



Humboldt County Board of Supervisors  
528 5<sup>th</sup> Street  
Eureka, California 95501

January 5, 2017

P.O. Box 624, Fortuna, CA. 95540

## Directors:

Dave Feral  
Feral Family Farm

Paul Giuntoli  
Warren Creek Farm

Portia Bramble

John Gary  
Organic Matters Ranch

Clif Clendenen  
Clendenen's Cider Works

Kevin & Melanie Cunningham  
Shakefork Community Farm

Erin Derden-Little

Jacque and Amy Newkom  
Newkom Family Farm

Mel Kreb  
Flood Plain Produce

Martha Spencer MS  
Natural Resource Planner

Jared Zystro PhD  
Plant Breeder and Geneticist

John LaBoyteaux  
Camp Grant Family Farm

### Scope of Work Description – EIR for Commercial Cannabis Cultivation

Dear Supervisors:

By any logical measure, marijuana is an agricultural crop. Subject to conditions to protect the long term agricultural productivity of the soil and other resources, it could be grown on any property which is planned and zoned for general agriculture. Industrial sites and brownfields should also be considered. Commercial marijuana cultivation should probably not be allowed on parcels of one acre or less or in areas of higher residential density.

There is immense and varied speculation about the future of marijuana cultivation in Humboldt County. However, we are currently facing a marijuana gold rush which is driving the price of agricultural land to extreme high values which cannot be supported by any type of food production agriculture. There has never been much resource of available good farmland for beginning farmers in the County. We ask the Board of Supervisors, in developing this commercial marijuana ordinance and EIR, to pay particular attention to policies and incentives which will maintain food production agriculture as part of the economy and social fabric of our County into the future. A very first step would be to remove any language which would focus or promote marijuana cultivation on prime agricultural soils rather than other agricultural lands.

A second step would be to develop an incentive program which would maintain food production agriculture on the majority of the land area of parcels which are used for marijuana. As an example, 10% of the property could be used for marijuana by right, but could be increased to 20% (or more sites on large properties) if the majority of the land area is used continuously for food production.

A third measure is to address the methods of growing marijuana, utilizing compliance with the County's existing greenhouse ordinance including light, glare and generator noise. Above ground grow containers, such as grow bags and raised beds, are a preferred method for marijuana cultivation. Excavation of native soil and replacement with a grow mix will damage the long term agricultural productivity of the site for other crops. Some marijuana farmers have developed a system which utilizes the native soil, using common agricultural soil

amendments and fertilizers but without excavation. The slope of any cultivation site should be limited to 15% and a mowed ground cover on un-utilized areas is recommended. A legal and dependable water source, including storage and forbearance, is essential and required to avoid shorting other downstream users and in-stream habitat. Fencing is recommended to protect the marijuana crop from predators both animal and human.

The marijuana gold rush has increased traffic, particularly truck traffic, on a network of rural roads never intended for heavy use.

We offer a cautionary thought based on the very long and varied agricultural experience of our members. The idea that the North Coast provides the best horticultural conditions for growing marijuana is highly questionable and a cruel myth driven by real estate speculation, materials suppliers and contractors. We view Humboldt as a marginal region for cannabis, generally requiring season extenders, special soils and practices. Within a few years, we believe it likely that those regions of California where industrial hemp was historically grown will become very competitive in producing marijuana.

Lastly, we believe it unrealistic that peer pressure and a complaint driven process will cause many marijuana farmers to seek a license and comply with the ordinance. Although the street price of marijuana has fallen, it is still profitable enough to support continued black market operations. It may also be too dangerous to file a complaint. Unfortunately marijuana farmers are not alone in responding to falling prices by planting more. This has long been a problem in all of agriculture. The County's ordinance and policy must include both a carrot and a stick. Law enforcement will now focus on code enforcement and tax evasion. A portion of the excise tax revenue should be used for those purposes.

Thank you,

John LaBoyteaux  
Food, Fiber and Flowers