFW, should be used in the entire document, not just listed species as they pertain to the California Endangered Species Act (CESA), or the Federal Endangered Species Act (FESA).

The listing of a species is the last resort to prevent loss of the species from the ecosystem. In addition, it does not address loss of Sensitive Natural Communities identified by CDFW. As a result, those species and vegetation communities that are on watch lists identified in the CDFW Special Plants and Animals lists and the VNPS lists should be evaluated as well.

We recommend that Sonoma County include the expanded definition of rare, endangered and Species of Special Concern plants and vegetative communities into the ordinance.

Establishes expanded ministerial permitting in Agricultural and Resource zoning designations (Land Intensive Agriculture (LIA), Land Extensive Agriculture (LEA), Diverse Agriculture (DA), and Resources and Rural Development (RRD)) within the unincorporated area of Sonoma County.

This ordinance should only apply to properties zoned as Agriculture. There should be no ministerial permits allowed on properties zoned Resource and Rural Development (RRD) or other non-agriculture zoned parcels. This would require additional review of the impact and the incremental impacts of developing more properties into agricultural properties than the general plan envisioned or accounted for in its programmatic EIR. Many properties have been zoned RRD because of the steep slopes, special site conditions, or other conditions that make the property impractical to develop into a standard agricultural operation. Applying over-the-counter ministerial permits for agriculture outside of agricultural zones is inappropriate and could lead to loss of critical habitat, further impacts to already degraded streams and a decrease in stored carbon throughout our county, further exacerbating the impacts of climate change.

We recommend that Sonoma County restrict the use of ministerial permits to those projects that are already within existing agriculture zoned land.

Expands the cannabis cultivation area allowed per parcel from 1 acre to 10 percent of the parcel.

If the County continued to allow this type of land conversion in RRD zoned parcels, we would have significant concerns about allowing properties to develop up to 10% of the parcel for cultivation through a ministerial process. This could exponentially develop large swaths of land for cultivation with just a ministerial review. Many acres of vegetation communities would be lost with no mitigation. Sonoma County does not have adequate baseline information on the current acreages of vegetation communities to address the loss of communities in the future. As stated in the Mitigated Negative Declaration, up to 657,534 acres are identified as being within the expanded definition of Ag and Resource zoning, stated above, and greater than 10 acres. With the new ordinance, the potential 65,753 acres to be developed in Sonoma County is too much.

We recommend that Sonoma County reduce the allowed acreage to be developed to 1% of a parcel if in RRD and only 4% of the parcel if the ministerial permit process is used.

A biotic assessment be prepared by a County approved qualified biologist concluding that the project would not result in impacts or “take” of protected plant and animal species is required for projects with or adjacent to native habitat areas. If the biotic resources assessment recommends mitigation measures a use permit will be required.

We strongly support this approach, but would like to see that these assessments be made public and sent to entities requesting to review these documents, including the Milo Baker Chapter of CNPS.

The updated ordinance will require compliance with minor and major timberland conversion provisions per State law.

Any land use application to the Zoning of Forest Land (FL), and/or Timber Production Zone (TPZ) that requires the removal of trees as part of the project is a conversion of timber lands and is subject to environmental review (Full EIR under CEQA – with the County of Sonoma being the lead agency). The current ordinance (in place) and proposed ordinance allow for administrative permitting in these zonings.

We recommend that Sonoma County restrict the permitting to Agricultural Zoned parcels to avoid potential impacts to native plants and plant populations. County Staff cannot be experts in all the issues that occur on these land types and a biological review should be conducted.

As identified in the Ordinances Mitigated Negative Declaration, neither the County's tree protection ordinance nor provisions in the updated Ordinance would ensure that such trees are replaced after removal occurs, and that replacement trees are fully protected during project activities.

Although the updated Ordinance states the following:

A. Tree Protection.

- 1. Non-Forested Area Required.** Cannabis cultivation and associated development can only be located on a site that was non-forested as of December 20, 2016, except that trees may be removed in compliance with subsections 2 and 3, below.
- 2. Trees Generally.** No tree greater than 20 inches at diameter breast height (dbh) can be removed to accommodate cannabis cultivation or associated development. Cannabis cultivation and related development must avoid any tree greater than 20 inches at diameter breast height by 1.5 times the dripline.
- 3. Protected Trees.** No protected tree greater than 9 inches at diameter breast height can be removed to accommodate cannabis cultivation or related development.
- 4. Tree Avoidance.** Any tree that cannot be removed under subsection 2 or 3, above, must be avoided by 1.5 times the length of the dripline.

Although, the updated Ordinance prohibits the removal of protected trees greater than nine inches at diameter breast height (dbh) and any tree greater than 20 inches dbh, neither the County's tree protection ordinance nor provisions in the updated Ordinance would ensure that individual trees are replaced after potential removal occurs, and that replacement trees are fully protected during project activities.

The updated Ordinance may result in a loss of trees that is inconsistent with local policies and ordinances. Mitigation would require the replacement of protected trees if removed from cultivation sites. As a result, development of the site with any native trees will require a Use Permit.

We recommend that Sonoma County adopt the following:

1. There should be no removal of heritage trees through this permit process. Heritage trees, as identified in the Sonoma County General Plan, have often lived for hundreds of years and are often seed source for local plant populations and habitat for local wildlife.
2. It should be state that no more than 15% of a site's native tree canopy can be removed through this permit process. This would protect native woodlands on properties that are being regulated through the ministerial permit. This would be an easily enforced regulation in that an aerial survey of the site can be done remotely and accurately. All removed trees should be accounted for in an arborists report that designates the species name and dbh.

The updated Ordinance includes a standard that requires development of cannabis cultivation and related structures to be located only outside the Biotic Habitat Combining Zone, pursuant to

Section 26-66, of Chapter 26 of the Sonoma County Code. With adherence to this standard, and those described under criterion a, impacts to sensitive natural communities would be less than significant.

Sensitive vegetation communities, as defined by CDFW, occur in areas that are outside of the Biotic Habitat Combining Zone. Sonoma County has not mapped all of the vegetation communities within the County. As a result, the development of cannabis cultivation in these areas could result in the loss of sensitive communities.

We recommend that Sonoma County only issue ministerial permits on parcels and in areas already under some type of cultivation. If an applicant wishes to develop a parcel or part of a parcel that does not meet this definition, then the applicant should have to conduct a full CEQA process and have all the potential impacts studied at the cost of the applicant.

The Ordinance does not require an overall evaluation of water use per grow, processing or workers use. A database should be created to track the use of water per grow site, per area and by overall County use.

With climate change and the lowering of the water table due to population growth and other agricultural practices this will be an important component in the evaluation for new grow areas. The California Water Board Cannabis small irrigation use prohibits cannabis cultivators from diverting surface water during the dry season forbearance period, from April 1 through October 31 of each calendar year. This means that water used for cannabis cultivation activities must be diverted to off-stream storage during the wet season to be used during the dry season. To obtain a California Department of Food and Agriculture Cannabis Cultivation (CalCannabis) License, you must provide documentation of your water supply source(s) with your cultivation license application. Unclear regulatory frameworks and inconsistencies between State and County policies poses a major barrier to compliance for small-scale farmers in particular as identified by the UC Berkeley Cannabis Research Center.

We recommend that Sonoma County require that all proposed grows in Sonoma County meet the CalCannabis license requirements.

Thank you for your considerations.

Wendy Smit – President, Milo Baker Chapter

California Native Plant Society

Wsmit8000@gmail.com

From: [Nancy Birnbaum](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Monday, May 17, 2021 10:07:37 PM

EXTERNAL

Sonoma County Cannabis Program,

My name is Nancy Birnbaum and I am a resident of Guerneville, CA 95446, USA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Nancy Birnbaum
nancy.birnbaum@sensimag.com
19092 Ridgecrest Drive
Guerneville, CA 95446, USA, California 95446

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From: [Yael Bernier](#)
To: [Cannabis](#)
Subject: Comments on Amended Cannabis Ordinance Chapter 38
Date: Monday, May 17, 2021 8:36:33 PM
Attachments: [Cannabis Letter from Paul and Yael.docx](#)

EXTERNAL

Dear Ms. McCall Miller,
Please read the attached letter concerning tomorrows hearing with the Board of Supervisors.
Thank you, Paul and Yael Bernier

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Board of Supervisors, C/O McCall Miller

Department Analyst

Cannabis Program

County Administrators Office

May 17, 2021

Dear Sonoma County Supervisors,

We have lived in the Dry Creek Valley for forty six years. We have been farmers for the entire time and we love the beautiful soil in which we grow grapes, orchard trees and vegetables commercially. Sonoma County farmland is some of the best in the United States and we are recognized world wide for the terroir of each individual region and the grapes, produce, and dairies that are sprinkled throughout our county.

We recognize that the revenue potential from cannabis grows rivals any of the present products grown here. The rural life, the natural resources, the small family farms, the local food source, the vineyards, the dairies, those are the true bread and butter of Sonoma County and the Bay Area for that matter. However the potential impacts of cannabis are a great threat to our region. Without a full Environmental Impact Report, we risk losing the goose that lays the golden egg.

We oppose the amended Cannabis land use ordinance Chapter 38. It would be wrong for Sonoma County to adopt a Mitigated Negative Declaration regarding the referenced Land Use Ordinance Changes. Public review and full blown EIRs are essential when it comes to permitting Cannabis in our rural communities and on LIA zoned regions. Cannabis should not be treated as an agricultural product. Its impacts on our safety, sensory awareness, and environment are a magnitude greater than any other agricultural products in Sonoma County and needs to be treated as such.

Sincerely,

Paul and Yael Bernier

1720 Canyon Rd.

Geyserville, CA 95441

From: [Samira](#)
To: [Cannabis](#); [Susan Gorin](#); [Arielle Kubu-Jones](#); [David Rabbitt](#); [Andrea Krout](#); [district3](#); [Chris Coursey](#); [Sean Hamlin](#); [district4](#); [James Gore](#); [Jenny Chamberlain](#); [district5](#); [Lynda Hopkins](#); [Leo Chyi](#)
Subject: Opposition to cannabis ordinance
Date: Monday, May 17, 2021 7:04:19 PM

EXTERNAL

Dear Supervisors:

I have been closely following the amendments and revisions to the cannabis ordinance for Sonoma County, have read the letters in the newspapers and the information and analysis from neighborhood groups. It is indisputable that the Subsequent Mitigated Declaration is fatally flawed and unfixable as evidenced by EIRs conducted by other counties which came to contrary conclusions to the “mitigation” efforts described in the negative declaration. It is time to return to the Board’s earlier decision to do a project-wide EIR for Phase 2. Sonoma County needs an EIR, one which will protect our natural resources, will comply with CEQA requirements and at the same time give residents a right to their health, safety and peaceful enjoyment of their properties. It is irresponsible of the county to push this ordinance through knowing the inevitable litigation that will follow rather than putting those resources to an EIR.

I urge you to vote against this ordinance.

Best Wishes,
Samira Bokaie, Esquire
Petaluma, CA

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From: [Starrine Wade](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Monday, May 17, 2021 11:53:32 PM

EXTERNAL

Sonoma County Cannabis Program,

My name is Starrine Wade and I am a resident of Calabasas, CA, USA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Starrine Wade
starrinebean@yahoo.com
23625 Summit Drive
Calabasas, CA, USA, California 91302

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From: [Susan Watson](#)
To: [Cannabis](#)
Subject: Cannabis Ordinance BOS 5/18/21
Date: Monday, May 17, 2021 9:12:23 PM

EXTERNAL

Dear Supervisors:

I have been closely following the amendments and revisions to the cannabis ordinance for Sonoma County, have read the letters in the newspapers and the information and analysis from neighborhood groups. I'm unhappy that the County has not reached out to residents and has been influenced too much by the industry in the drafting. I have come to the conclusion that the Subsequent Mitigated Declaration is fatally flawed and unfixable. It is time to return to the Board's earlier decision to do a project-wide EIR for Phase 2. Sonoma County needs an EIR, one which will protect our natural resources, will comply with CEQA requirements and at the same time give residents a right to their health, safety and peaceful enjoyment of their properties.

Susan Watson Occidental

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From: [Alexa Garcia](#)
To: [district5](#); [district4](#); [district3](#); [Leo Chyi](#); [Susan Gorin](#); [David Rabbitt](#); [Andrea Krout](#)
Cc: [McCall Miller](#); [Andrew Smith](#); [Tennis Wick](#)
Subject: Coalition Letter-2.pdf
Date: Monday, May 17, 2021 8:07:57 PM
Attachments: [Coalition Letter-2.pdf](#)

EXTERNAL

Hi Supervisors,
Please see our letter below. Thanks!

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--

Alexa Rae Wall
Luma California, CEO

Dear Honorable Supervisors,

As a coalition of Sonoma County cannabis organizations, together we represent hundreds of members and farmers. Established in 2021 to protect legacy, celebrate history, and preserve terroir — the Sonoma County Cannabis Coalition continues the North Bay's proud tradition of supporting agricultural pursuits that benefit all communities including cannabis.

Below are the following goals shared by Coalition members.

We ask that the Board please:

- Treat cannabis like agriculture
- Lower cultivation taxes
- Establish an Equity Program unique to Sonoma County
- Establish dedicated staff for the program to clear the backlog of permit applications
- Support and protect legacy farmers who applied for priority processing and are already in the Chapter 26 program as an operator or applicant
- Create a workable ministerial process for operators
- Create a successful pathway for small farmers to participate in the program
- Create policy that allows for operators of all sizes to compete at the state level
- Align with state law
- Allow for more license types on ag lands
- Create a variance process

We urge you to push for sensible and fair cannabis policy that gives farmers an accessible pathway to success and sustains a healthy cannabis economy for Sonoma County that benefits all from seed to sale.

Sincerely,

Sonoma County Cannabis Coalition

cc:

Sonoma County Growers Alliance
Hessel Farmers Grange
Cannabis Business Association of Sonoma County
421 Group
Rogoway Law
Law Offices of Omar Figueroa
Kind Law
Americans for Safe Access Sonoma Chapter
Cannabis Clearwater



From: [Tamara Boulton](#)
To: [Cannabis](#)
Cc: [Susan Gorin](#)
Subject: Phase 2, Cannabis Amendments - May 18
Date: Monday, May 17, 2021 10:47:35 PM

EXTERNAL

Dear Supervisors,

I am writing to ask you, please, do not go forward with the "proposed improvements" to the cannabis ordinance - they are absolutely inadequate and detrimental to the health, welfare and best interests of the residents of Sonoma County. I have read the 5 page letter submitted to you by the Neighborhood Coalition, dated May 3, 2021 and feel that it is a very fair representation of the concerns of most county residents and enumerates the numerous inadequacies of the proposal you're considering on May 18, 2021. I urge you to not only read and reread that letter but to also reconsider going forward with the current proposal.

Additionally I'd like to point some additional areas/items of concern.

Within the many documents of land use planning having to do with the unincorporated area there are several areas which originally had specific plans adopted. In some sections of these individual plans, some of the governing requirements were more restrictive than the General Plan. Subsequently, several of these specific plans were readopted as "area plans" with the specific statement that the more restrictive wording in these plans would apply instead of the more general "General Plan" language. This matter is of great importance in governance and in seeing that the intent of our governing documents is carried out correctly and fully.

After a full EIR has been done (and we need this because this change in use and focus is too far reaching and impactful to go forward without due diligence and thorough study), applicants need to go through the Permit process, not have applications handled via ministerial permits (no hearings/no public input), and not by personnel (uncredentialed) who have not been trained to do the regular "permit process" and certify that the criteria of all Area Plans as well as the General Plan have been considered and conditions met.

Some articles published by the Smithsonian Magazine (11/2019) noted that the cannabis industry is "Not as Green as You Think". There were several areas of concern mentioned regarding their environmental imprint. This included the high water usage as has been noted but also the air pollution concern (cannabis emits volatile organic compounds "that contribute to ground level ozone or smog which is dangerous for humans to breathe" etc.) In another article, William Vizuete, PhD at the Univ. of North Carolina School of Public Health, speaks of the significant impacts due to large amounts of VOC emitted. Also noted in these articles, the high usage of electricity by the cannabis industry which is excessive and continues to grow. Additionally there were suggested needs for environmental regulations for growers relative to water and requirements for the CA Water Board re: strict guidelines for water usage and prohibitions.

Besides all the concerns expressed in the Neighborhood Coalition letter there's yet another concern: Special Events. It has already been mentioned in a recent Press Democrat article that Cannabis Groups do plan to have numerous Special Events. This is another huge concern for the community as well as the County.

With regulations, a big concern is enforcement of these regulations on an ongoing basis AND consistent oversight that our own area rules are being followed before permitting, as well as afterward. Let's face it, our Code Enforcement Department has historically been overwhelmed and "things" have gotten through that shouldn't. They need more support and the County needs to ensure that those who deal with applications and follow-up have the training and support needed.

I write because I have long term concern about what happens to all of Sonoma County, and not just Bennett Valley. Years ago I was on the Citizens Advisory Committee that worked with the County to draw up the Bennett Valley Specific Plan. (Brian Kahn was Supervisor then) Subsequently served as volunteer liaison between our area community group and county personnel as well as served on the local design review committee. In 2001 was appointed to the 2020 General Plan Citizen's Committee and served until its completion (2008?) Hence, my

concern with this serious planning matter. I appreciate your concern and time on this matter.

Please do not go forth with this flawed document. Do things right, don't rush it, take your time, listen - to homeowners, families, retirees, young people, etc. You have our lives in your hands - an awesome responsibility.

Sincerely,
Tamara Boulton

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From: [Zac Guerinoni](#)
To: [BOS](#); [Cannabis](#)
Subject: Re: Public Comment- BOS Chapter 38 Draft Cannabis Ordinance
Date: Monday, May 17, 2021 9:54:43 PM

EXTERNAL

May 18, 2021

Ahti Farms inc.
6871 Abbott Ave
Sebastopol, Ca 95472

Dear Board of Supervisors,

We ask that you approve County Staff's original recommendations, including immediately moving the Cannabis cultivation review to the Ag Commissioner's office under ministerial permitting right away.

- **All legacy operators and existing applicants in the pipeline need to be prioritized as baseline Social Equity applicants with the following:**
 - **A 50% acreage be allotted to small farmers, priority processing applicants, social equity applicants in any acreage cap limitation.**
 - **The state has approved the Sonoma County Cannabis Social Equity assessment grant funding. If Social Equity is not prioritized it will harm the county and our industry pioneers.**
 - **Further, we are ok with the 5-acre county cap with a 2-acre cap on hoop houses**
- **All other annual crops are by right. Only orchards and vineyards go through a ministerial process. Even hemp only needs a simple registration!**
-

We are still in a recession, and this move is needed for our local economy

- The Planning Commission kept saying that “no one is happy with this ordinance” but then proceeded to cut staff’s recommendations down to an unworkable ordinance recommendation. Staff recommendations were barely suitable, this industry should not have to live under the additional constraints being suggested by the Planning Commission.
- Sonoma County Planning Commission considered minimal Cannabis stakeholder recommendations. Even after significant documented public comment. Additionally, we are still waiting for those recommendations to be acknowledged by the BOS.
- For example, The requirement that a “declared emergency” must be initiated to use a generator. This is not taking into consideration a PSPS (Public Safety Power Shut-off) which is not a “declared emergency”. It also does not reflect the fact that any power outage can ruin a Cannabis Crop.
- The industry went from 8,000 potential applicants to hundreds, and now fewer than forty. Sonoma County can’t continue to be left behind.
- Sonoma county ordinance drafts have not protected the small farmer and have only made it too restrictive, it has not allowed our local cultivators to transition and flourish.

In reviewing the tapes of the Planning Commission deliberations on March 25th, it appears that the Planning Commission avoided the nuances of how to include Water Zone 3 and 4 properties when in fact these are the most important to include for the following reasons:

- Not all properties in groundwater availability zone 3 & 4 are the same. Many have ample well or recycled water availability. Rainwater catchment should also be incentivized.
- The proposed staff changes require that dry well testing and hydrogeological studies be conducted by a certified hydrologist, ensuring that the proposed area has sufficient water. This is unprecedented and quite onerous as it is.
 - The premise that a hydrology report would disqualify a property from a zoning permit is a moot point, considering that each permit requires a hydrology report.

- The staff's recommendations for water are very restrictive. We don't think the commissioners spent enough time addressing the issues with groundwater availability and instead spent too much time on trucking water
- Ranchers and other farmers are in these zones and also want to diversify their income-
- Many of the already permitted cannabis farmers are in Zone 3 and have ample room and water to expand. There should be a level playing field for these pioneers.
 - Groundwater is also not the only source that Cannabis should be allowed
 - Trucking of groundwater or recycled water should be allowed and incentivized.

The setbacks recommended by staff are already extremely restrictive. There is no need to increase setbacks. It would even be prudent to relax the setback requirements.

- Increasing the setbacks makes minimum property sizes much larger than the allowed ten-acre minimum lot size. That is prohibition, not regulation.
- Mandating larger parcels creates an equity issue and an unreasonable cost of entry for the potential small farms.
- When the cannabis ordinance was introduced it was with the idea of making permitting easier as we progressed, not harder.
- Original permit applicants that were on 5 acres have already been completely pushed out of the industry. Let's not push out even more applicants, this only drives the counter economies further underground.

Pending applicants need to be given processing priority!

- Let's remember to give due process to those who have been in a multi-year CUP process.
- Give them their CUP hearing right away, or move them to the front of the line for ministerial permitting consideration.
- We need dedicated planners at PRMD and we need more hearing dates available for both Planning Commission and Original Jurisdiction.
- Give the Ag-Dept the resources it needs to process the major influx of applications and keep people that are already in line processed first.

We need to continue developing the *next phase* of the permitted Cannabis industry now by developing an EIR which can study:

- The needs and impacts of cannabis tourism
- Cultivator farm stands
- More permitted dispensaries
- On-site Processing, **harvest-specific manufacturing** and self-distribution.
- On-site consumption
- Expanded zoning allowances for permitted cultivation, such as permitting RR and AR zoned properties.
 - Not doing this excludes legacy farmers that are trying to comply with the regulatory frameworks.
- We need to strategically allow the components of a fully developed cannabis industry

An industry-led ad-hoc needs to be established in order to address the inequities of the county's cannabis ordinance.

- We need a definitive social equity component in our ordinance.
- The cost of entry into the cannabis industry is extremely high and limits local, smaller operators' ability to participate in the cannabis program.
- Unless we move faster towards a path to compliance the alternative market will prevail and we'll lose all the potential tax revenues.
- This industry pays more in taxes and fees than many other industries. We deserve a seat at the table to address our concerns!
- With the Social Equity grant monies that the county qualifies for, we would like to see a paid Cannabis Commission.

Temporary Hoop Houses should be allowed in all areas of the county where cannabis is permitted.

- Temporary hoop houses are NOT greenhouses
 - Greenhouses require building permits
 - Hoop houses receive over-the-counter permits for 180 days
- Hoop houses support a clean cultivation area, where operators can maintain the operational standards demanded by the market.
- Overspray from adjacent parcels and other vectors of contamination can destroy a farmer's only annual crop. Hoop houses are needed to protect it.
- It is fair that all cannabis farmers should be allowed to do what any other farmer can do in regards to growing techniques here in Sonoma County.
- Supporting the use of hoop houses will keep Sonoma County cannabis competitive on the statewide market. Hoop houses produce the highest quality Sonoma County cannabis.

- We are not saying that we want to see sprawling acres of hoop houses, which mimic the central valleys either. We appreciate that this needs to be implemented in a site-specific manner.

Signed,

Zac Guerinoni

CFO
Ahti Farms Inc.
CDPH-10004213

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From: [Gretchen Giles](#)
To: [Cannabis](#)
Subject: 2021 Draft Cannabis Ordinance - Public Comment
Date: Tuesday, May 18, 2021 5:47:46 AM

EXTERNAL

Sonoma County Cannabis Program,

My name is Gretchen Giles and I am a resident of Santa Rosa, CA. I am writing to submit my support for the most recent iteration of the Hessel Farmers Grange's public comment memo. This memo has been submitted to the Board of Supervisors as an official record of public comment by the Hessel Farmers Grange, concerning the 2021 Sonoma County Cannabis Draft Ordinance.

Thank you for your time and consideration.

Gretchen Giles
giles.gretchen@gmail.com
1038 Clark St.
Santa Rosa, CA, USA, California 95404

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From: [Sou Garner](#)
To: [McCall Miller](#)
Subject: Fwd: Sonoma County Board of Supervisors May 18th Meeting, Agenda Item 14
Date: Tuesday, May 18, 2021 4:27:59 AM

EXTERNAL

Good Morning, please see below.

Best,
sou

Southisone S. Garner, MPA

Project Manager/Planner

she/her/hers



PLANNING | DESIGN | COMMUNICATIONS | MANAGEMENT | SCIENCE | TECHNOLOGY

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

From: **Geri Johnston** <gjdino@gmail.com>

Date: Mon, May 17, 2021 at 10:51 PM

Subject: Sonoma County Board of Supervisors May 18th Meeting, Agenda Item 14

To: <bos@sonoma-county.org>

Cc: <sgarner@migcom.com>, <scott.orr@sonoma-county.org>, <senator.mcguire@senate.ca.gov>, <info@jaredhuffman.com>

Sonoma County Board of Supervisors,

As you are aware, cannabis is a different type of product than any other crop, largely due to its high valuation. Those high valuations require protection, fencing, 24x7 security systems, cameras, dogs, guards, etc. None of these are conducive to a family neighborhood. The county needs to reevaluate where these types of facilities are logical and where they are not. The following link is from a CNBC interview aired on May 17th, 2021 with an industry cannabis executive who clearly demonstrates that the valuation of cannabis is large enough that it must be protected to guard against crime. He proclaims that the future of cannabis cultivation should be indoors for reasons of security and production, not to mention unwanted odors and significant water consumption. Does this sound like a product that should be zoned in family neighborhoods?

Cannabis draws crime and unwanted elements due to its nature and high valuations. Commercial cannabis growers need to be zoned accordingly. Please reconsider the implications your decisions will have on the future of Sonoma County and our wonderful neighborhoods. How would you feel if one of these facilities was placed next to your home?

<https://drive.google.com/file/d/1xEgzx1xzo0iw5ZQebbBxBAC3YOCHopK/view?usp=sharing>

Sincerely,

Geri Johnston

Sonoma County resident and Liberty School District employee

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