

## McClenagan, Laura

---

**From:** Margro Advisors <info@margroadvisors.com>  
**Sent:** Wednesday, December 01, 2021 3:04 PM  
**To:** Planning Clerk  
**Subject:** Planning Commission Dec 2, 2021, Item H. Cannabis Discussion - Public Comment  
**Attachments:** MAPublicComment\_PlanningCommission\_Dec2\_ItemH.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The attached presentation is provided as public comment on the upcoming Planning Commission meeting "Item H. Cannabis Discussion"

Please let us know if you have questions.

Thank you.

Kelly

--

Margro Advisors  
1-707-500-2420

# MARGRO ADVISORS

---

---

CMMLUO (1.0) to CCLUO (2.0)

— Ramifications of “Moving —  
the Goal Posts”

---

---

# Introduction

---

On November 18, the Humboldt County Planning Commission discussed [agenda item #1](#) “issues surrounding Cannabis Permitting with the potential to provide a recommendation to the Board of Supervisors”

During the meeting some commissioners discussed support for requiring all 1.0 (2016 Cannabis ordinance) applications/permits to be forced to meet the requirements of 2.0 (2018 Cannabis ordinance) along with other significant new requirements

The following provides a general description of the potential impacts of such a change to the local industry

# Chart of Impacts - 1.0 vs 2.0

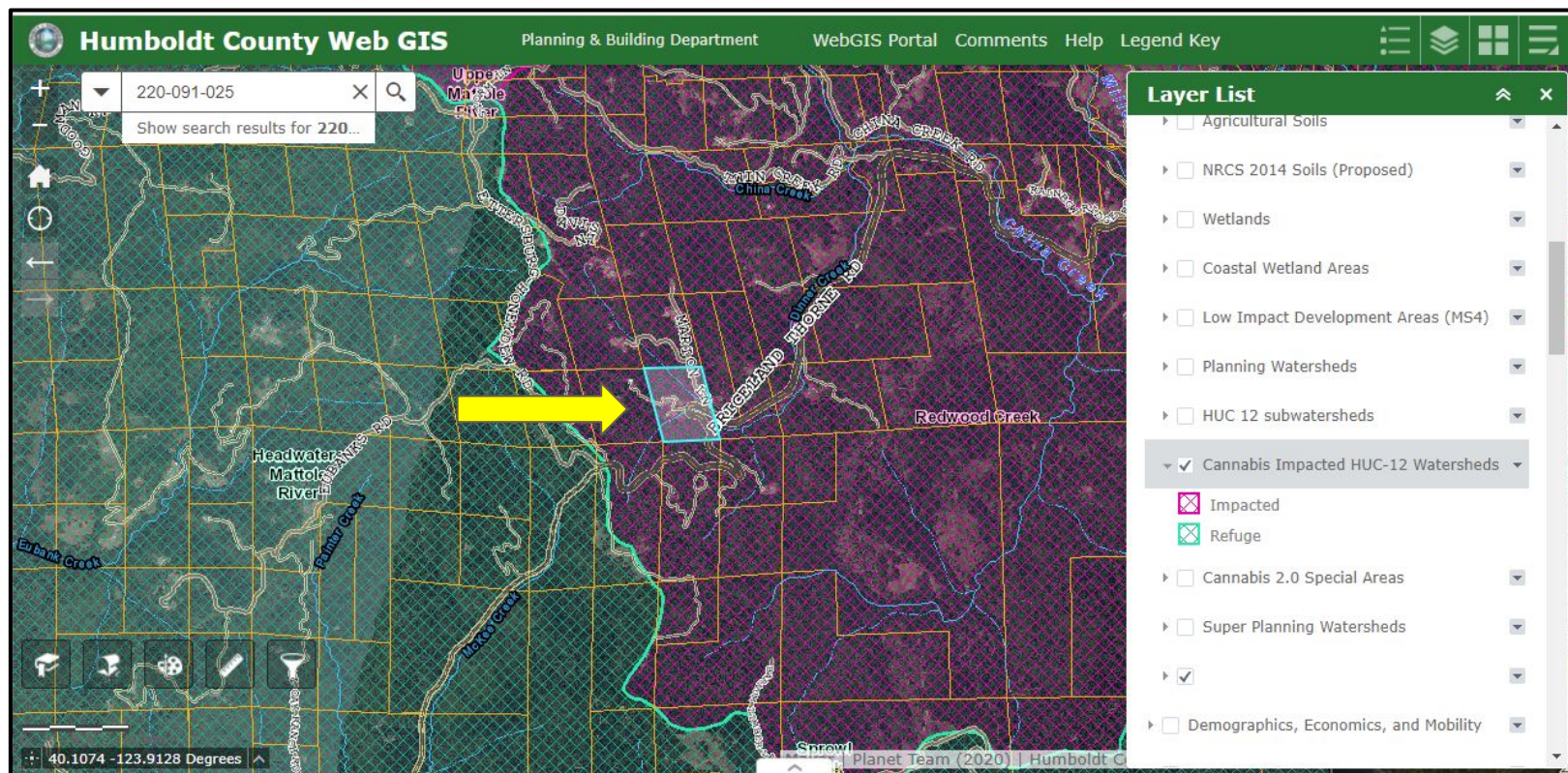
CCLMUO "1.0" Jan 2016	CCLUO "2.0" May 2018	Impact of moving 1.0's to 2.0
TPZ allowed for pre-existing farms	TPZ zoned properties not permissible	ALL TPZ zoned permits would be canceled
No slope restriction	Cultivation may only occur on 15% slope or less	ALL permits in the hills with more than 15% slope would be canceled
Commonly Required Surveys: Archaeological Survey Timber Restoration Plan	Commonly Required Surveys: Archaeological Biological Reconnaissance Special Status Plant surveys Northern Spotted Owl Survey Timber Restoration Plan	All 1.0 applicants will be required to spend tens of thousands of dollars on additional research.
No Impacted Watershed Restrictions	Prohibition of permits in any impacted watersheds	All existing permits in impacted watersheds would be canceled
No restrictions on distance from the county road	Requires cultivation property be within 2 miles of a county road	Any permitted farms that are more than 2 miles from a county road may be canceled
Generators not allowed for indoor cultivation	Generators not allowed as primary power source for any cultivation	All farmers utilizing generators as a primary power source may be canceled

# Who will be impacted?



Huckleberry Hill Farms is a supplier to Willie Nelson's brand "Willie's Reserve" and a vocal advocate for sustainable farming by providing educational tours to visitors

The company would lose their permit due to Impacted Watershed restrictions



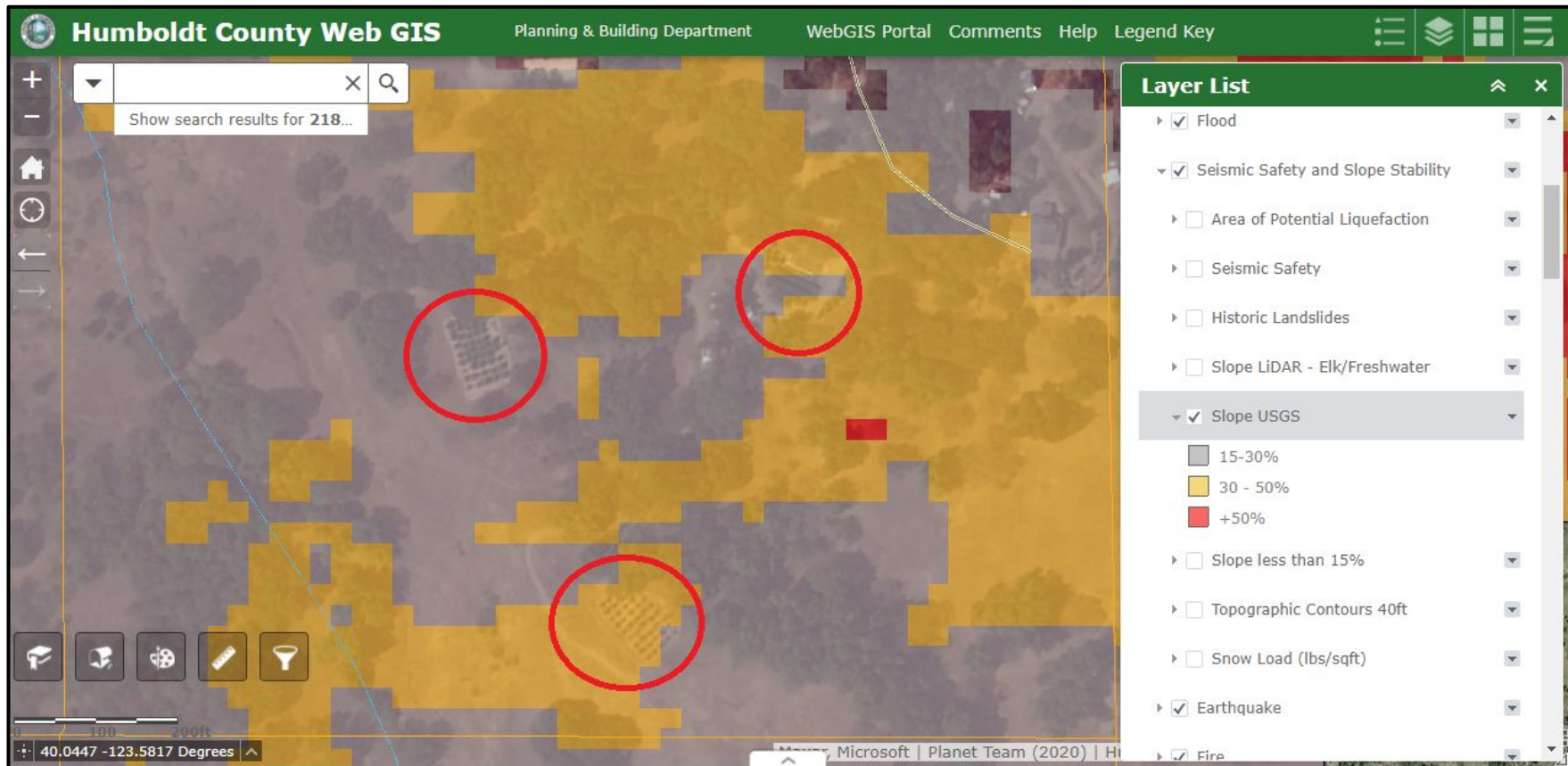


# Who will be impacted?



Moon Made Farms is a regenerative Sun + Earth certified and DEM Pure certified farm that contributes more than it takes from the ecosystem.

The company would lose their permit due to 2.0 slope restrictions



# Category 4 Standard Road Requirement

---

During the meeting Humboldt Planning Commission Chair Alan Bongio stated:

*"The real issue is where we're allowing the permits to happen. All the issues come from the grows being in the environmentally sensitive areas. The further out you go, the worse that gets. So I would make a suggestion to the Board of Supervisors that the number one thing that would solve many of the problems because it would eliminate many of the problems...that we somehow form something to the supervisors that talks about the ridiculous class four road standard and say that you have to really build a class four road. Because that will eliminate most of the projects."*

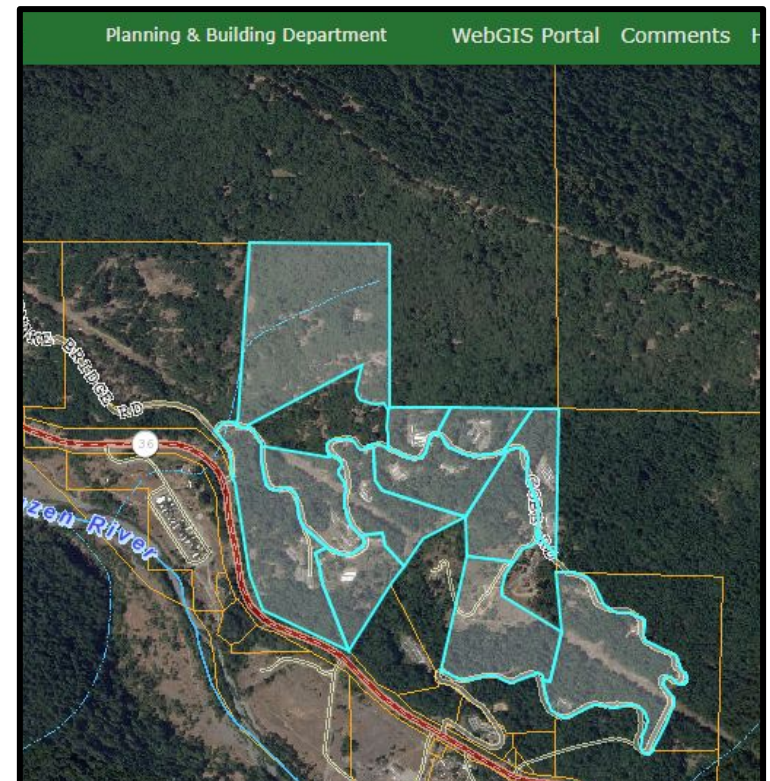
# Who will be impacted? 11 Pre-Existing Farms

---

As an example, these 11 farms have 2.85 acres of cultivation on a private dirt road that starts about 1/10 of a mile from Highway 36. They have all been in the process since December of 2016 and have:

- Paid over \$420,000 in county excise taxes since 2018
- Paid over \$80,000 in Planning fees
- Formed a Road Association
- Developed Three Cannabis Brands

How does it benefit the county to kick these farmers out of the regulated legal market because they are not in a city with a Category 4 standard (center striped) road?





# Who will be impacted?



Deerfield Farms has only 5,000 sq feet of cultivation and is a 100% rain catchment irrigated farm. Based on the discussed road recommendation, even farmers like Deerfield, living directly off Highway 36, could be eliminated from the legal market because in some areas it is missing a center line, and would not qualify as a Category 4 standard road.



# Conclusion

---

The changes recommended by the commission should not be so harshly broad stroke unless the intention is to eliminate the rural Humboldt cannabis farm community. Otherwise, we agree with the Director's comments during the meeting, that it should be based on addressing specific identifiable issues.

*"I would just ask the commission to specifically identify what is it that are the impacts or the specific changes that are unaddressed, if there are any? And then identify what it is the commission would recommend to the board-- what action be taken in response to those."*

- Director John Ford