

Planning Commission Dec 2, 2021, Item H. Cannabis Discussion - Public Comment

12-01-2021

To Whom it may concern,

In regard to this very concerning idea of forcing 1.0 applicants into the 2.0 framework, I would like to offer my opinion and perspective. As someone who has helped over a dozen of my close friends try to become proud legal farmers since 2015, and someone who's father went to prison for growing cannabis, I think I can offer a perspective.

First, cannabis is legal now. It should have never been illegal. It has always been worth money and has always been medicine. It is finally being studied as medicine, and now everyone is getting a cut of the money. Even the Government. Perfect. Historically these 1.0 applicants provided medicine to the world at great personal risk to themselves and their families, and yes, some did make money. It was not easy money though, and most of it is gone now. Spent on legalization. They are all in. Moving the goalposts now will only lead to a collapse of an economic force that the entire county has relied on for decades. Whether people in the urban areas understand it or not, the economics of this county rely on cannabis.

If you have less than an acre of cannabis on a forested 40 acre parcel, you are essentially operating a conservation easement. You quite literally cannot do anything else with the property. In some counties in California, the farmers are paid for this conservation. Imagine that. If we could find a way to protect 40 acres of rainforest in Brazil by allowing a farmer to monetize less than 1/40th of it, most environmentalists would be delighted. Why is the environmental community against these farmers protecting their land in the same way? Do we really want the only economic option for these people to be logging the trees they protected for the last 40 years? Forcing the hand of farms on TPZ land by revoking their 1.0 application is going to lead to logging which will fall squarely on those whose aim is to protect the forest. Come visit a small farm, and walk the woods with the farmer. Get perspective before deciding that growing cannabis is wrong for our forests. It may be the only thing that can protect them.

Our rural areas are not all being serviced by PG&E. Are we seriously thinking of penalizing people for this? At the very least base the energy use decisions on science. Does a farm with 40 acres of carbon sequestering grass and forest land that is paying to conserve deserve a credit of some kind so they can run a small generator? Possibly. What is the carbon footprint of other ag businesses in Humboldt County, and how does cannabis farming compare? As an engineer I would suggest we run some numbers before we have a knee jerk reaction to seasonal and intermittent generator use. I am guessing it is less fuel and water use than 40 acres of quinoa.

I would like to thank Director Ford for standing up for the growers when the tone of the planning commission meetings started to insinuate that these people were not to be trusted. He stated that the cannabis farmers were more trustworthy than some mainstream developers he has worked

with. Some folks seem to have the opinion that breaking the law is breaking the law, no matter how it is justified. Therefore these people were and are criminals. We must respect the law as it is written. I would ask then why the County has a policy offering assistance and grants where the sole qualification is that you can attest you were affected by the war on drugs. If the County policy is that the laws around the war on drugs were unjust, then the County cannot continue to penalize people for how they had to operate under these unjust laws. These rural grows have issues because of the legacy of legal logging, and yes, some issues from growing operations. The illegality of cannabis is precisely what has denied them the ability to invest in these properties. The improvements these farms have willingly made to come into legalization are truly amazing. Improving water quality and conservation, eliminating pesticides, improving roads, permitting homes and buildings, protecting archeology. Digging wells when the county told us that was the best option over other diversions. It is a long and expensive list. If we must obey the law as it is written, then I would like to point out that growing Cannabis is legal in California. Using wells for irrigation is legal in California. These people do not need to be punished for obeying the law as it was written when they applied.

The County encouraged everyone to do the "right thing" and sign up for the 1.0 ordinance. They gave families affected by the war on drugs assurances that they would work with them to allow Humboldt County and its growers to come out of the shadows to preserve and create a vibrant and legal cannabis industry. These assurances are steadily being eroded by unelected people on the Planning Commission who seem to see all cannabis as an issue. They seem to want to segregate cannabis farmers from normal business operations even though the people of California voted to legalize cannabis as a business. This 1.0 process has not even had a chance to roll out and they are already creating all kinds of new rules on water use, setbacks, zoning etc.. They are ignoring the will of the voters to satisfy their discriminatory personal beliefs about cannabis farmers. This alone cannot absolve the County of the promises made to protect the growers who risked everything.

We are asking Humboldt County to honor its word. Please finish all of the 1.0 applications under the same set of rules as the ones already approved. To do otherwise is an unequal application of law, and a disservice to those who have done everything asked of them only to have their project stalled out in the Planning Department for years. Some of my clients are on their 5th planner and facing new rules, while others have had permits for years. The only difference it seems is who could afford to pressure the county with consultants and lawyers. I have no opinion on the 2.0 applications other than to say that I cannot understand why we are even discussing 2.0 when we have not honored our word to the 1.0 legacy farmers of Humboldt County.

Please don't change the rules this late in the game. Finish the work you started.

With Respect and Gratitude,

Ross Huber
Garberville