

To Humboldt County Planning Commission  
From: Bonnie Blackberry  
For: July 1, 2021 Planning Commission Meeting

RE: Proposed changes to CCLUO Definitions

Planning Commissioners,

Please consider my following comments regarding the proposed changes to the CCLUO.

The first proposed change is to "update" the definition for "Propagation" to allow an area, not to exceed 25% of the cultivation area, for the use of nursery and immature plants.

Current CCLUO definitions:

*"Propagation" means cultivation of immature, non-flowering cannabis plants. Areas used for propagation which are incidental, accessory, and subordinate to Cultivation areas on the same Parcel or Premises may be excluded from the calculation of Cultivation area at the discretion of the Planning Director or Hearing Officer. See also "Cultivation Area".*

*"Cultivation Area" means the sum of the area(s) used for cannabis cultivation, calculated and measured using clearly identifiable boundaries around the perimeter of all area(s) that will contain plants at any point in tie, including all the space within the boundary as shown on the approved plot plan. Cultivation area shall include the maximum anticipated extent of all vegetative growth of cannabis plants to be grown to maturity on the premises.*

It appears that the "propagation area" may or may not be included in the "cultivation area" at the discretion of the Planning Director, whatever that means. And the propagation area is being considered as "outdoor", even though it uses artificial lighting, plus.

Proposing up to 25% of cultivation in an area that is categorized as "outdoor", to be used in greenhouse/hoop-houses for propagation with artificial lights, when the propagation with lights should be defined as mixed-light is difficult to comprehend.

Additionally, the proposed updated definition for "Outdoor" allows use of lights requiring 60 watts of electricity or less to be used to maintain plants in a non-flowering state in the area approved for Propagation. No matter how many watts, it's still supplemental light

Current CCLUO Ordinance definitions:

*"Outdoor" means outdoor cultivation using no artificial lighting.*

*"Mixed Light" means cultivation using a combination of natural and supplemental artificial lighting"*

Now the proposal is to redefine outdoor to include the use of artificial supplemental light, when the use of artificial lighting is already the definition of "mixed light".

It's very simple, use of any artificial lights is in reality, mixed light.

Also the idea that the Planning Dept. would be able to monitor to insure that a certain size of a light bulb was used during a specified time is almost laughable. Current monitoring consists of a once a year check (maybe).

Allowing and permitting activities that you are unable to monitor in a timely manner to insure verification of adherence to the conditions of the permit is very problematic, on many levels. This is already happening. Adding more exceptions, and now saying use of lights in not really supplemental mixed-light, is difficult to make sense of.

I urge the Planning Commissioners to vote against changing the meaning of the words "outdoor" and "mixed light", by not changing the definition of "outdoor" to include artificial lighting. The use of artificial light is currently defined as "mixed light", which is a clear definition and it should remain for use of artificial lights in whatever form or wattage. And if nursery and propagation activities need to use artificial light, they should be in the mixed light category.

We've got big issues to deal with as this historic drought continues, as the Planning Commission and Zoning Administrator continue to approve permits, as if all is OK and we'll get to adjusting to the situation later. Now is the time to consider the reality of our current situation and where we are heading with water and fire and covering the landscape with plastic and generator grows. Why is the county continuing to issue permits for new grows, especially the large, multi crop ones, when there are serious issues with water and carrying capacity in our watersheds that have not been adequately addressed?

Respectfully,  
Bonnie Blackberry