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Daria Lowery
Superintendent/Principal

February 21, 2018

FEB 26 2018

Humboldt County Board of Supervisors
Ryan Sundberg, Chair
825 Fifth Street
Eureka, CA 95501

Dear Chairman Sundberg and the Humboldt County Board of Supervisors:

Please accept this correspondence as an opportunity to share an important perspective regarding the ordinance related to establishing and maintaining a 600' setback between cannabis operations and school bus stops.

It is my opinion that the 600' setback should apply to all bus stop locations. I am concerned that the Planning Commission has removed this from the proposed ordinance and urge the Board of Supervisors to maintain the originally written 600' setback from all bus stop locations. In addition to supporting the 600' setback, I also oppose any reduction of the distance due to a waiver, appeal or any other process that minimizes the 600' distance.

Additionally, I request that School District Superintendents and School Boards be left out of the 600' assessment and review process. I believe it is the job of the Humboldt County Planning & Building Department to handle the review of property boundaries and make the determination on the 600' distance requirement. Lastly, I request that once a decision has been made regarding the location or recommendation of a cannabis operation, that I be made aware if the operation resides within my district.

Ensuring the safety and wellbeing of students in our county is our number one priority. Maintaining a minimum 600' barrier between school bus stops and cannabis operations is one precaution we urge you to maintain as originally outlined in the County ordinance.

Sincerely,

Daria Lowery
Principal/Superintendent
Fieldbrook School District



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Karla K. Darnall
Superintendent/Principal
Alyse Eckenrode
Associate Principal
Board Of Trustees
Jason Barr
Karan Collenberg
Chris Emmons
Dirk Luoma
Ted Weller

Pacific Union School District

3001 Janes Road • Arcata, California 95521 • 707/822-4619 FAX 707/822-0129

February 23, 2018

BOARD OF SUPERVISORS

FEB 26 2018

Humboldt County Board of Supervisors
Ryan Sundberg, Chair
825 Fifth Street
Eureka, CA 95501

Dear Chairman Sundberg and the Humboldt County Board of Supervisors:

Please accept this correspondence as an opportunity to share an important perspective regarding the ordinance related to establishing and maintaining a 600' setback between cannabis operations and school bus stops.

It is my opinion that the 600' setback should apply to all bus stop locations. I am concerned that the Planning Commission has removed this from the proposed ordinance and urge the Board of Supervisors to maintain the originally written 600' setback from all bus stop locations.

Additionally, I request that School District Superintendents and School Boards be left out of all aspects of the 600' assessment and review process. I believe it is the job of the Humboldt County Planning & Building Department to gather relevant information, handle the review of property boundaries, and make the determination on the 600' distance requirement. Lastly, I request that once a decision has been made regarding the location or recommendation of a cannabis operation for a permit, that I be made aware if the operation resides within my district.

Ensuring the safety and wellbeing of students in our county, in general, and our district, specifically, is a number one priority. Maintaining a minimum 600' barrier between school bus stops and cannabis operations is one precaution I urge you to maintain as originally outlined in the County ordinance.

Sincerely,

Karla K. Darnall
Superintendent/Principal
Pacific Union School District



Bus - AV

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Fortuna Elementary School District

Jeffrey E. Northern, M.A., District Superintendent
500 9th Street, Fortuna, California 95540-1997 • 707/725-2293 FAX 707/725-2228

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FEB 26 2018

February 23, 2018

Humboldt County Board of Supervisors
Ryan Sundberg, Chair
825 Fifth Street
Eureka, CA 95501

Dear Chairman Sundberg and Board of Supervisors:

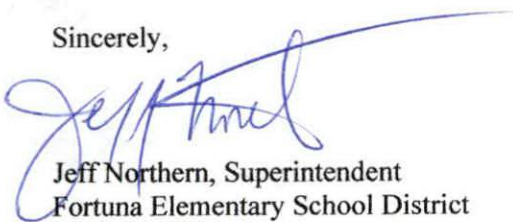
Please accept this correspondence as an opportunity to share my perspective regarding the ordinance related to establishing and maintaining a 600' setback between cannabis operations and school bus stops.

As District Superintendent, it is my opinion that the 600' setback should apply to all bus stop locations. I am concerned that the Planning Commission has removed this from the proposed ordinance and strongly urge the Board of Supervisors to maintain the originally written 600' setback from all bus stop locations. In addition to supporting the 600' setback, I feel it is also my obligation to oppose any reduction of the distance due to a waiver, appeal, or any other process that minimizes the 600' distance.

Additionally, I request that all Humboldt County School District Superintendents and elected School Boards be removed from the 600' assessment and review process. It is the job of the Humboldt County Planning & Building Department to handle the review of property boundaries and make the determination on the 600' distance requirement, not school districts. Lastly, I respectfully request that once a decision has been made regarding the location or recommendation of a cannabis operation, that I be made aware if the operation resides within my district's boundaries.

Ensuring the safety and wellbeing of students in our county and within my own school district is my number one priority. Maintaining a minimum 600' barrier between school bus stops and cannabis operations is one precaution I am urging you to maintain as was originally outlined in the County ordinance.

Sincerely,


Jeff Northern, Superintendent
Fortuna Elementary School District



February 21, 2018

Humboldt County Board of Supervisors
Ryan Sundberg, Chair
825 Fifth Street
Eureka, CA 95501

Dear Chairman Sundberg and the Humboldt County Board of Supervisors:

Please accept this correspondence as an opportunity to share an important perspective regarding the ordinance related to establishing and maintaining a 600' setback between cannabis operations and school bus stops.

It is my opinion that the 600' setback apply to all bus stop locations. I am concerned that the Planning Commission has removed this from the proposed ordinance and urge the Board of Supervisors to maintain the originally written 600' setback from all bus stop locations. In addition to supporting the 600' setback, I also question any reduction of the distance due to a waiver, appeal or any other process that minimizes the 600' distance.

Additionally, I request that School District Superintendents and School Boards be left out of the 600' assessment and review process. It is the job of the Humboldt County Planning & Building Department to handle the review of property boundaries and make the determination on the 600' distance requirement. Lastly, I request that once a decision has been made regarding the location or recommendation of a cannabis operation, the Superintendent of the school district that the operation resides within be promptly notified of the operation.

Ensuring the safety and well-being of students in our county is our number one priority. Maintaining a minimum 600' barrier between school bus stops and cannabis operations is one precaution I urge you to maintain as originally outlined in the County ordinance.

Sincerely,

Chris Hartley, Ed.D.
Humboldt County Superintendent of Schools

February 15, 2018

Dear Humboldt County Supervisors:

Last September, I submitted comments on the draft commercial cannabis ordinance and its accompanying Draft Environmental Impact Report (EIR). That ordinance recently was passed out of the Humboldt County Planning Commission (HCPC) and now is before you for consideration. First, I would like to share my thoughts about areas where the current version still falls short. For ease of locating the passages, I am listing them in the order that they appear in the ordinance, rather than my order of their importance:

1. **Grandfathering of Projects [Section 55.4.3.1].** I was very disappointed (but not surprised) that the HCPC chose not to require permit applications for **NEW** cultivation that had not been approved by the time the Supervisors adopt a revised ordinance to be subject to that revised ordinance, rather to the regulations in effect at the time of their submittal. [The exception is **Section 55.4.6.7**, which describes provisions and incentives for neighborhood compatibility for open air cultivation applications submitted under the prior ordinance. **Please stand firm on that language.**] In my opinion, approving a bunch of projects that wouldn't be able to pass heightened environmental muster will result in more problems and conflicts down the road.
2. **Odor and Setbacks [Sections 55.4.4 and 55.4.6.4.4(j) and (k)].** The requirements for indoor cultivation were weakened from "preventing the odor of cannabis from being detectable outside the structure" to "minimizing the odor of cannabis outside the structure." **Please reinstate the original language**, requiring structures to be mechanically ventilated with a carbon filter or other feature to prevent odor from escaping the structure. On another aspect of odor, the special area setbacks for odor mitigation of 600 feet from nearby residences or residentially zoned boundary for open air cultivation is an improvement over the draft language. **Please retain this distance.**
3. **Early Neighbor Notification [Sections 55.4.5.1(b) and (c)].** Nearby property owners should be notified when a cannabis project is **SUBMITTED**, rather than the County waiting until the permit has been determined complete for processing to inform neighbors. Many neighbors have no idea that a cannabis plan has been submitted on an adjoining parcel! Waiting until the County is ready to rule on approving a permit does not allow much time for neighbors to collect rebuttal information. Although neighbors can request a public hearing, the ordinance does not include neighbors having the right to appeal an administrative decision of the Hearing Officer.
4. **Special Permits vs. Zoning Clearance Certificates [Section 55.4.7.1].** The initial draft of the ordinance required distribution, enclosed nurseries, off-site processing,

and community propagation centers to obtain Special Permits to operate. This meant that neighboring property owners would be informed about the proposed project and have an opportunity to request a public hearing. However, the HCPC reduced the requirement on these potentially high-traffic, high-impact operations to obtain only a Zoning Clearance Certificate (ZCC). **Please reinstate the original language requiring a Special Permit for these operations.**

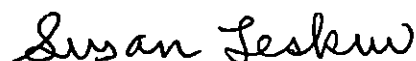
5. **Water Issues, Including Wells on Small Parcels and Trucked Water [Sections 55.4.5.10 and 55.4.12.2.5].** New wells on parcels of ANY size (not just those 10 acres or less) that are located within 400 feet of property lines should be required to be tested during the dry season to determine whether drawdown could occur in neighbor's wells. **Please make the determining criteria for well testing, forbearance, etc., be the distance the well is located from a neighboring parcel, NOT the size of the parcel where it is drilled.** All permits obtaining water from a well should document well production and changes in groundwater levels during each month of the year. All applicants should determine connectivity of the source supply well to neighboring wells and to surface water. Wells should be subject to the same performance standards as diversionary water use, including forbearance. Adaptive management measures should remain in place until groundwater levels have recovered. Neighbors of cannabis projects that are irrigating with well water should have an established protocol to report to the County that their wells have run dry, triggering limitations on continued cannabis-related irrigation. The permittee should be required to pay for water deliveries to non-cannabis-growing neighboring properties until groundwater is recharged. **Please specify a maximum length of time for what's considered an "emergency" for trucked water.**
6. **Timberland Conversion [Sections 55.4.6.4.2 and 55.4.12.2.4].** Under the current ordinance adopted in 2016, cultivation sites may only be located in non-forested areas that were in existence prior to January 1, 2016. However, there appears to be a loophole for sites created through prior unauthorized conversion of timberland. **Cultivation should NOT be permitted on sites created by illegal conversion of timberland, and certainly not on any illegal 3-acre conversions performed since January 1, 2016.**
7. **Noise [Section 55.4.12.6].** While the proposal to limit an increase above ambient noise levels to less than 3 decibels is good, the language allows this increase to be **CONTINUOUS**, rather than specifying start and end times for operational noise. Also, why are ambient noise levels only required to be measured at **THREE** property lines? The HCPC also weakened language regarding generator use. **No generators should be allowed on new sites.**

Second, my thoughts about strong provisions in the ordinance passed by the HCPC that should not be weakened in the final ordinance:

8. **Sphere of Influence [Section 55.4.5.1.4(a)].** This requires any commercial cannabis activity located within the Sphere of Influence of any incorporated city or within 1000 feet of any incorporated city, tribal lands, or within the specified mapped Community Planning Areas to obtain a Special Permit rather than a ZCC. **Please retain this protective language.**
9. **Cap on Permits [Section 55.4.6.8].** The HCPC made an excellent addition to have a watershed-based cap on permits for open air cultivation, mixed-light operations, and nurseries. **Please stand firm on this.**
10. **Category 4 Road Standards [Sections 55.4.8.1.3 and 55.4.12.1.8(b)].** Including language that requires sites to either be accessed by Category 4 roads or to obtain a Special Permit that includes a road evaluation report by a licensed engineer is one of the most protective provisions of the ordinance. The engineer's report must evaluate whether the design, condition, and performance of all necessary road segments are currently capable of supporting increases in traffic volume created by the project, in addition to the existing traffic using the road(s), and include substantial evidence to support a finding that measures have been taken to protect the public health and safety, including fire safe road access, capacity to support anticipated traffic volumes, water quality objectives, and sensitive habitat. The proposed ordinance also requires applicants seeking an exception to the required functional capacity to notify property owners within 300 feet of the parcel boundaries. **Please do not weaken these standards.**
11. **Farm-based Retail Sales [Section 55.4.10.2]. Please retain the requirements** that A) facilities hosting on-site customer traffic obtain a Conditional Use Permit rather than a ZCC and B) retail sales of cannabis products are limited to those cultivated on the parcel.
12. **Performance Standards [Sections 55.4.12.1.10 and 55.4.12.1.13]. Please retain added performance standards** to mitigate impacts described in the Final EIR, especially for biological resource protection and management of waste and hazardous materials.

During your deliberations, please make protection of neighbors and natural resources your highest priorities, rather than permitting the most projects for tax revenues. Thank you in advance for considering these comments on the commercial cannabis ordinance.

Sincerely yours,



Susan Leskiw
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707-442-5444; sueleskiw1@gmail.com