

To Humboldt County Planning Commission  
From: Bonnie Blackberry (CLMP)  
Date: November 18,2021  
For: November 18, 2021 Planning Commission Meeting

Planning Commissioners,

The following are my comments regarding the Cannabis Permitting Overview and Current Application Information.

1. The very first sentence says *"Commercial Cannabis Land Use Ordinance (CMMLUO), otherwise know as Ordinance 1.0"*.

This is unclear and confusing information, as actually the Commercial Cannabis Land Use Ordinance is (CCLUO), otherwise know as Ordinance 2.0 The CMMLUO represents the Commercial Medical Marijuana Land Use Ordinance. Just another mistake not caught. And is this report covering both 1.0 and 2.0 Ordinances?

2. The information contained in the first paragraph of the overview information is very confusing. It starts with presenting a total of 2,232 applications submitted under Ordinance 1.0, of those 662 were withdrawn, leaving 846 remaining, of those 21 were denied, leaving 723 of the 1.0 original applications remaining in progress.

The numbers do not add up: 2,232 minus 662 is 1,569 NOT 846, also 846 minus 21 is 825, NOT 723.

Questions:

- a. if Interim were pre existing applications under 1.0, then what are the "remain in progress? Are the remain in progress under the 1.0 Ordinance?
- b. Do these numbers include applications for new cultivation and applications that added new to pre existing?
- c. How many cultivation permits are in progress under the 2.0 Ordinance?
- d. How many new 2.0 Ordinance cultivation permits have been issued?

3. REVIEW PROCESS; *"The county review process is a very robust and thorough"*

Numerous mistakes and discrepancies would not be brought forth by the public if the review process was more thorough and robust.

I doubt that that the Planning Commissioners know what's been approved through the Zoning Administrator, such as how many and what type, size and location of cannabis cultivation permits, including many large half acre and acre plus operations. Unfortunately there is only one (1) Action Summary available for the last fifteen (15) Zoning Administrator Meetings, so that information will be difficult to find.

4. ENVIRONMENTAL REVIEW *"When the baseline impacts are reduced, the net result on the environment from approval at the project site."*

The baseline impacts were suppose to be based on what was existing, not just how many square feet were utilized. The amount and type of activity throughout the year will have very different levels of impacts to the environment and communities. One harvest verses multiple harvests. Most of the cultivation operations are now doing multiple crops, Mixed Light and Light Deprivation and short cycle flowering plants.

The neighbors, us humans are part of the environment. The impacts to our lives have not really been considered when analyzing the project impacts. Many of these permits are approved without notice to

all of the affected properties with shared roadways and water availability concerns which makes it more likely that their concerns won't be heard or addressed.

The drought and climate change are real and were not considered when the ordinances were created. Conditions have changed with the environment, as well as cultivation practices.

#### 5. WATERSHED PROTECTION;

The Cap Distribution has little to do with protecting the watershed. The Resolution only considers the amount of acres allowed, as if limiting the acreage would protect the watersheds. Putting a cap based on acres and permits allowed in a watershed does not protect the watershed. The Caps are set so high, that it's hard to imagine what things would be like, as there are already concerns and issues with what has been allowed. The county needs to deal with each watershed and location within the watershed according to conditions at a particular location. These broad assumptions are not serving the environment or the citizens, landowners and the public trust.

"Pre -Existing Cultivation Site means a physical location where Outdoor, Mixed-Light or Nursery Cannabis Cultivation activities occurred at any time between January 1, 2006 and December 31, 2015". Most of the permits are relying on well water, of which a large number of those wells have been developed in recent years that were not existing when the 2016 CEQA was done.

Whether it's Outdoor, or Mixed Light, or Light Deprivation, whether there are supply trucks, etc. and workers traveling to and fro, for one crop/harvest, or two or three or four or more. There has been no information provided to show an overview of the location of approved, interim and new permits in each watershed, with the water source and amount, and access. What is being considered as pre-existing in almost all cases was not existing in the form and amount of harvests which is being approved as if it was existing prior the 2016.

#### 6. INADEQUATE MONITORING & OVERSIGHT

Much of the "monitoring" is placed on the neighbors such as dealing with identifying and providing location of glowing hoop houses, The county has satellite imagery, but what are they using it for? I have seen rainwater catchment water bladders fill during a month when there was no rain. I guess the county wasn't using satellite imagery to notice 6 empty flat bladders filled to fat and full.

The ordinances prohibits using trucked water, the county knows, we know, it is happening, yet I am not aware of any monitoring or enforcement.

There is more I could comment on, but I'll leave it for later, I sincerely hope that the county commits to a more thorough analysis of the current conditions with water availability and sustainability with climate change. The current Cap limit is based on assumptions dealing with acreage used, not the actual impacts based on the type and level of activity, water source and use, access roads and traffic. Let's revise the Watershed Caps to reflect facts and reality.

Respectfully,  
Bonnie Blackberry  
(Civil Liberties Monitoring Project representative)