

To Humboldt County Planning Commission
From: Bonnie Blackberry
For: February 3, 2022 Planning Commission meeting

RE: Humboldt Hempire Farms PLN-2020-16602

Planning Commissioners,

According to the 2.0 Ordinance use of bladders for commercial cannabis is prohibited. This applicant should be required to conform to the ordinance performance standards.

Page 40 of the CCLUO 2.0 55.4.12.8 Performance Standards for Water Storage
Bladders & Above-Ground Pools, and similar vessels

"item f) **Use of bladders, above-ground pools, and similar vessels is prohibited.** Where a Pre-Existing Cultivation site utilizes any of these means for water storage, removal and replacement with a substitute approved method of water storage (e.g. tank(s), reservoir, etc) shall be completed within 2 years of provisional permit approval." (Jefferies is applying for a NEW cultivation permit)

When the Seasonal Water Solutions Permit. CUP 15-004 2016 was issued, it was clear that the bladder water was not to be used for commercial cannabis, except for the 2 years for trucked water for provisional permits on a case by case basis. There is nothing in the permit that allows for onsite use of the bladder water for domestic or commercial cannabis.

The following is from Page 37 of Jesse Jefferies Seasonal Water Solutions Permit.

CUP 15-004 2016 Staff Report; [SEP][SEP]"The applicant's business model separates his enterprise from the destination customer, thereby making the argument for direct conflict with the CMMLUO speculative. However, there is plausibility to the argument for indirect inconsistency with the CMMLUO given the historic irrigation practices and the number of operations. Conflict does not arise in the case of new CMM operations, as these are expressly prohibited by ordinance from using trucked water, except for defined emergencies. In the case of existing CMM operations who are actively seeking land use clearances and permits in accordance with Section 314-55.4 HCC they may be allowed to use trucked water as part of their provisional permit where the prior use of trucked water for irrigation can be documented (e/g/..submittal of receipts or invoices). For qualifying CMM operations with a demonstrated history of using truck water, the provisional permit may allow for the use to continue to some degree during the two year provisional permit period where the cultivator is seeking to develop additional off-season water supply and storage capacity...Applications for existing cultivation operations proposing the interim use of the trucked water during the provisional permit shall be evaluated on a case-by-case basis."

Page 37 of the CCLUO 2.0 Performance Standards for Commercial Cannabis Cultivation Activities

22.4.12.2.5 Trucked water shall not be allowed, except for emergencies. For purposes of this provision, "emergency" is defined as "a sudden unexpected occurrence demanding immediate action.

This applicant should be required to conform to the CCLUO which prohibits the use of bladders for commercial cannabis. There needs to be conformance and equal application of the ordinance.

Please require this applicant to abide by the same rules as all the other growers who have been required to remove their bladders.

Respectfully,
Bonnie Blackberry

