



October 18, 2024

Rodney Yandell, Senior Planner  
County of Humboldt Planning and Building  
3015 H Street  
Eureka, CA 95501  
(707) 268-3732  
[ryandell@co.humboldt.ca.us](mailto:ryandell@co.humboldt.ca.us)

Re: Initial Study/Negative Declaration (SCH No. 2024100257) – Organic Liberty CA, LLC  
Conditional Use Permit Modification

Dear Mr. Yandell:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study/Negative Declaration (IS/ND) prepared by Humboldt County for the proposed Organic Liberty CA, LLC Conditional Use Permit Modification Project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to commercial cannabis businesses. DCC may issue a cultivation license to a business that meets all licensing requirements, and where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/cannabis-laws/dcc-regulations/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain one or more annual cultivation licenses from DCC. In order to ensure that the amended IS/ND is sufficient for DCC's needs at that time, DCC requests that a copy of the document, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. This should apply not only to this Project, but to all future CEQA documents related to cannabis business applications in Humboldt County.

DCC offers the following comments concerning the IS/ND.

### **General Comments (GCs)**

#### ***GC 1: Acknowledgement of DCC Regulations***

The IS/ND could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult

Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation and distribution (Bus. & Prof. Code, § 26012(a)). In particular, the analysis could benefit from discussion of the protections for environmental resources provided by DCC’s cultivation and distribution regulations. The impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Air Quality and Greenhouse Gas Emissions (See §§ 15020(e); 16304(a)(4); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a).)
- Cultural Resources (See § 16304(a)(3).)
- Energy (See §§ 15006(h)(6); 15011(a)(5); 15020(e); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(h)(5)(c); 15011(a)(4); 15011(a)(12); 16304(a)(5)); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(h); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16304(a)(1); 16307; 16311.)
- Noise (See §§ 16304(a)(4); 16306.)
- Public Services (See §§ 15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16311; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

## ***GC 2: Site-Specific Reports and Studies***

The IS/ND references several project-specific plans, studies, and reports, including a Cultivation and Operations Plan; Preliminary Hydrology Report; Onsite Wastewater Treatment System Design; Noise Impact Study; Biological Resources Evaluation; and Invasive Species Control Plan. To ensure that DCC has supporting documentation for the IS/ND, DCC requests that the County advise applicants to provide copies of all project-specific plans and supporting documentation with their state application package for an annual cultivation license to DCC.

## **Specific Comments and Recommendations**

In addition to the general comments provide above, DCC provides the following specific comments regarding the analysis in the IS/ND.

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	<i>Instructions: To be Deleted (Delete this column and all rows that don't apply to the document)</i>	DCC Comments and Recommendations
1	3.0	71	References		The IS/ND would be more informative if it provided a Source List for the references. For referenced documents, the author, title, and date of each document could be provided. For personal communications, the agency or organization, person contacted, date of contact, and method of contact should be provided. For websites, the URL and date visited should be provided.

## Conclusion

DCC appreciates the opportunity to provide comments on the IS/ND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at [Kevin.Ponce@cannabis.ca.gov](mailto:Kevin.Ponce@cannabis.ca.gov).

Sincerely,

Kevin Ponce  
Licensing Program Manager (Acting)