



HUMBOLDT BAY MUNICIPAL WATER DISTRICT

828 SEVENTH STREET, PO Box 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL OFFICE@HBMWD.COM

Website: www.hbmwd.com

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JOHN FRIEDENBACH

October 3, 2019

Humboldt County Planning Commission
3015 H Street
Eureka, CA 95501

RE: Hemp Cultivation Ordinance

Dear Commissioners,

I am submitting comments for consideration at the Planning Commission Workshop – Hemp Cultivation Ordinance on behalf of the Humboldt Bay Municipal Water District. As you know, the District is a municipal water district, which supplies high quality water to the greater Humboldt Bay Area, including drinking water to 88,000 residents of Humboldt County. It operates intake wells in the Mad River, which are located downstream of the Industrial Hemp Management Zone area as proposed on the Mad River. Our comments and concerns relate to the potential negative impacts from an industrial activity located within the Mad River watershed.

Specifically, the District requests that the words “drinking water supplies” be added in Ordinance Section 55.5.2, second paragraph as indicated on the attachment to this letter.

In addition, our District submitted public comment at the Eureka workshop on September 25th. A copy of those comments is also attached to this letter and are submitted for consideration. They did not appear to be included with the public comments in the staff report.

We appreciate the Planning Commission’s consideration of these issues that may affect water quality within this zone designation when drafting the Hemp Cultivation Ordinance, related implementation regulations, and processing zoning change requests or processing conditional use permits as the Mad River watershed which is a critical municipal water supply area.

Respectfully,

A handwritten signature in blue ink, appearing to read "John Friedenbach".

John Friedenbach
General Manager

Cc: Anne Baptiste, Thomas Law Group

314-55.5 INDUSTRIAL HEMP CULTIVATION LAND USE REGULATION FOR THE INLAND AREA OF THE COUNTY OF HUMBOLDT

55.5.1 AUTHORITY AND TITLE

This Section regulates the cultivation of industrial hemp within the Inland Area of the County of Humboldt.

55.5.2 PURPOSE AND INTENT

The purpose of this Section is to establish an Industrial Hemp Management Zone (Management Zone) and land use regulations outside of the Management Zone for the purposes of industrial hemp cultivation within the County of Humboldt in order to encourage safe, reasonable and responsible growth that reduces negative impacts on our community and environment, increases public awareness, and community health and safety while creating a clear and attainable path for cultivators to follow.

These regulations are intended to ensure the public health, safety and welfare of residents of the County of Humboldt, visitors to the County, persons engaged in industrial hemp activities to protect the environment from harm resulting from industrial hemp activities, including but not limited to streams, fish, and wildlife, residential neighborhoods, schools, community institutions and Tribal Cultural Resources; and to ensure the security of state-regulated hemp cultivation. To this end, these regulations identify where in the County Industrial Hemp activities can occur and specify the application process, what type of permit is required, the registration process and the approval criteria that will apply.

drinking water supplies

55.5.3 APPLICABILITY AND INTERPRETATION

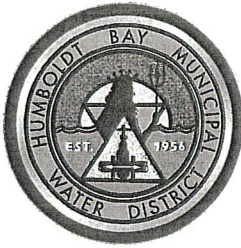
55.5.3.1 All facilities and activities involved in Industrial Hemp Cultivation and other Industrial Hemp activities within the jurisdiction of the County of Humboldt outside of the Coastal Zone shall be controlled by the provisions of this Section.

55.5.3.2 Nothing in this Section is intended, nor shall it be construed, to exempt Industrial Hemp Cultivation and all other Industrial Hemp activities from compliance with all other applicable Humboldt County zoning, land use, grading, and streamside management area regulations as well as other applicable provisions of the County Code.

55.5.3.3 Nothing in this Section is intended, nor shall it be construed, to exempt Industrial Hemp Cultivation and all other Industrial Hemp activities from any and all applicable local and state construction, electrical, plumbing, water rights, waste water discharge, water quality, streambed alteration, endangered species, or any other environmental, building or land use standards or permitting requirements.

55.5.3.4 Other than as enumerated in this Section, Industrial Hemp Cultivation and all other Industrial Hemp activities are prohibited in any zoning district other than those zoning districts where it is expressly permitted.

55.5.3.5 Severability. If any provision of this Section, or the application thereof, is held invalid, that invalidity shall not affect any other provision or application of this Section that can be given effect without the invalid provisions or application; and to this end, the provisions or application of this Section are severable.



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GENERAL MANAGER

JOHN FRIEDENBACH

September 25, 2019

John Ford, Director
Humboldt County Planning and Building Director
3015 H Street
Eureka, CA 95501

RE: Hemp Cultivation Ordinance

Dear Director Ford,

I am submitting comments for consideration at the Eureka Community Workshop – Hemp Cultivation Ordinance on behalf of the Humboldt Bay Municipal Water District. As you know, the District is a municipal water district, which supplies high quality water to the greater Humboldt Bay Area, including drinking water to 88,000 residents of Humboldt County. It operates intake wells in the Mad River, which are located downstream of the Industrial Hemp Management Zone area as proposed on the Mad River. Our comments and concerns relate to the potential negative impacts from an industrial activity located within the Mad River watershed.

Specifically, the District has concerns regarding introduction of potential contaminants into surface and ground water relating to industrial hemp production which would include but not limited to: 1) use of: pesticides, herbicides, rodenticides, petroleum products and other chemicals; 2) control and treatment of surface water that is discharged to the Mad River or tributary; 3) increased sedimentation load introduced into the Mad River; and 4) illegal water diversions from the Mad River, or its tributaries, or groundwater.

We appreciate the Building Department's consideration of these issues that may affect water quality within this zone designation when drafting the Hemp Cultivation Ordinance, related implementation regulations, and processing zoning change requests or processing conditional use permits as the Mad River watershed is a critical municipal water supply area.

Respectfully,



COPY

John Friedenbach
General Manager

Cc: Anne Baptiste, Thomas Law Group