



COUNTY OF HUMBOLDT
PLANNING COMMISSION

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December 16, 2021

Humboldt County Board of Supervisors
825 5th Street, Room 111
Eureka, CA 95501

Subject: Concerns with Cannabis Program

Dear Chair Bass and members of the Board of Supervisors:

As your Planning Commission, we have acted on a significant number of cannabis permits over the past year (approximately 150). There is increasing public concern being expressed over approval of cannabis permits, particularly during the drought and due to the volume of permits being brought forward for action at both the Planning Commission and Zoning Administrator. As the Planning Commission, we have been struggling with how to address certain issues and would like the Board of Supervisor's guidance how to address these as we go forward. We believe these are policy issues and for the sake of clarity are limiting this discussion to the top three concerns:

1. **Generators:** The first ordinance (1.0) did not address the use of generators while the second ordinance (2.0) includes restrictions on the use of generators. The use of generators for power has many impacts including greenhouse gas emissions, noise, potential for fuel spills, fuel delivery traffic, and increased fire risks. The Commission has been conditioning projects requiring cessation of generators by the end of 2025 with conversion either to renewable power or if available PG&E.

Request:

- a) Should the Commission Continue this practice? And/or
- b) Should new policies or regulations be developed to address the use of Generators associated with 1.0 applications?

2. **Road Conditions.** Many permits have been approved on roads that are not Category 4 roads. The first ordinance (1.0) does not require roads to meet a certain standard however as part of the review, staff developed a process whereby the applicant is able to self-certify whether the road is a Category 4 road or equivalent. If it is, no additional study is needed. If it is not a Category 4 road or equivalent, an engineer must evaluate the road to determine whether it has the capacity to carry all traffic on the road and traffic associated with proposed cultivation site. We believe this process is subject to abuse and many permits have been approved in the hills on roads that do not meet Category 4 standards. We recognize that 2.0 included road standards and wonder whether the standards in 2.0 should be applied to applications filed under 1.0.

Request:

- a) Is this a policy that should be revisited?

3. **Water Storage.** Wells have become extremely controversial as the public has expressed concern about cannabis grows using well water having a negative impact on their water supply and upon water in creeks and rivers. The Commission started to apply conditions to cultivation sites with wells requiring water storage to forbear use of the well during the dry season. More recently the Planning and Building Department ceased bringing forward applications relying on well water for irrigation purposes until a more comprehensive policy is in place.

Request:

- a) Should the Commission continue to require substantial water storage for sites using groundwater wells?
- b) Develop regulations for permitting and use of wells.

Thank you for your consideration of these concerns. We look forward to your guidance.

Sincerely

Alan Bongio, Chair
Humboldt County Planning Commission

On Behalf of the Planning Commission.