Visioning Session
Public Comment

From: Brian Lamoreaux
To: Cannabis
Subject: input for visioning for sonoma county cannabis program webinars
Date: Friday, July 23, 2021 11:47:11 AM

EXTERNAL

Hi,

I just got the email about the different sessions but I will be away this week. So I wanted to offer some input now, if that's okay. I'm concerned about the zoning issues and neighborhood compatibility. It seems to me the legal definitions of zoning would allow commercial cannabis grows that are effectively in neighborhood that have a rural character. I feel that commercial cannabis is not appropriate for these zones and thus there should be a more nuanced approach to neighborhoods if zoning does not sufficiently define areas in order to protect residents from the potential negative impacts of cannabis. It seems to me that if a certain number of homes are within 1000 ft, 1/4 mile, or 1/2 mile of a cannabis grow operation it exposes homes to many negative things such as: safety concerns about armed robbery (as has happened in the county in numerous documented and undocumented instances), water impacts of wells getting depleted, visual impacts of privacy and barbed wire fences running for acres and large facility buildings etc. The question is how many homes is important enough and at what distance is enough to consider the impacts lowered enough. The main issue is the ag and rural zones may have 50 fairly closely situated homes and also be adjacent to a potential 10 acre plot that is allowed to have cannabis. All the sudden 150 people or more are impacted in a way that their kids are unsafe, their daily walks are ruined and they have to get in their cars to drive 10 miles or more to a place that's suitable for walking. Zoning does not adequately define how many people are impacted by cannabis. The county has ample space where a grow operation could safely be within a 100 acre parcel that is only relatively adjacent to only 5 homes, where such an operation, mixed amongst ranches, dairies, or chicken facilities would have much less of an impact or change.
Hopefully this makes sense.

I am a concerned resident about safety, environmental resources and property values.
I am generally pro-cannabis legalization in the state however, like most, I am concerned about a sensible policy that allows for gradual implementation and minimal impacts to those who live here and love it here.

It may be under land use / siting or it may be under safety because my concern impacts both subjects.

thanks for your consideration,

Brian Lamoreaux
415-269-3610
brian.lamoreaux@mac.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Joanna Cedar
To: McCall Miller
Cc: Alexa Rae Wall; Christina Rivera
Subject: Some Questions / Cannabis
Date: Wednesday, July 28, 2021 10:11:59 AM

EXTERNAL

Hi McCall,

I hope this email finds you and yours safe and well.

With regard to the County's August visioning sessions, SCGA has some questions.

1. Code Enforcement: How many permitted projects have had complaints filed against them? How were they resolved?
2. How many ministerial cultivation projects have been approved in the last three months? Dates of approval?
3. What will be the format of these meetings?

Many thanks,
Joanna

Joanna Cedar
Principal Consultant
The Cedar Group
joanna@cedargroup.org
(707) 953-5829

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Diane
To:	David Rabbitt
Cc:	Andrea Krout; Cannabis
Subject:	The Cannabis Ordinance input
Date:	Thursday, July 29, 2021 8:13:54 AM

EXTERNAL

Dear Supervisor Rabbitt:

Since I am unable to attend the meetings you have set up for a short time from now, for a limited time, please include this email letter on your list of responses.

First of all, it's disappointing that these meeting notices were issued at such a late date, and for such limited times. Back-to-school, vacations, and other previously calendared obligations require more notice so that everyone can have time to schedule the meetings or respond to proposals. Having such a quick turnaround means that a large number of people who otherwise would have participated will either learn of this too late, or will have obligations scheduled that they can't move.

I thought the idea was to get the word out with enough lead time to assure the greatest number of responses? This rather feels like last year, when an cannabis application tried to be rushed through during the busy holiday season. It felt almost like that choice was designed to assure that distracted residents would neither hear of the opportunity for input in time, or be too busy with holiday season plans to respond. In our busy world, we all need more notice...for everything...in order to have enough time to participate. The 'drop everything for this emergency' approach is unnecessary and offensive, disrespecting the input process by establishing timelines for quick turnaround that eliminate reasoned responders and concerned citizens.

Your approach also presumes a level of internet savvy, access, and language and writing skills that many interested citizens do not have. In-person meetings with enough lead time to schedule them would be helpful to assure the widest access.

As for the format itself...what happened to the EIR process? I don't see it listed anywhere...has it been deemed irrelevant or unnecessary? I think not.

Would you kindly reconsider the content, structure, and timeline of these sessions? With such important decisions involved in restructuring Sonoma County's land use and neighborhoods, it seems foolhardy to artificially rush this process to satisfy the timelines of special interests.

Sincerely,

Diane and Bill Donovan
Bloomfield

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: NASSIM NAFEA
To: Cannabis
Subject: DO NOT WANT CANNABIS GROWN IN THE COUNTY (Sonoma County)
Date: Sunday, August 1, 2021 2:24:18 PM

EXTERNAL

No!!!!!

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Crystal Acker
To: Cannabis
Subject: FW: Emissions from cannabis growing facilities may impact indoor and regional air quality: Pilot study evaluates potential for air quality impacts at facilities in Nevada and California -- ScienceDaily
Date: Thursday, August 5, 2021 7:56:56 AM

Sent from my iPhone

On Aug 4, 2021, at 18:48, Moira Jacobs <moiraajacobs@comcast.net> wrote:

Hello Tennis,

Hope you are keeping well.

Do you know who is the lead contact in Sonoma County for compiling all the pertinent environmentally damaging information regarding marijuana operations?

I'd like to be sure this report is put in the public record in the EIR study, link below.

Thank you,
Moira Jacobs

"The same chemicals responsible for the pungent smell of a cannabis plant may also contribute to air pollution on a much larger scale, according to new research from the Desert Research Institute (DRI) and the Washoe County Health District (WCHD) in Reno, Nev."

https://www.sciencedaily.com/releases/2019/09/190918100230.htm

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Leona Judson
To: Cannabis
Cc: Donna Roper; Nancy Richardson; Gene Zingarelli
Subject: Visioning Session- Water Resources, Aug. 11th
Date: Friday, August 6, 2021 9:52:04 AM
Attachments: WATER RESOURCES (003).pdf

EXTERNAL

Hello,
The League of Women Voters of Sonoma County would like to submit the attached letter for public comment during the August 11th Vision Session on Water Resources. Thank you.
Leona Judson
Chair of Advocacy Committe

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

LEAGUE OF WOMEN VOTERS®
OF SONOMA COUNTY

WATER RESOURCES - _WHAT DOES A SUCCESSFUL CANNABIS ORDINANCE LOOK LIKE?

The League of Women Voters of Sonoma County (LWVSC) is most concerned about water resources and the critical need to complete a thorough Environmental Impact Report (EIR) as part of its compliance with the CEQA process. The goal is to seek accurate information that identifies the least impactful locations where cannabis can be grown. Specifically, the EIR should include the following:

1. Areas where public water and sewer, storm water drainage etc. are located.
2. If not on public water, areas located in a groundwater basin where water use will not adversely impact environmental needs.

Particular analysis should be given to two major issues:

1. the half dozen impaired watersheds and
2. the construction of catchment ponds.

Questions to be addressed are: 1. If the watersheds are already impaired or critical should any cultivation be allowed? Should an acreage cap be set? 2. How many catchment ponds could be allowed in an area without affecting replenishment and future health of the underlying aquifer and downstream flows?

Existing baseline conditions should be examined to include all cannabis permits already issued, all people growing without a permit in the Penalty Relief Program, and all pending and reasonably foreseeable future permits. Other residential, police protection, fire protection and agricultural users in the unincorporated areas would be identified and their present and future needs assessed. It must also include evaluation of all constraints on our water supply by all users in the County, including everyone the Sonoma County Water Agency (SCWA) sells water to. It should be noted here that the SCWA also sells water to Marin.

In addition, all users with any water rights should be listed so they can be evaluated as a draw on our overall water "system". In this process the EIR can more accurately reach a conclusion about how much total water is available and how much can be used for new users in the unincorporated areas. New permits must rely on the best accounting of assumed water supply. Climate change and drought may have altered these assumptions and an analysis of the existing usages and cumulative impacts needs to be a part of the EIR.

Analyses of drought year water availability should be conducted and areas to be considered for cultivation should be based on dry years, not average year conditions. In the past, the county and the

consultants always used an historical average, but, due to climate change even historical average is now likely inappropriate. This drought year benchmark analysis is an important factor combined with projections of current and future water needs for all users county-wide.

The ultimate goal for the EIR and a successful ordinance should be future sustainability in compliance with the Sustainable Groundwater Management Act.

Once these areas meeting the criteria listed above are identified and mapped, an assessment of how much suitable land can be projected as reasonably necessary to meet current and future demand (20 years for a General Plan) can more accurately be determined. The areas deemed to be suitable should then be presented to the public in hearings and after considering all public comment, the description of the project may be revised before a consultant is hired to evaluate the environmental impacts.

Finally, the CEQA process is complicated, and the County needs to be proactive and transparent so that the public knows and understands the process and timeline and will be able to provide meaningful input.

Donna Roper-President
Leona Judson- Chair of Advocacy
League of Women Voters of Sonoma County

From: Leona Judson
To: Cannabis
Subject: Visioning Session- Water Resources, Aug. 11th
Date: Friday, August 6, 2021 4:46:30 PM

Hello,
I have sent this letter previously as an attachment. I have been advised to paste the letter directly to the e-mail for a better chance of getting it printed and into a public record. The League of Women Voters of Sonoma County would like to submit the letter for public comment during the August 11th Vision Session on Water Resources. Thank you.
Leona Judson
Chair of Advocacy Committee

<!--[if !vml]-->

LEAGUE OF WOMEN VOTERS®
OF SONOMA COUNTY

<!--[endif]-->

WATER RESOURCES - _WHAT DOES A SUCCESSFUL CANNABIS ORDINANCE LOOK LIKE?

The League of Women Voters of Sonoma County (LWVSC) is most concerned about water resources and the critical need to complete a thorough Environmental Impact Report (EIR) as part of its compliance with the CEQA process. The goal is to seek accurate information that identifies the least impactful locations where cannabis can be grown. Specifically, the EIR should include the following:

1.Areas where public water and sewer, storm water drainage etc. are located.

2. If not on public water, areas located in a groundwater basin where water use will not adversely impact environmental needs.

Particular analysis should be given to two major issues:

1. the half dozen impaired watersheds and

2. the construction of catchment ponds.

Questions to be addressed are: 1. If the watersheds are already impaired or critical should any cultivation be allowed? Should an acreage cap be set? 2. How many catchment ponds could be allowed in an area without affecting replenishment and future health of the underlying aquifer and downstream flows?

Existing baseline conditions should be examined to include all cannabis permits already issued, all people growing without a permit in the Penalty Relief Program, and all pending and reasonably foreseeable future permits. Other residential, police protection, fire protection and agricultural users in the unincorporated areas would be identified and their present and future needs assessed. It must also include evaluation of all constraints on our water supply by all users in the County, including everyone the Sonoma County Water Agency (SCWA) sells water to. It should be noted here that the SCWA also sells water to Marin.

In addition, all users with any water rights should be listed so they can be evaluated as a draw on our overall water "system". In this process the EIR can more accurately reach a conclusion about how much total water is available and how much can be used for new users in the unincorporated areas. New permits must rely on the best accounting of assumed water supply. Climate change and drought may have altered these assumptions and an analysis of the existing usages and cumulative impacts needs to be a part of the EIR.

Analyses of drought year water availability should be conducted and areas to be considered for cultivation should be based on dry years, not average year conditions. In the past, the county and theconsultants always used an historical average, but, due to climate change even historical average is now likely inappropriate. This drought year benchmark analysis is an important factor combined with projections of current and future water needs for all users county-wide.

The ultimate goal for the EIR and a successful ordinance should be future sustainability in compliance with the Sustainable Groundwater Management Act.

Once these areas meeting the criteria listed above are identified and mapped, an assessment of how much suitable land can be projected as reasonably necessary to meet current and future demand (20 years for a General Plan) can more accurately be determined. The areas deemed to be suitable should then be presented to the public in hearings and after considering all public comment, the description of the project may be revised before a consultant is hired to evaluate the environmental impacts.

Finally, the CEQA process is complicated, and the County needs to be proactive and transparent so that the public knows and understands the process and timeline and will be

able to provide meaningful input.

Donna Roper-President

Leona Judson- Chair of Advocacy

League of Women Voters of Sonoma County

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Daniel Weinberg
To: Cannabis
Subject: Cannabis Ordinance
Date: Saturday, August 7, 2021 7:23:19 PM

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Dan Weinberg
(707) 332-6000
Danw@adsuminc.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jay Dot Connector
To: Cannabis
Subject: Cannabis discrimination...
Date: Saturday, August 7, 2021 12:17:42 PM

Cannabis safer than alcohol yet the politicians have sided with special interest to keep this widest healing natural peace and love plant from being recognized as a gift from nature that is more than 10,000 years old. drop the fear and drop Terror you politicians overtly and or subtly project in your meetings that the public mostly avoids 99.9% because they are fed up with politicians and your perfidy. Dr. Joel Taylor DC Sonoma. Cannabis should be treated exactly as wine is treated because the public wanted it legal so they could benefit.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: bill sirvatka
To: Cannabis
Subject: Dope growing in Sonoma County
Date: Sunday, August 8, 2021 11:23:56 AM

Think long and hard about the following questions and scenarios if you haven't already...

Why allow grows in populated areas or quiet pristine areas like Bennett Valley? You have acres of land elsewhere and it might be easier than battling those who live in these areas?

What benefit do homeowners get out of dope grows in their backyards? Answer: None. Find another location. There is no upside for folks who have lived here for 20+ years and have to deal with this intrusive industry. We built here knowing about grapes but marijuana is a whole different beast.

Why would I allow the BOS and a few county people make this massive decision about what will be allowed in my backyard? I know the few employees of Sonoma county probably aren't affected by what could possibly come our way. I'm not sure I want you few people allowing this industry to affect 1000's of homeowners. Dope growers and this industry are a minority in this battle and we the majority have little use or upside for this business. Have you found anyone who thinks this is a good idea?

The county tells us to monitor and save water. We are on meters and our water use can be monitored. We could be fined or pay dearly for over water use during this present drought. Why should we save water when we know there is no controls on the massive water use for this industry? In a time of drought this is absurd to even think about moving forward with future expansion. If these grows tap into our source of water only the homeowners will have to suffer. In BV we really don't know the source of our water and if it goes dry because of dope grows who's going to solve that future issue?

You slipped the Wellspring dope grow behind our backs while the majority of us were rebuilding and not paying attention to the lunacy of that dope growing property. We will not be fooled again and allowing grows in our beautiful rural area is only going to kick the hornets nest. Again it time to rethink where this is appropriate.

Finally you need to remember this plain and simple fact. There is no upside for us in BV. It is not wanted here, no one wants to see or smell it, water use will be through the roof and no one even thinks about the environmental consequences of running our springs dry. The habitat will suffer and this will be a huge mistake and disaster for the residents of these areas. Location and water is key. There is no place in our neighborhoods for this industry. The MAJORITY of the residents will fight long and hard. We will not make it easy for this industry to move in our area. We are now watching everything and every decision you make on their behalf and not ours.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Carol Benfell
To: Cannabis
Subject: Public comment - cannabis visioning sessions
Date: Sunday, August 8, 2021 8:09:40 PM

Hi!

I believe that cannabis will become an important crop for county ranchers, so it's important to get the new ordinance right, from the beginning, so there are no false steps and people don't make their plans under one set of regulations and then get into the permit process and find out those regs have changed.

My vision is that cannabis will be grown only in commercial ag zones, after all this is a commercial crop. Grows should be permitted only in ag zones LEA, LIS and DA, on parcels 10 acres or greater.

Cannabis should not be grown in community separators or in rural residential and residential zones. Sonoma County should follow the practice of Napa county--odors stop at the property line, which means odor studies and adequate setbacks from homes, schools, parks and neighborhoods.

The EIR should address neighborhood compatibility. The supervisors promised this would be addressed in Phase 2 and we residents believed them and trusted them to keep their words.

I also think the EIR should address water resources. This is critical. Climate experts say we are heading into a series of years where water will be short. Groundwater IS water. The supervisors have already set in motion a series of studies on groundwater basins.

In that light, the EIR must address cumulative effects of groundwater and surface water withdrawal, not on a project by project basis.

Finally, please, for the sake of growers and residents alike, do not accept any new cannabis applications until the county has prepared an EIR and adopted an ordinance to set industry standards. As I said above, I believe this needs to be done right the first time, even if initially it takes a little more time.

Thank you for your consideration,

Carol Benfell
220 S. Edison St.
Graton CA 95444
707 829 8801

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Charlene Stone
To: Cannabis
Subject: public comments for the visioning workshop
Date: Sunday, August 8, 2021 6:36:00 PM

Even though we in the citizenry have been attending meeting after meeting on this subject for years, it would appear that none of our concerns were important. Hopefully you will pay attention this time around. I am proposing the following:

Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Paul-Andre Schabracq
To: Cannabis
Subject: Public Comment for Visioning Project Cannabis Ordinance EIR
Date: Sunday, August 8, 2021 3:48:51 PM

EXTERNAL

Hello,
Please find below my comments for the public record:

1. Prioritize neighborhood compatibility of cannabis cultivation by limiting this land use exclusively to industrially zoned areas.

2. Conduct a cumulative analysis of impacts on groundwater. Consider prohibiting this use in water scarce zones 3 and 4.

3. Assess the visual, traffic, noise and viewshed impacts of cannabis cultivation.

Cordially,
Paul-André Schabracq
PAS & Associates - Urban & Environmental Planners

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Audrey Desky
To: Cannabis
Subject: No cannabis is rural residential neighborhoods
Date: Monday, August 9, 2021 8:22:44 AM

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Sent from my iPhone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: storms
To: Cannabis
Subject: EIR
Date: Monday, August 9, 2021 12:52:15 PM

Ms. Bischoff:

In responding to your comment re: The County BOS ordered an EIR for the Commercial Cannabis Ordinance, this ONLY happened because the community came together, organized, and demanded it.

Ann Storms

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Brian Connell
To: Cannabis
Subject: Cannabis industry Sonoma County
Date: Monday, August 9, 2021 8:32:46 AM

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: BARBARA DUNHAM
To: Cannabis
Subject: Cannabis Permit Regulation
Date: Monday, August 9, 2021 10:53:00 AM

Dear Supervisors:

As a taxpayer in Sonoma County, I am concerned about how the Board is going to regulate the growing of cannabis in our county. We are faced with an historic drought and it looks like we will not be receiving much rain this winter due t El Nina. We need every bit of water we can save to be able to have water in our homes and businesses, and reports show that growing cannabis requires much more water than other agriculture. I think that a moratorium should be made on any permits for growing cannabis until this drought is over and our rivers and aquafers have been replenished.

I also agree with everything in the following for residents of this county also drive the economy and we need regulations to protect our way of life as stated below:

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Sincerely,
Barbara A. Dunham
411 Eleanor Avenue
Sebastopol, CA 95472

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: China Dusk
To: Cannabis
Subject: PUBLIC COMMENT FOR VISIONING WORKSHOPS
Date: Monday, August 9, 2021 3:38:55 PM

Monday, August 9, 2021

Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates current water use.

In siting and land use considerations it is imperative to prioritize Neighborhood compatibility. This means limiting cannabis grow, processing and production to areas that will not create noise, light, odor or safety problems for residents. Siting also includes "sighting." Sonoma County is a tourist destination. Cannabis grows and production sites should not be visible from scenic roads, parks or public right of ways. Over concentration of cannabis grows should be prohibited anywhere in the County. Water is another issue. We are in the midst of a historic and horrific drought requiring water conservation from all of us. Cannabis grows should be prohibited in areas where water is scarce, in watersheds, wetlands, riparian corridors, where water must be trucked in or where catchment ponds interfere with the replenishing of groundwater. Along with water scarcity there is fire danger. No cannabis grows should be permitted in any area where there is a high risk of fire, in remote areas with inadequate evacuation routes or areas that do not have legal fire safe roads. Prohibit cannabis in community separators and where such a grow site would remove native trees.

Processing cannabis produces a number of health problems that have been corroborated by science. Processing should take place in commercially or industrially zones sites with strong, measurable mitigation for health risks.

In the long run, it is far more efficacious to take time to do it right and develop a good ordinance than to address the cumulative environmental and public health and safety problems that snowball with a bad one, not to mention the cost to the County to defend against the legal suits that will be filed against them if they fail in their duty to protect the public and environmental good.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Chris Gralapp
To: Cannabis
Subject: Cannabis comment
Date: Monday, August 9, 2021 7:57:55 AM

EXTERNAL

My primary concerns are:

1) Eyesores in in our beautiful county (hoop houses / night lighting) Keep it in commercial / industrial zoned areas--and away from residential and definitely in no way in the public view, day or night.

2) Crime follows the cultivation (murders, theft, etc. due to the cash economy).

3) Ground water depletion in this dangerous and perennial drought time

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.
--

>^..^<

Chris Gralapp, MA, CMI, FAMI
Medical/Scientific Illustration
415.454.6567
chrisgralapp.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Craig Harrison
To: Cannabis
Subject: Additional Comment on Siting
Date: Monday, August 9, 2021 1:43:45 PM

EXTERNAL

Water is obviously a huge issue.

A major problem, as I understand it, is that the county's water zone maps are 40 years old.

It is imperative that they be updated for use in the EIR. Otherwise it is, to use the venerable computer phrase, it's "garbage in, garbage out."

Craig Harrison

Sent from my iPad

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Diana Barnacle
To: Cannabis
Subject: Marijuana in Sonoma County
Date: Monday, August 9, 2021 11:19:36 AM

For the record, I am against growing pot in our county and wish the BOS would have followed in Napa and Marins footsteps, thus none of this would be necessary.
Your claim to benefit small family farms is not what is happening. Large, already filthy rich corporations are here.
Most, if not all of you are unaffected by this in your life outside of your elected capacity. You go home and do not smell shunk, have strangers driving up your driveway looking, scoping out the loop houses and it's million dollar contents, signs destroyed, and worry 24/7 when your well will dry up. With that said, my input on where to grow pot is this:
First, limit marijuana cultivation and processing to:
*areas where the enormous amount of water required to grow pot, a product that does feed humans, does not impact others water supply via wells, city water, ponds, rivers or streams.
*areas that do not create noise and odor nuisances for residents.
*are not in public view.
*are no where near impaired watersheds.
*do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads.
*NO more ministerial permits should be issued and revoke the ones already allowed as they are not being properly issued and there is no oversight or follow up with respect to code violations unless the community raises concerns. We should not have to be your watch dogs.
*only allow pot processing on designated commercial and industrial zoned land.
*a new ordinance must be science-based. It is your responsibility to ensure cannabis operation permitting does not create individual or cumulative impacts and there needs to be board accountability measures incorporated within the ordinance.
The no plan plan has not worked. And any improprieties, biases, conflict of interests, including financial interests, with any of the work on this project must be identified immediately and throughout this process. Transparency is demanded.

Sent from my iPhone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Diane
To:	Cannabis
Subject:	Monday Cannabis Siting and Land Use Considerations Comments
Date:	Monday, August 9, 2021 11:40:21 AM

Good morning...

Somehow, I didn't realize your online meeting was Zoom. Zoom does not work well on my system here in the country...too many freezing screens and dropped internet from limited bandwidth.

Therefore, kindly accept my comments below as response to this Monday meeting subject:

The "one size fits all" attempt to streamline cannabis applications seems an easy solution, but does not address the unique situations posed by different locations. These issues range from one-lane, one-way roads leading to the proposed operation (as can be seen in Bloomfield) which will receive vastly increased traffic, to sites which border immediate neighbors' residences, with little setback reducing impact.

A 1,000-foot setback would go far to mitigate the immediate impact of a cannabis project on immediate neighbors; but other concerns include rural water usage during our extreme drought (where most of us rely on wells), the impact of a proposed busy 24/7 commercial operation on residents who need to sleep and live beside it, and the effects of cannabis odors, which are not inconsequential to those who also live alongside a grow.

Because there is such variety in proposed locales, a "one size fits all" policy, though seemingly easy, does not really work.

There needs to be a set of criteria developed for cannabis operations that takes into account and respects the adjacent environment and the proximity of residents, as well as the

environmental impact on the parcel itself and the number of grows allowable in a given region.

The 1,000-foot setback could apply to any situation where residences and public spaces were immediately adjacent to a grow, for example; but not for areas where neighbors are located away from the cannabis grow, where lesser setbacks would be needed if the "neighbor" were a field or cows.

Making the proximity of residents potentially impacted a priority could result in specific guidelines, such as amending the current 24/7 operations policy to limit hours of operation to normal business hours (9-5); requiring processing plants to be located only in existing commercial areas which already enjoy the support of adequate roads and fire and police proximity; and locating on-property roadways and lighting well *away* from residential view and impact.

Many neighborhoods (such as Bloomfield, which is located directly adjacent to this proposed grow) stand to be highly adversely impacted from cannabis operations.

Because there is so much to settle and so much at stake, please adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions, and an Ordinance to set appropriate standards for the industry that are respectful of the health, safety, and welfare of residents. Under the current ordinance, we could have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until proper regulations are developed to allow grows that do not infringe on the ability to existing neighbors to enjoy their homes and properties!

Sincerely:

Diane Donovan

Bloomfield homeowner

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: JAMES M MARTIN
To: Cannabis
Subject: cannabis cultivation in Sonoma Co.
Date: Monday, August 9, 2021 10:14:18 AM

I am very concerned about cannabis cultivation and processing in Sonoma Co. neighborhoods. Limit cannabis cultivation and processing to areas that do not create noie and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire-safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.
Sincerely,
Diana Martin

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Dawn Peterson
To: Cannabis
Subject: Cannabis growth
Date: Monday, August 9, 2021 5:16:56 PM

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Diana Van Ry
To: Cannabis
Subject: Proposed Cannabis ordinance
Date: Monday, August 9, 2021 11:49:28 AM

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. I am also concerned about adding another big, thirsty crop to our drought inclined climate.

Diana Van Ry

Diana Van Ry
2573 Greenvale Lane
Santa Rosa, CA 95401
707-541-6670
707-799-8113 (c)
vantilton@comcast.net

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: Public comment for visioning workshops
Date: Monday, August 9, 2021 11:29:33 AM

EXTERNAL

As an Episcopal priest, I respect the legal use of marijuana for medical purposes, but I also believe in the Golden Rule as written by Rabbi Hillel, “What is hateful to you, do not do to others.” The present ordinances are hateful of the sustainable use of land, of landowners, and of our Bennett Valley community’s rights to clean air, sustainable water, appropriate use of agricultural land, and maintaining traffic safety. I ask that Sonoma County limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Thank you.
Sincerely,
Gail Cafferata

———————————————

The Rev. Gail Cafferata, Ph.D.
Priest Associate
The Church of the Incarnation
550 Mendocino Avenue
Santa Rosa, CA 95401
707-953-0202 (cell)

revgailc@gmail.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: HolLynn
To: Cannabis
Subject: People above Profit
Date: Monday, August 9, 2021 2:24:36 PM

EXTERNAL

YOU have the power to protect the environment and quality of life in Sonoma County, or to make our environment detrimental to the life and safety of the people here. Please, a*dopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the marijuana Industry.*

Under the current ordinance we will have the smells and physical impacts of cannabis 100 feet from our property lines and 300 feet from our residential homes. It is imperative that you stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.

Please consider how important it is to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety.

Permitting in high fire risk zones or on remote roads with evacuation challenges must not occur. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Please carefully consider these guidelines for growing cannabis in Sonoma County:
Where NOT to grow cannabis

1. **Not in water zones 3, 4, impaired watersheds or riparian corridors**

or where water must be trucked in, or where any catchment ponds will hamper groundwater replenishment

2. **For outdoor grows the odor must stop at the property line. Setbacks from residential communities and hamlets or to adjacent Rural Residential or Agricultural Residential parcels in unincorporated areas must be large enough to preserve the integrity of the community.**

3. **For indoor and greenhouse, setbacks from residential communities and hamlets must not produce odor or visually impair the integrity of the community. Adequate power supply and wastewater disposal capacity for the operations must be demonstrated.**

4. **Not on dead-end substandard roads over 1 mile long, or on roads less than 20 ft wide**

5. **Not on roads with existing evacuation issues or that would cause evacuation issues for the existing residents**

6. **Not in Rural and Residential Development zones**

7. **Not in voter approved Community Separators**

8. **Not on slopes over 15%**

9. **Not in forested areas or Oak-woodlands or anywhere where the operation will require removal of native trees**

10. **Not in high or very high fire zones**

11. **Not in areas where sheriff response time is inadequate**

12. **Not where visible from scenic roads, parks or public rights-of-way or any other identified scenic resource**

13. **Not in areas where over-concentration would be the result unless the area is designated as an inclusion zone**

14. **Not within community agreed Exclusion Zones**

Where <u>TO</u> grow cannabis

1. **All 3 ag zones: LEA, LIA, DA, on parcels 10 acres or greater**
2. **Industrial and commercial zones with adequate power and wastewater disposal capacity**
3. **Industrial/Commercial zones only for indoor and greenhouse (mixed light) with adequate power and wastewater disposal capacity**
4. **For outdoor, on large parcels where setbacks are sufficient for odor, adjacency and community integrity issues**
5. **For all, with confirmed water availability in conjunction with all other present and projected users (residential, commercial and industrial needs county wide) for the next 20 years**
6. **Within Cannabis Inclusion Zones**

Where to process cannabis (drying, trimming)
Industrial and commercial zones only with adequate power and wastewater disposal capacity
Where to extract THC oil
Industrial zones only with adequate power and wastewater disposal capacity
Where to sell cannabis
Commercial zones only with adequate power and wastewater disposal capacity
Where to sample and have cannabis events
Commercial zones only .– No consumption allowed on site. No events at grow site.

Thank you for your considerations. Please put the health and safety of Sonoma County people above the profit interests of the cannabis industry. The time to do that is NOW.

Sincerely,
HolLynn DeLil
Graton, CA 95444
(707) 829 9440

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: james haliday
To: Cannabis
Subject: Drug salespeople in neighborhood.
Date: Monday, August 9, 2021 1:31:18 PM

Look at big picture.do you want .Sonoma.County to look like ..... San Francisco? Pot shops should .be on streets with schools. residences .away from traffic area. Used by young people.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jim Masters
To: Cannabis
Subject: Cannabis farming
Date: Monday, August 9, 2021 12:53:28 PM

Community engagement and citizen input are good, but you are not starting over at zero. Everything is not on the table and you do not have to reinvent the wheel. The big four are:

1. State rules on agriculture
2. County rules on agriculture. The baseline should be the existing rules on cattle, pig farms, and any other crop.
3. Voters approved.
4. Other counties or even countries have worked through these issues. How do they do it?

So a simple ordinance with a few add-ons for unique characteristics of cannabis (and what are those?) would seem like the right approach.

5. Why do you have to include everything in a vertical industry (growing, processing, distribution, retailing) in the same ordinance?
6. Is the assumption that illegal grows will no longer exist?

Jim Masters
5555 Montgomery Drive
Santa Rosa, CA 95409

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jan Brush
To: Cannabis
Subject: Bennett Valley Cannabis Ordinance
Date: Monday, August 9, 2021 10:02:58 AM

Hello,

As residents of Bennett Valley we ask that you please limit cannabis cultivation and processing to areas that
- do not create noise and odor nuisances for residents,
- are not in public view,
- are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads.

We ask that you consider permitting cannabis processing only on designated commercial and industrial zoned land. And a new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impact.

Thank you,
Ken and Jan Brush

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Marshall Behling
To: Cannabis
Subject: Cannabis visioning session - day 1
Date: Monday, August 9, 2021 1:14:19 PM

Good fit for growing cannabis: In a warehouse and industrial zones where resources can be metered and externalities and cumulative impacts like water and electricity can be priced into the final product.

Supply chain: Enabling a controlled substance to be vertically integration where a grower can grow, process, self distribute and sell retail is fraught with potential fraud up and down the supply chain. This vertical integration makes it near impossible for the regulatory agencies to monitor this fraud. The lack of enforcement leads to growers cutting corners to increase their margins and lower their taxes. A significant increase in oversight/enforcement is needed to deal with these complex and cross agency issues.

How much cannabis should be grown: Before any number can be determined, the County needs to fully measure what resources (water, electricity...) are available for all development demand (housing, recreation, transportation, commercial/industrial development, agriculture...). Why add a new development demand until we know the resources are available at a sustainable level based on science that accounts for climate change impacts.

Small growers: The small growers are gone. Private equity and outside investors have stepped in to the gold rush.

Noise: Cannabis grows require **daily** tending seven days a week with multiple workers commuting to the permitted site. This is a year round industrial operation that creates too much noise in rural neighborhoods.

Accountability: All violations must include a sufficient fine. Remove any discretion from the Ag Dept and PRMD/Code Enforcement.

Moratorium: A freeze on permitting and renewals is required until a full understanding of what Sonoma County resources are available to support cannabis cultivation, and manufacturing is determined from the EIR.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Megan Dehn
To: Cannabis
Subject: Public input on cannabis ordinance
Date: Monday, August 9, 2021 8:24:25 AM

Dear Supervisors,
I believe the county should limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in impaired watersheds, and do not impact public safety. I have concerns about wildfire in high risk areas without legal fire safe roads. Please permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts on residents or the ecosystem.
Thanks for taking my comments into consideration.
Megan Dehn
887 Sonoma Ave Apt 2, Santa Rosa, 95404

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: maryrustygatefarmca@gmail.com
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Monday, August 9, 2021 1:04:28 PM

Please include my input into the Visioning Workshop sessions:

1. **Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.**

2. **Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.**

There is a new international Climate Change report to indicates the ability of humans to take proactive steps to reverse the climate change impacts around the world. Sonoma County must do our part by reducing the negative current and potential future water needs on our water table and other limited water sources.

Mary Radu
Rusty Gate Farm, Sebastopol CA
Artisan Peaches and Albarino Wine Grapes
Cell 707 688-4382

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mercy Sidbury
To: Cannabis
Subject: land use and siting of Cannabis operations
Date: Monday, August 9, 2021 6:15:07 PM

Commercial cannabis growing can be done effectively without destroying the aesthetic, cultural, rural nature of Sonoma County which drew all of its residents here in the first place. It is imperative that the ordinance have strict guidelines for where and how these operations are situated so as to become part of the social fabric of the county rather than a divisive force.

Outdoor permits should only be given in areas that are zoned for agriculture: LEA, LIA and DA zoning with adequate space for setbacks from any school, park, riparian zone, impaired watershed, residential area to prevent lights, security fencing and odor from impacting the visual integrity and gestalt of the community. Parcels should be 10 acre minimums to allow for such set backs.

Community separators are totally inappropriate sites for commercial operations as they are meant to be publically enjoyed and provide natural divisions between residential clusters.

Operations should not be grown on slopes greater than 15 degrees so as to minimize erosion and loss of rainfall absorption.

Our native woodlands and forests must be protected from further loss as they are a necessary component to mitigating the effects of drought and climate crisis.

Indoor operations should be in industrially zoned areas where light and odor pollution is not likely to impact residents. Security measures will be more in keeping with the surrounding pre-existing usage. Rows and rows of hoop houses with artificial lighting 24/7 is definitively not compatible with our rural environment. These operations also need to have appropriate and adequate power and waste disposal capacity.

The proposed siting of these operations should include a projection of 20 years into the future of where natural growth will occur and what kind of resource demands will be needed to meet that growth. We can expect our current drought situation to be a norm rather than a fluke and need to plan accordingly.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy and Brantly Richardson
To: Cannabis
Subject: Visioning workshops (public comment): USE UP-TO-DATE DATA FOR THE EIR
Date: Monday, August 9, 2021 3:23:27 PM

It's shocking to be so out of date with the most important resource we have (or don't have). It's the same with the General Plan. It is woefully out of date. Water is a huge issue. Many of the applications show data from neighboring wells that is thirty years old. If the County uses out-of-date data the EIR may be thrown out. Nancy Richardson

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: nancy rowinsky
To: Cannabis
Subject: Public comment for the Visioning Workshops
Date: Monday, August 9, 2021 11:11:47 AM

We urge you to p**rioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.**
We are especially concerned about the excessive water used for cannabis farming.

Nancy and Larry Rowinsky
Residents of Sonoma County for 51 years

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: August 10 Cannabis Visioning Session: Siting and Land Use Considerations
Date: Monday, August 9, 2021 5:44:45 PM

From Nancy Graalman :::

I am writing in and listening from Franz Valley, where so many of us are in a state of shock over how far and fast the permitting for a major cannabis "farm" has proceeded for recently sold parcels of dubious ownership. With this seemingly hidden ownership, it is hard to trust that the growers (or silent owners/partners) will adhere to what should be exacting standards for siting, land and water use, traffic, noise, odors, etc. Water, of course, in Franz Valley remains the priority. So far, there is no evidence that aggressive growers will be willing to submit to increased oversight and cooperation in the preparation of an EIR. What is there to hide?

Thank you

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: ngraalman
To: Cannabis
Subject: Odor
Date: Monday, August 9, 2021 6:19:46 PM

What about smell taint on grapes ?????

Sent from my Verizon, Samsung Galaxy smartphone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Patrick Rafferty
To: Cannabis; Susan Gorin
Subject: A note from 7001 Bennett Valley Road
Date: Monday, August 9, 2021 9:35:44 AM

Dear County of Sonoma,

I have been alarmed and concerned due to the proliferation of cannabis grow operations spreading through our county. Cannabis is a water hungry crop and in these times of droughts, not a good crop to share our limited water resources. There is a grow not far from our home and when the wind blows we get the skunk odor from it. It is quite unpleasant. My concerns include, and are not limited to the list below:

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

I appreciate including my objections and concerns.

Sincerely,

Patrick Rafferty
7001 Bennett Valley Road

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Padi Selwyn
To: Cannabis
Subject: Public Comment for the Cannabis Visioning Workshops
Date: Monday, August 9, 2021 8:03:58 PM

Here is our input regarding the cannabis issue.

Preserve Rural Sonoma County advocates for an immediate moratorium on new permits until Sonoma County prepares an EIR to analyze environmental conditions and develops an Ordinance to set standards for the Industry. Water issues are a top priority now, and with wells going dry in many areas, we cannot continue to issue permits without making sure that new development will not create further negative impacts to existing homeowners and businesses.

Neighborhood compatibility must be a priority. We advocate limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Thank you for making our comments part of the record.

Padi Selwyn
(707) 569-6876

PRESERVE RURAL SONOMA COUNTY

Visit our website at - http://www.preserveruralsonomacounty.org
Like us on Facebook - https://www.facebook.com/preserveruralsonomacountyg

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rich Auger
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Monday, August 9, 2021 5:43:40 PM

Please include my input into the Visioning Workshop sessions:

1. **Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.**

2. **Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.**

There is a new international Climate Change report to indicates the ability of humans to take proactive steps to reverse the climate change impacts around the world. Sonoma County must do our part by reducing the negative current and potential future water needs on our water table and other limited water sources.

Rich Auger
Rusty Gate Farm
Russian River Valley AVA
707.688.4381 mobile

rich@rustygatefarmca.com
www.rustygatefarmca.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Robyn Bramhall
To: Cannabis
Subject: Public comment for the Visioning workshops
Date: Monday, August 9, 2021 7:48:24 AM

---

*I **urge** you to adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. **Stop** accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.*
It's time for common sense and community to replace greed and pandering to the wealthy in this county. There's room for reason and heart to enter the conversation. YOU are the gatekeepers, and you MUST take the time to hear from everyone who wants to be heard.

Robyn Bramhall, SPHR
Graton & Petaluma
she/her/hers
707/658-2111 office
707/293-6080 cell

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Randi Francis
To: Cannabis
Cc: Anna Ransome; Jane Kurtz
Subject: Put a moratorium on cannabis grows
Date: Monday, August 9, 2021 8:04:30 AM

To whom it may concern:

Until the County develops science-based cannabis ordinances, stop the permits. Limit cannabis cultivation and processing to industrial and commercial areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Wells are going dry, and allowing more vineyards and cannabis grows threatens our dwindling aquifers. Those with dry wells are having to wait weeks for water delivery. Also, the security needed for these grows would make it unsafe in residential areas.

A new ordinance must be both respectful of communities, and science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Sincerely,
Randi Francis and Jane Kurtz
In Graton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Richard R. Rudnansky
To: Cannabis
Cc: Susan Gorin
Subject: Cannabis Visioning Session-August 9,2021- Siting and Land Use
Date: Monday, August 9, 2021 11:56:42 AM

VISIONING SESSION – AUGUST 9, 2021 – SITING AND LAND USE CONSIDERATIONS

Here are my comments for the August 9, 2021 Visioning Session regarding Cannabis Ordinance:

GENERAL COMMENTS

Sonoma County is a special place. I simply do not understand the fascination and the push by the Board of Supervisors to allow commercial cannabis cultivation particularly large operations as was being suggested in the last suggested but failed amendments to the ordinance. In a recent Press Democrat poll, 62% of respondents said the quality of life in the County has gotten worse over the past few years. **The Board of Supervisors should revisit this question of whether to allow any further commercial cannabis cultivation in the County after receiving public input before doing an EIR and considering amendments to the existing Ordinance. My preference is no expansion of commercial cannabis cultivation.**

Why expand or even allow an industry that will add to the deterioration of our quality of life? If it is for the supposed tax revenue, it is hard to believe that any net revenues from this industry with its attendant County costs and detrimental impacts, is really worth changing the nature and fabric of this county. Most counties in the state, like Napa, seem to understand this balance and have refused to allow such commercial cultivation. Please provide the total amount of taxes paid by the cultivation industry as well as all the costs incurred by the County, including staff and sheriff costs, in preparing the ordinances, reviewing applications, enforcement of ordinance, and any other costs associated with cannabis.

To expand the number and size of operations will eventually push out the “mom and pop” operations the Board said it wanted to protect and were the basis of the selling of the original ordinance to the public. Now, there is out of state money coming into and buying properties and submitting applications. Does anybody really believe that these operators care about Sonoma County as much as residents? This entire “visioning” process seems to already conclude that there will be expansion of commercial operations. Rather than how to expand cultivation, I suggest the question should be: do the residents of this county want any further expansion of the cannabis industry and specifically commercial cultivation?

RESPONSES TO SPECIFIC QUESTIONS POSED IN THE AUGUST 9, 202 VISIONING SESSION:

ZONING

What are the qualities and characteristics of places that wouldn't be a good fit for growing cannabis? Places that would NOT be a good fit for growing are (1) properties in or adjacent to Rural Residential, R1, R2, and R3 Zoning Districts, (2) areas visible to the general public from public roads and residential zoning districts, (c) scenic corridors and valleys such as Bennett Valley and Sonoma Valley (d) areas where odor, noise, light, and operations can be smelled, heard and seen from neighboring

properties in Rural Residential, R1, R2, and R3 zoning districts, (3) properties less than 20 acres.

What are the qualities and characteristics of places that would be a good fit for growing cannabis? None. The questions should be whether the residents of the County want any commercial cannabis cultivation within the County. Although the voters of California voted to legalize cannabis for personal use, they did not vote as to where it was to be grown. **The Board of Supervisors should revisit this question of whether to allow any commercial cannabis cultivation in the County after receiving public input before doing an EIR and considering amendments to the existing Ordinance. My preference is no expansion of commercial cannabis cultivation** but if the County insists on allowing commercial cultivation then the only good fit would be the Industrial zoning districts. Also any commercial cannabis cultivation should be

(a) limited to currently permitted small (less than an acre of cultivation) so called 'mom and pop' businesses that the Board said were those who it wanted to protects as rationale for the original ordinance so long as the properties are

(b) are not in the Rural Residential, R1, R2, or R3 Zoning District,

(c) are not visible to the general public while on public roads or to residences in Rural Residential, R1, R2, or R3 Zoning Districts

(d) are not in scenic corridors and valleys such as Bennett Valley and Sonoma Valley,

(e) do not create noise, lighting and odor impacts for neighboring residences,

(f) are not in high risk wildfire areas

(g) are not near waterways or water sheds,

(h) have legal fire safe roads

(i) prove that their water use will not limit water resources to residences

As for cultivation for personal use it should be inside with all necessary mitigations measures for odor, noise and lighting. Setbacks to other properties should be 1000 feet from boundary of neighboring properties. No outside cultivation for personal use in Rural Residential, R1, R2, and R3 Zoning Districts.

SIZE

What would an appropriately sized cannabis growing operation look like in a rural setting? It would be in an enclosed structure with appropriate odor, sound and noise mitigation measures and small enough to be thoroughly screened from being seen by residences and public roads. Property at least 20 acres and total cultivation area not more than 1 acre with a 1000 foot setback to boundaries of neighboring properties. No commercial operations in Rural Residential, R1, R2, or R3 Zoning Districts. No "tasting rooms" anywhere in the County

What would it look like in an industrial setting? It would be an enclosed structure with appropriate odor, sound and noise mitigation measures and located in an industrial zoning district and small enough to be thoroughly screened from being seen by residences and public roads. Property at least 10 acres and total cultivation structure not more than 1 acre.

What would a successful distribution of cannabis operations look like? Distribution methods should be limited to certain times of the day, be away from residential zoning districts and neighborhood streets and vehicles should not exceed a size and noise limits roads. Given the current and what appears will be continuing deterioration of Sonoma County roads, each application should provide a traffic study to assure that their use will not be detrimental the environment and to others using the streets and pay a fee to be dedicated to road repairs and maintenance As for manufacturing, testing, and retail facilities these should be limited to the industrial zoning districts. No “tasting rooms” anywhere in the County.

TOO MANY

What would too many cannabis operations look like? Again, any commercial cultivation in my view is too many. But if the County insists I suggest limiting to a very small number (i.e. a cap) and only to currently permitted so called “mom and pop” operations (cultivation area no greater than 1 acre) that the Board said it wanted to protect and sold as the reason to the public for adopting the original ordinance. There should be an immediate moratorium on accepting and processing any more permit applications until at least the EIR is complete. How does it make sense to continue to process applications without the necessary environmental analysis (i.e. EIR) which should have been done when the original ordinance was considered?

ODOR

What would a successful growing operation do to control odor? Any allowed cultivation (be it commercial or personal) should be inside a structure with all necessary mitigation measures (i.e. ventilation and filtration systems that contain all odor and volatile organic compounds (such as terpenes) and other pollutants within the building). If the County allows outside growing, it should be located in an industrial zoning and never in a location where odor can reach residential neighbors or residences. Permits should only be issued to outside grows for 2 years to determine if odor is properly being controlled from neighboring residences and if not immediate abatement proceeding should be commenced and concluded at operators expense and if no compliance permit should be revoked.

NOISE

What would a successful ordinance contain to address any noise produced throughout the cannabis supply chain? Ordinance should require any cannabis operation (including cultivation) to be inside a structure with all mitigation measures for noise that would not be heard by residential areas. As to distribution it should be limited to certain times of the day, not be allowed on residential streets as to not disturb residences and neighborhoods.

ACCOUNTABILITY

What does successful accountability look like when it comes to land use and cannabis? All applications should be required to obtain a conditional use permit including all necessary CEQA review. All complaints should be immediately and aggressively investigated (without advance notice to the operators as to on site investigations) and if substantiated should be immediately abated and fines levied. Any cannabis operator violating zoning should be required to pay all costs of investigation and abatement. There should be zero tolerance. If the operator is in violation of regulations more than twice, their permit should be revoked and operation closed down. In addition all permits should be reviewed on

an annual basis and if operators are found to be out of compliance, abatement proceedings should be commenced and pursued to conclusion with operator paying all costs. If the operator is in violation of regulations more than twice, their permit should be revoked and operation closed down. Operators should not be given any special exemptions from County ordinances (e.g. see County Ordinance Section 13A-4 (c) (2)). Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines. There should be ownership and residency requirements placed operators to limit out of county operators.

What would it mean to hold retail operations accountable? If they violate regulations, immediate abatement proceeding be commenced and pursued to conclusion with violators paying County fines and for all for enforcement costs including staff time, court costs and attorney fees. There should be zero tolerance. If the operator is in violation of regulations more than twice without good cause, their permit should be revoked and operation closed down. Operators should not be given any special exemptions from County ordinances (e.g. see County Ordinance Section 13A-4 (c) (2)). Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines.

What would it mean to hold cannabis growers accountable? If they violate regulations, immediate abatement proceeding be commenced and pursued to conclusion with violators paying County fines and all enforcement costs including staff time, court costs and attorney fees. There should be zero tolerance. If the operator is in violation of regulations more than twice without good cause, their permit should be revoked and operation closed down. County should do away with its Penalty Relief Program and should not allow an operator to piece meal or segment its applications to avoid CEQA or conditional use permit process. Operators should not be given any special exemptions from County ordinances (e.g. see County Ordinance Section 13A-4 (c) (2)). Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines.

ADDITIONAL COMMENTS:

(1) **Siting in General**:

The questions should be whether the residents of Sonoma County want any commercial cannabis cultivation in the County. While the voters of California voted to legalize cannabis for personal use they did not vote as to where it was to be grown. My preferences in order are:

- **Ban all commercial cultivation in Sonoma County**.

OR

(b) However if the Board of Supervisors continues to allow commercial cultivation, I suggest that such commercial cultivation be a **limited number of small so called "mom and pop" businesses** that the Board said were those who it wanted to protect as a rationale for the original ordinance as long as the properties are (1) not in the Rural Residential, R1, R2, and R3 Zoning Districts, (2) do not border Rural Residential, R1, R2, and R3 Zoning Districts, (3) are not visible to the general public while on public roads or to residences in Residential Zoning Districts or from scenic corridors and valleys such as Bennett Valley and Sonoma Valley

(2) Require all commercial cultivation applications go through the conditional use process and comply with CEQA. In other words **do away with any ministerial processes** and allow rights of appeal to the Board of Supervisors.

(3) **Eliminate the Penalty Relief Program.** No commercial operations should be allowed unless and until an appropriate permit is obtained AFTER going through the permit and CEQA process. NO SPECIAL FAVORS FOR CANNABIS

(4) Require all commercial operations to comply with the **County's defensible space ordinance**. Currently such operations are deemed exempt. (See Sonoma County Code Section 13A-4 (c) (2)) These operations should not get preferential treatment. NO SPECIAL FAVORS FOR CANNABIS.

(5) **Do not allow commercial operations to piece meal (segment) their applications** such as apparently was apparently allowed at least one grow operation in order to avoid the conditional use process and environmental review. Why was this allowed to happen? Who made the decision to allow such segmentation? NO SPECIAL FAVORS FOR CANNABIS.

(6) **Increase set back requirements** of commercial operations to 1000 feet from adjacent property lines and require any necessary vegetation screening to help mitigate the visual and odor impacts of such operations.

(7) **Immediately impose a moratorium on receiving and processing any future applications for commercial operations until the forthcoming EIR is completed. To continue to allow such applications before the EIR is completed to determine cumulative effects could be a potential violation of CEQA.**

(8) **Do not reduce or eliminate any safety requirements** for commercial operations such as Board of Forestry Fire Safe Regulations (i.e. defensible space, road width and access, etc.) and County Fire Safety and Defensible Space Regulation to which other types of commercial operations must comply. In particular, delete Sonoma County Code Section 13A-4 (c) (2) which exempts commercial cannabis cultivation, structures and roads from defensible space requirements. NO SPECIAL FAVORS FOR CANNABIS.

(9) **No commercial cultivation located in in or visible from scenic corridors and valleys such as Sonoma Valley and Bennett Valley.**

(10) **No "tasting rooms"** anywhere in the County as was suggested in the last suggested amendments to the ordinance.

(11) **Include a "no commercial cannabis cultivation alternative" (i.e.no project alternative) to be analyzed in the upcoming EIR.**

Thank you for your attention.

Richard Rudnansky

--
Richard R. Rudnansky
rrudnansky@sonic.net
707-843-6712

ARBITRATION AND MEDIATION CENTER
111 Santa Rosa Avenue, Suite 202
Santa Rosa, CA 95404
www.amcadr.com
Phone: 707-525-9409
FAX: 707-542-0215

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rachel Zierdt
To: Cannabis
Subject: meeting today
Date: Monday, August 9, 2021 1:09:34 PM

I know the facilitators were trying to be peppy and sweet, but I do think there is a bias that is evident towards the cannabis industry. I do think they need to be aware of that…..like likening the noise of a cannabis operation (which many are 24/7) to the noise that a winery event makes….or the smells being the sonoma odor…..that diminishes the really pervasive smell that grows create.

Rachel Zierdt

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Sue Jackson
To: Cannabis
Subject: Where NOT to have grows
Date: Monday, August 9, 2021 11:50:09 AM

EXTERNAL

Not where there are vernal wetlands

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: tootsie whittier
To: Cannabis
Subject: strong opposition to cannabis grows in SoCo
Date: Monday, August 9, 2021 6:10:31 AM

I strongly oppose commercial cannabis grows in west SoCo
1) this crop is very water intensive, and we are in a drought.
2) cannabis needs deep wells, which drain neighboring homes wells
3) the stank - for six months - is awful - why do I have to breathe that air, or worse, be housebound during the nicest six months of the year
4) the residents were here first - we matter. Our children matter. Our retirees matter (many of whom have been here decades)
5) don't let the big corporate $ of cannabis buy SoCo and PRMD - don't let them bribe you
6) pesticides, herbicides, and aggressive fertilization taint the soil and air
7) cannabis people will say anything to get their way (nope, I don't trust them)
8) Cannabis corporate firms file grow permits by dividing up the parcel into mini-parcels, which bypass regulations. "Ministerial" oversight is as good as nothing. They skirt the rules. So tighten the rules and eliminate the loopholes

Tootsie Whittier, a healthy skeptic in west sebastopol, and strong opponent to cannabis grows

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Barbara Cooper
To: Cannabis
Subject: Environmental Review
Date: Tuesday, August 10, 2021 3:16:28 PM

To Whom it May Concern:

Adopt a Moratorium until Sonoma County prepares an EIR study to determine environmental conditions and an ordinance to set standards for the industry. Otherwise water will go to cannabis without regulation.

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

I am concerned about the the local water, pesticide use, harm to the fish and animals that use our creeks and rivers. Right now as we are in a drought, and it is concerning as to how the county is going to provide homes with water throughout these next months, especially because we do not know if we will have a rainy season that will get our water stores up to full capacity.
It seems like now is the time for a moratorium, and to take time to write an ordinance that will shape the cannabis industry, with our environment, land, neighborhoods, and water given priority.

Barbara Cooper
707-696-0030

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Craig Harrison
To: Cannabis; Crystal Acker; Scott Orr
Subject: Fake Names Used in Vision Meetings
Date: Tuesday, August 10, 2021 8:11:35 PM

EXTERNAL

It is disrespectful to residents of neighborhoods who feel they are defending their homes against the commercial cannabis industry for pot growers to participate using fake names. Using fake names suggests a Cheech & Chong approach to these issues.

I doubt anyone from a neighborhood is using a fake name, and if anyone is they should be removed from the conversations.

Who is Henry Burbank? Henry Edison-Burbank? These seem to be a fake names.

Who is John Galt, other than the lead character in Ayn Rand's Atlas Shrugged? This seems to be a fake name.

There's at least one other pot grower participating who uses at least two names.

Please take control of this. It undermines your stated goals.

Craig S. Harrison

Sent from my iPad

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Lorna Strotz
To: Cannabis
Subject: Cannabis in the neighborhood
Date: Tuesday, August 10, 2021 12:15:06 PM

To the Board:

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

C. R. and Lorna W. Strotz
5321 Enterprise Rd.
Glen Ellen, CA 94611

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Diane
To: Cannabis
Subject: Cannabis meeting #2: Safety
Date: Tuesday, August 10, 2021 9:19:28 AM

Good morning:

Kindly include my comments below as part of Meeting #2's input on safety issues. Thanks so much!

The issues of safety surrounding cannabis cultivation are not singular, but many.

1. First, there are the issues of fire safety and roads.

To resolve these issues, grows in Sonoma County should be located in areas which have a MINIMUM of two-lane, standard roads: one lane in each direction. Many rural enclaves and communities are located on substandard roads. One such example is Bloomfield, whose town streets are narrow and often dead-end, as is the case on the very street proposed as the major access point to one operation. This already requires that an oncoming car must pull into existing residents' driveways in order to permit safe passage when only two cars are on the road. When you add fire equipment passage and increased traffic from commercial trucks and non-resident temporary workers into the equation, it's evident that not just cannabis, but any large-scale commercial industry using these roads, adds wear, tear, and traffic that they were simply not made to accommodate safely. Who will maintain these roads as they deteriorate quicker from double or more the traffic? Cannabis operators should assume responsibility AND be held accountable...which might be difficult to quantify.

Neighbors in one rural Oregon area near Eugene where cannabis operations were located on residential dead-end streets as in the Bloomfield proposal, for example, reported that "We have experienced a

huge (six to 10 times) increase in traffic, notably heavy vehicle traffic." (https://www.registerguard.com/article/20171103/opinion/311039944).

When it comes to wildfires and evacuations, growers located adjacent to neighbors and on substandard roads will face additional issues in joining residents who are evacuating. It is recommended that grows in such situations have separate emergency fire roads that do not share the same roads as residents, so that fire equipment can be moved in and evacuees are not hampered by incoming equipment for commercial institution firefighting, or outgoing workers from the large grow, who add their vehicles and equipment to the mix.

This is another reason why *all* processing should be done in our central corridor, and not in our rural areas. Processing plants located in commercial areas will enjoy services that ALREADY include more than adequate roads of sufficient width to permit easy ingress and egress to and from such operations, and the supportive help of fire and police agencies which are mere minutes away if the industry needs them. Evacuation processes in such areas would be on roads that permit added traffic.

2. Secondly, there is the issue of physical safety. Cannabis growers maintain that they will have security personnel, dogs, night lighting, drones, and other methods for patrolling their grows to protect them from thieves and invaders. These all seem like measures more appropriate for grows not located in our residential backyards. The prospect of men with guns, barking dogs, bright night lights, and security drones right on the property lines where we live all seem like measures more appropriate for a prison than a commercial endeavor.

And yet, given that these grows are proposed in rural communities where police and fire services are located 20 minutes or more away, these vigilante-type measures seem to be discussed as appropriate responses to the safety issue introduced by a crop whose value far exceeds the usual farm production.

A safe and secure processing facility should be located in commercial zones ONLY, where there are ALREADY adequate security support

services close at hand to help them.

Again in rural Oregon (same report), where grows were permitted too close to residential neighborhoods, the neighbors reported: "Cannabis may be classified as an agricultural crop, but the security concerns attached to it produce a cartel-like atmosphere with drones, security cameras, and armed guards with high-powered rifles with ranges of more than two miles. What the heck is this kind of facility doing in a residential area? Hundreds of people live within two miles of it." Their proximity mirrors Bloomfield's proximity to one proposed grow.

Given the grower's suggestion of self-enforcement, would it then be considered appropriate for concerned neighbors to consider their own arms, guards, and self-policing tactics, effectively taking the law into their own hands to defend their properties from home invasion and thieves? I think not.

Add these proximity issues to inadequate setbacks and the physical distance of regulatory agencies and police, and it's clear there's a formula for disaster for us neighbors: "...the current Wild West-like atmosphere of light state and local regulation and insufficient staffing in regulatory agencies invites exploitation by greedy opportunists." (Quote from the same report of neighbor experiences in Oregon.)

This is yet another reason why grows should be appropriately placed AWAY from existing residences where people and children play, work at home, walk, and live their lives. The 1,000-foot setback should be a MINIMUM for reducing all these impacts. Our safety depends on it.

3. As far as retail sales...this would bring much-increased traffic and strangers into our rural one-lane neighborhoods. As it is, we can always tell when an out-of-area person comes to visit because they instinctively pull over when an oncoming car requires it, but instead of carefully choosing a driveway, they pull into the ditch and get stuck. Narrow one-line roads boarded by ditches on either side should NOT be used for retail traffic, period. That's why urban areas exist—already set up for such efforts.

Onsite consumption should be limited to areas away from residences and abutting neighbors living nearby. There are PLENTY of acres in Sonoma County which would be suitable for onsite consumption, with neighbors located far from the fence lines and the proposed commercial retail establishment.

4. As far as accountability...we can't even get police and emergency services to physically drive out to Bloomfield in less than 15-20 minutes, as it is now. Without the vigilante-type police patrols the cannabis operations have suggested, which will heavily impact neighbors with a prison-type atmosphere, it's simply not possible for existing public services to be actively involved in policing a grow to ensure everyone's safety UNLESS it were also required that a police department be physically located and staffed 5 minutes or less away from the grow(s). The growers, not the county or taxpayers, should foot any bill for establishing, staffing, and maintaining such rural patrol departments primarily for their benefit/business pursuits.

In conclusion, a successful cannabis program would place neighbors and their proximity at the *top* of its priority list—not the bottom, as it seems to be now.

Grows in rural areas should operate well-distanced from any neighbors, including roadways, traffic, generator noise, odors from grows, lighting, and barking guard dogs.

Locating grows far from existing physical residences will create a good grow program that is livable for EVERYONE...not just the growers.

5. Due to all these unresolved issues, it is again highly recommended that a PERMIT MORATORIUM be enacted NOW, while all these concerns are addressed and proper safety protocols formulated, before a flood of applications under the 'old rules' stymie our attempts to formulate a policy that lends to the health, welfare, and daily living of all concerned.

Thank you for listening.

Diane Donovan
Homeowner, Bloomfield CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Don Watanabe
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Tuesday, August 10, 2021 10:56:11 PM

Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates current water use.

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Don Watanabe

Sonoma County Resident

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: High risks of marijuana grows
Date: Tuesday, August 10, 2021 5:52:36 PM

Nearly all neighboring Bay Area cities and counties have banned commercial cannabis cultivation. The reasons for this apply to Sonoma County as well. Specifically, it is banned outright in Solano, Marin, Napa, Santa Clara, Contra Costa counties. It is allowed only indoors in San Francisco and San Mateo Counties. San Joaquin County posted the following reasons for its ban: (https://www.counties.org/sites/main/files/file-attachments/san_joaquin_county_-_sent_110617_-_title_4_chapter_1___commercial_cannabis_activity.pdf**)**

Outdoor grows often use chemicals and pesticides, many of which are illegal and extremely toxic to people and wildlife and which may pollute soil, ground water, and/or nearby water sources.

Investigations of cannabis grows are time consuming and dangerous for the San Joaquin County Sheriff's Office.

The San Joaquin County Sheriff's Office's investigations of cannabis grows have taken over one thousand (1,000) investigative hours, and resulted in over eighty (80) arrests and the seizure of over forty-five (45) firearms, equipment, and over one hundred twenty-five thousand dollars ($125,000.00). The cases resulting from these investigations are being prosecuted in both state and federal court.

Cannabis cultivation and other commercial cannabis activities attract crime and associated violence; in this County and others cultivation and other commercial cannabis activities have been a magnet for thefts, robberies, illegal firearms, shootings, and homicides.

Outdoor cultivation is very visible and may be easily accessible to the public, including children and youths.

Both outdoor and indoor grows require large amounts of water, which is sometimes illegally diverted from farms, homes, wells, or waterways.

Indoor grows require extensive energy consumption, which is often illegally consumed and/or wired in an improper and dangerous manner.

Both outdoor and indoor grows may contain armed guards and/or booby trap devices that threaten severe bodily harm or death to those who attempt to access them. Such devices may be a threat to any person that enters the area of the grow, but are often designed specifically to injure law enforcement personnel. Especially during harvest and processing season there is

an immediate threat of violent crime depending on the size, location, gang/drug trafficker involvement, and monetary value of these cannabis grows.

Cannabis cultivation creates an increased likelihood of criminal activity.

Cannabis cultivation is harmful to the welfare of residents, creates a nuisance, and threatens the safety and premises of nearby landowners and their families.

Cannabis cultivation poses an urgent and immediate threat to the public peace, health, and safety.

San Joaquin County has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses, in preventing the establishment of nuisances, while also allowing the consumption of medical cannabis for ill residents pursuant to Compassionate Use Act of 1996 and the Medical Marijuana Program Act and consumption of adult use cannabis pursuant to AUMA.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: Crime at marijuana dispensaries
Date: Tuesday, August 10, 2021 5:59:41 PM

Marijuana dispensaries are "attractive nuisances," attracting burglaries, robberies of customers and drivers, and property crimes in the neighborhood. Crime takes a motivated offender, a suitable target, and an absence of capable guardians who may serve to deter violent or criminal behaviors. In our Bennett Valley shopping center, we already have targets of crime with Bennett Valley Jewelers, a bank and a liquor store. Outsiders from the Bay Area have felt free to come into Santa Rosa and our neighborhood for criminal activity including armed robbery. We do not need an additional attractive target. Alternatives East's other location was robbed at gunpoint and later burglarized. Another Santa Rosa dispensary was also robbed. Users of the proposed dispensary may be motivated to crime at this location and in the surrounding neighborhood because of large cash stores on site, the cost of stored products, and the fact that medical marijuana can be resold lucratively in states that do not permit its legal sale.

Large, scientific studies of crime and marijuana dispensaries in Denver and Los Angeles agree that property crimes increase in areas up to a mile away from dispensaries, although not at the dispensary's exact location because increased security on the premises. (Freisthler, Ponicki et al. 2016, Freisthler, Gaidus et al. 2017, Burkhardt and Goemans 2019). However, "vehicle break-ins increase up to a mile away from a new dispensary," and "Property crime, a crime of opportunity, may increase as offenders use different activity nodes (in this case to obtain medical marijuana) increasing familiarity with new neighborhoods. This familiarity provides information on when guardians are around and what homes might have valuables worth stealing" (Burkhardt and Goemans 2019). The authors continue, "Denver found 15% more vehicle break-ins per month within a ½ mile radius of dispensaries. Further out, between ½ mile and a mile radius, we find that vehicle break-ins remain consistently elevated after the introduction of a new dispensary. Our results suggest that legal marijuana sales are local substitutes for hard drug sales."

A different researcher found that in Denver, "marijuana outlets are related to 84.8 more property crimes per year," and "Across local and adjacent areas, an increase of one dispensary per square mile was related to a 0.4 – 2.6% increase in property crime." (Freisthler, Ponicki et al. 2016, Freisthler, Gaidus et al. 2017).

One of the studies concludes, "As patients of [illegal] dispensaries change their travel patterns to go to these different neighborhood areas where medical marijuana remains available through storefront dispensaries, they may find opportunities to participate in various crimes (e.g. burglarizing a home). Property crime, a crime of opportunity, may increase as offenders use different activity nodes (in this case to obtain medical marijuana) increasing familiarity with new neighborhoods. This familiarity provided information on when guardians are around and what homes might have valuables worth stealing. … Our research suggests that these [medical marijuana] dispensaries may increase crime rates in adjacent areas." (Freisthler, Ponicki et al. 2016).

Another peer-reviewed, scientific article (Freisthler, Gaidus et al. 2017) summarizes:

> This study (along with previous research) suggests that the effects of the physical availability of marijuana outlets on crime do not necessarily occur within the specific block groups within which outlets are located, but are occurring in adjacent areas. … This study (along with previous research) suggests that the effects of the physical availability of marijuana outlets on crime do not necessarily occur within the specific block groups within which outlets are located, but are occurring in

> adjacent areas. The effects of outlets on crime may occur in adjacent areas as people move in and out of the areas where these marijuana outlets are located. Interpreting these findings within the framework of routine activities theory, the property (e.g., automobiles) of dispensary customers, particularly those who may be tourists, may be suitable targets for those wishing to commit crimes (Glensor & Peak, 2004), as their owners may not secure their belongings before visiting a dispensary. Properties in surrounding areas may also prove to be ideal targets as they may have less security (e.g., lack of suitable guardians) than the areas local to the marijuana outlets. Motivated offenders may also be those who use these marijuana outlets who become familiar with the adjacent areas as they pass through them regularly.

Further, newspapers and other mass media in the Bay area and elsewhere report that cannabis retailers with large amounts of cannabis and cash on hand have been besieged by thefts in the daytime and at night, most prominently after the George Floyd protests, but also violently and with injuries at other times.

https://sanfrancisco.cbslocal.com/2020/07/23oakland-cannibis-retailers-say-theyre-under-siege-from-violent-thefts/

https://www.forbes.com/sites/chrisroberts/2020/07/02/legal-cannabis-b…ed-again-will-police-protect-marijuana-legalization/?sh=404c8bb91009/

https://www.denverpost.com/2020/04/15/denver-marijuana-dispensaries-burglaries-coronavirus/

https://www.kxii.com/22020/06/22/chocktaw-county-dispensary-out-thousandso-of-dollars-after-robbery/

https://sacramento.cbslocal.com/2019/09/03/sacramento-police-marijuana-breakins/

https://kptv.com/news/police-id-suspects-involved-in-armed-ne...pensary-robbery/article_c2b42b2c-4c84-11eb-9b98-e30c9cd38313.html/

https://www.laweekly.com/valley-dispensary-robbery-caught-on-tape-suspect-shoots-his-way-out/

https://www.baltimoresun.com/maryland/harford/aegis/cng-ag-dispensary-robbery-20210318-vavp5cbv2rgghjosisi5zrsub4-story.html

https://www.leafly.com/news/politics/43-west-coast-cannibis-dispensaries-report-looting-in-weekend-rioting/

https://www.thegrowthop.com/cannabis-health/man-charged-after-making-threats-of-violence-at-medical-marijuana-dispensary

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Greg E.
To: Cannabis
Subject: Upcoming Hearings
Date: Tuesday, August 10, 2021 9:32:49 PM

Supervisors:

I am firmly against any ordinances that remove large scale, commercial cannabis operations from the normal vetting process. The "ministerial process" recently discussed would, in my opinion, be an unmitigated disaster and would remove my ability to speak my mind at hearings on these types of businesses.

So, **please** limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts and safety hazards.

Thank you,

Greg Ervice
Santa Rosa 95401

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Hal Plimpton
To: Cannabis
Subject: Transcript request
Date: Tuesday, August 10, 2021 1:11:21 PM

I appreciate your providing the forum for cannabis information gathering.

I would like review and consider the many comments submitted. Please make the Q&A/Chat transcripts available? Please provide appropriate links.

Thanks for your good work.

Hal Plimpton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: Cannabis safety
Date: Tuesday, August 10, 2021 12:44:58 PM

Don’t allow cannabis farms on dead end roads. Don’t allow grows on private easement roads with vehicles speeding up and down our road 24/7.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Komal Gill on behalf of CannabisTax
To: "Kim Roberts-Gutzman"
Cc: Cannabis
Subject: RE: Cannabis
Date: Tuesday, August 10, 2021 12:54:18 PM

Kim,

Your message has been forwarded to cannabis@sonoma-county.org.

EXTERNAL

How will neighbors be effected by burning cannabis? And fireman?

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: Re: Cannabis safety
Date: Tuesday, August 10, 2021 5:51:20 PM

Will we all be evacuated from our home when an acre of cannabis property is burning? And how far reaching will this be?

On Tue, Aug 10, 2021 at 12:44 PM, Kim Roberts-Gutzman <krgutzman@gmail.com> wrote:

> Don't allow cannabis farms on dead end roads. Don't allow grows on private easement roads with vehicles speeding up and down our road 24/7.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: Sheriff
Date: Tuesday, August 10, 2021 6:02:22 PM

We are finding the sheriff's department won't respond to our calls, about gun shooting, fire works during fire season. Grows don't belong in neighborhoods
Next door to families

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: No Cannabis in Rural Neighborhoods
Date: Tuesday, August 10, 2021 6:45:26 PM

Safety also involves the number of vehicles rural roads a seeing. This product is not a crop and shouldn't be allowed to operate 24/7.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Pauline Orth
To: Cannabis
Subject: Limit Cannabis Cultivation
Date: Tuesday, August 10, 2021 12:57:51 PM

Input Regarding Future Cannabis Ordinance

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Thank you,
Lucinda Orth

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Marshall Behling
To: Cannabis
Subject: Facilitators need to park their bias.
Date: Tuesday, August 10, 2021 9:14:29 AM

Sarah Stierch is appearing to be biased with her snarky comments about how the wine industry is doing it so why not allow the cannabis industry. Her laughing while she reads some of the comments is not appropriate. These sessions should be facilitated by people that can deliver unbiased information void of personal opinion/commentary. Please fix this.

Thanks, MB

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Marshall Behling
To: Cannabis
Subject: Safety workshop comments for the administrative record
Date: Tuesday, August 10, 2021 6:52:59 PM

Health and safety of residents are a CEQA issue. How can the County set up a system of land use decisions that often result in neighbor's safety being jeopardized?

The County is risking irreparable damage to our tourism industry - unsightly, odorous operations and the fear of crime - tourists may decide to go elsewhere.

Fires:

- Cannabis is a temporary plant -- literally grows like a weed -- so will burn more like grass than a permanent plant. The plant is high in volatile/flammable terpines. It is grown in plastic pots and in plastic hoop houses - all highly flammable.
- Fire safe roads are the State law. Sonoma Count must follow the law. The county's liability is growing.

Guns:

- No firearms on the whole parcel that receives a cannabis permit - not just in the permitted area. Hearing high powered gun shots from a nearby cannabis operation is a health and safety and a noise issue. This makes neighbors fear that a robbery may be happening and is a threat to our safety. Neighbors are fearful of cross fire from a grower/robber shoot out. The growers will claim they need guns to protect their investment. This is another reason that All cannabis should be grown indoors in industrial/commercial zones where security is possible. Growers are intimidating neighbors by discharging their firearms in the night.

Crime and violations:

- Statistics aren't being logged. Our neighborhood has phoned in numerous incidence and requested they be logged. A later search showed the lack logging by the Sheriff. Is Sheriff Dept staffing up to respond to increase in complaints about intimidation, trespass and other issues due to increased contact between cannabis operations and their neighbors?

Staff:

- County must use tax revenues from cannabis businesses to increase budgets for law enforcement and other emergency responder requirements.
- The threat to personal and public safety is significant and the Sheriff department's capacity to respond in a timely manner is inadequate at best.

Retail:

- A safe retail establishment would be locked at all times, with entry allowed only upon presentation of identification confirming legal age. It would have 24/7 security cameras, would retain footage for a defined period of time, and would turn over footage upon request of enforcing agencies.
- Since cannabis businesses are not federally approved, they are primarily cash businesses. Request that the County seek information from other California counties and other states to measure effect on financial crimes and regarding the safety and security of any and all cannabis-related financial transactions.

On-site consumption:

- There is no way to test to determine if cannabis impairment exists. Until such time as a test exists, there should be no on-site consumption. Meanwhile, request that County advise how they expect to enforce laws absent fast, reliable cannabis impairment tests.

Air quality and safety:

- Request that County seek and share data regarding complaints about respiratory toxicity.
- No processing in rural/ag lands because of the highly volatile chemicals needed that are a fire hazard and a threat to toxifying our ground water and steams.

Wildlife and pets are in danger:

- Request County consult with State Fish and Game on impacts on wildlife that could forage in outdoor grows as well as impacts on normal movement of wildlife if territory is impeded by new restrictive fencing.
- Study the impact of pets consuming cannabis.

  Accountability:

  - All inspections are without notice.
  - All complaints to the police/sheriff are logged.
  - All violations are enforced and fines paid. Remove all discretion from PRMD and the Ag Dept to determine if a violation is issued and a fine levied.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mary Ann Ciavonne
To: Cannabis
Subject: Problems with Cannabis
Date: Tuesday, August 10, 2021 5:32:16 PM

EXTERNAL

One of my major concerns is a question Joel put out. Growers not the small farmer are a problem. What will be done to protect Sonoma County from foreign entities and crime?
Through the grapevine I've heard from a friend who lives in the area that a huge grow is on her road and they are owned by Russians. This is on Wood off Fulton. She knows this from someone who works there.
This is pretty scary to me.
Thank you
MaryAnn Ciavonne

Sent from my iPhone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mercy Sidbury
To: Cannabis
Subject: Tuesday August 10 Safety suggestions
Date: Tuesday, August 10, 2021 5:30:12 PM

Fire and emergency in- and egress must adequately meet State regulations, which limits the use of many of our sub-standard roads and lanes. Any dead end road would not be suitable Any area that has been designated as a evacuation risk should be off limits. High and very high fire zones should be off limits and any area in the wildland-urban interface zones should be required to have multiple access points for safe evacuation of the neighborhoods.

Processing sites should be located away from fire risk areas to assure that any accident with chemicals does not contribute to fire danger and is easily accessible to first responders.There should be access to proper wastewater hook up to make sure that any runoff of chemicals does not end up in our riparian areas or groundwater supply.Use and storage of these chemicals needs to fall under state/federal regulation for safely compliance. Only extraction processes and solvents that have federal and state approval for health and usage safety should be permitted.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: nfleig
To: Cannabis
Subject: Cannabis Ordinance
Date: Tuesday, August 10, 2021 3:27:37 PM

Over the past few years, I've been very concerned about the County's push to permit commercial cannabis in Sonoma County, without an EIR or an adequate review of all the possible negatives commercial cannabis can have on neighborhoods, aquifers, and the many fire prone areas of the county. You've had hundreds of concerned citizens give you very specific feedback regarding these issues.
Since our coalition of concerned citizens has been very articulate in communicating these issues, the following states the concerns I strongly agree with.

Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

I hope you will proceed with caution and care as you go through this current process of adopting an ordinance.

Sincerely,

Nyla Fleig
Graton, CA 95444

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: no-reply@sonoma-county.org
To: Cannabis
Subject: Comments: Cannabis Policies Visioning session Safety
Date: Tuesday, August 10, 2021 11:19:59 AM

Sent To: County of Sonoma
Topic: Comments
Subject: Cannabis Policies Visioning session Safety
Message: I live in Franz Valley and am focusing on our small Valley's needs: I am alarmed at what seems to be a passive approach to the safety issues that seem to accompany even legal farming operation (as found in Google searches). Sadly,law enforcement is already stretched thin dealing with illegal and black market operations that remain lucrative, so how is there to be any enforcement within rural areas that sound alarms over potentially criminal activity. As it is, our narrow roads, access restrictions (only three narrow/winding roads in and out) and communications problems leave us vulnerable to any issues that need quick firefighting or "policing" response.

Sender's Name: Nancy
Sender's Email: ngraalman@gmail.com
Sender's Home Phone: 4155151616
Sender's Address:
7775 Franz Valley Road
Calistoga, CA 94515

From: Nancy Graalman
To: Cannabis
Subject: General Comments for August 10 "Visioing" session
Date: Tuesday, August 10, 2021 11:23:59 AM

I live in Franz Valley and am focusing on our small Valley's needs: I am alarmed at what seems to be a passive approach to the safety issues that seem to accompany even legal farming operation (as found in Google searches). Sadly,law enforcement is already stretched thin dealing with illegal and black market operations that remain lucrative, so how is there to be any enforcement within rural areas that sound alarms over potentially criminal activity. As it is, our narrow roads, access restrictions (only three narrow/winding roads in and out) and communications problems leave us vulnerable to any issues that need quick firefighting or "policing" response.

Regarding specifics based on your questions:
A safe grow operation would have to be within a defined drive for all emergency first responders (medical, fire, and law enforcement).

A safe grow operation would be required to have full-operation security cameras operating 24/7, to retain footage for a defined period of time, and to turn over footage upon the request of enforcing agencies.

==Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: Comment on Question 1: Morning visioning August 10
Date: Tuesday, August 10, 2021 11:31:16 AM

I live in Franz Valley, and am deeply troubled by the passive approach to concerns without our small Valley that is accessible only by three narrow, winding roads:

+++++S0noma County MUST research and publicize reports of trespassing and all cannabis-related complaints and actions.

++++Constant monitoring with cameras and responsibility to make the footage available at all times must be required.

====Sheriff response time should be improved to Franz Valley. Our Valley is split into two Supervisorial Districts at Franz Valley School Road -- Gore's and Gorin's -- and our needs are often lost between the two.

===Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: peblaydes@comcast.net
To: McCall Miller
Subject: Visioning sessions -Power point
Date: Tuesday, August 10, 2021 8:55:16 PM

Hi McCall,
Just wondering if the power point sessions will be posted on the County's cannabis website?
I know it's a lot of work for you guys. Good the facilitators were brought in to help.
Thank you,

Paula Blaydes

Blaydes & Associates
Land Use Planning, Regulatory and Environmental Consulting
122 Calistoga Road, #602
Santa Rosa, CA 95409
peblaydes@comcast.net
707 889-2540 Mobile
707 537-8727 Phone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Richard R. Rudnansky
To: Cannabis
Cc: Susan Gorin
Subject: Visionary Session Reponses- August 10, 2021 Safety
Date: Tuesday, August 10, 2021 11:54:27 AM

VISIONING SESSION – August 10, 2021 - SAFETY

Here are my comments for the August 10, 2021 Visioning Session regarding Cannabis Ordinance:

RESPONSES TO QUESTIONS ASKED IN THE AUGUST 10, 2021 VISIONING SESSION

EMERGENCIES

What would safe cultivation look like when it comes to emergencies like wildfire? (1) all on site fire prevention measures and equipment should be a requirement of any permit awarded (2) any growing operation should not be located in a high risk wild fire zone, (3) exemptions for cannabis operations currently in the County Codes and specifically related to defensible space should be removed (see County Code Section 13A-4 (c) (2)) and with that removal operators should be required to comply as a permit requirement (4) do not reduce or eliminate and safety requirements for cultivation operations such as the Board of Forestry Fire Safe Regulations (e.g. width and access for roads and driveways) (5) consider exclusion zones to prohibit cannabis operations in remote rural areas, which in turn exacerbate wildfire risk

What characteristics would make cultivation unsafe in an emergency? Lack of the items mentioned in the previous response. In addition, any volatile organic compounds and chemicals on site or other items used in cultivation that are combustible and exempting the cannabis industry from any safety regulations would be make cultivation unsafe in general and in an emergency.

PROTECTION

General Comment: It is indicated in one of the County staff's slides that crime has declined since permitting started in 2018. I assume this means cannabis related crimes (not use and possession). Correct? How much of a decline is there in all types of cannabis related crimes? Please provide details including how many committed crimes were not subject to arrest or were not prosecuted.

As I recall the Sherriff's department indicated in the 2018 hearings that in the preceding year almost all home invasions in the County were cannabis related. Just because there may be a decline does not necessarily mean there aren't safety issues or concerns which could be exacerbated if there is an expansion of cultivation. What are the cannabis related crime statistics in counties that have allowed large commercial cultivation operations? How many illegal grows still exist in Sonoma County?

How do we protect supply chain employees & customers? At all times require trained security guards to be on site or with those distributing cannabis at all times. A device should be installed that can summon police immediately if activated.

How do we protect the surrounding neighborhood or area? Just don't place cannabis operations in or near neighborhoods. Limit cannabis operations to industrial zoning districts. Require trained security guards to be on site at all times. Have routine sheriff patrols in areas of cannabis operations.

What would a safe and secure retail establishment look like in a successful cannabis program? Require trained security guards on site at all times. Require security cameras be installed with signage

indicating that they are installed as a deterrence. A device should be installed that can summon police immediately if activated.

ONSITE CONSUMPTION

If the state allows onsite/social consumption, what should be the most important things we prioritize when thinking about what should be allowed? I would hope that even California would not allow onsite consumption. But if the State does allow, the County should prioritize not allowing it in the County and strictly enforce the laws for driving under the influence.

If it is allowed, what would be an ideal site for onsite consumption?

None.

ACCOUNTABILITY

What does successful accountability look like when it comes to safety and cannabis?

Any violations of safety requirements should be immediately and aggressively investigated (without advance notice to the operators as to on site investigations) and if substantiated should be immediately abated and fines levied. Any cannabis operator violating safety requirements should be required to pay all costs of investigation and abatement. There should be zero tolerance. If the operator is in violation of safety requirements and regulations more than twice, their permit should be revoked and operation closed down. In addition all permits should be reviewed on an annual basis and if operators are found to be out of compliance, abatement proceedings should be commenced and pursued to conclusion with operator paying all costs. If there is a continued pattern of crime related to the operation it should be required to shut down operations over time or add additional requirements suitable for the site and situation.

Operators should not be given any special exemptions from County ordinances (e.g. see County Ordinance Section 13A-4 (c) (2) regarding defensible space or Board of Forestry requirements such as road access regulations). Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines. There should be ownership and residency requirements placed operators to limit out of county operators.

What would it mean to hold retail operations accountable?

See above response.

What would it mean to hold cannabis growers accountable?

See above response.

ADDITIONAL THOUGHTS

What additional thoughts do you have about successful safety measures to include in the new cannabis program?

There should not be any combustible items on the property that are not absolutely necessary (or may be substituted) for the operation and there should be requirements as part of the permit that there be safe and appropriate storage of these items. An immediate moratorium on accepting and processing

applications for cannabis operations until EIR is completed and new Ordinance adopted.

--

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Richard R. Rudnansky
To:	Cannabis
Cc:	Susan Gorin
Subject:	Visioning Session- August 10, 2021
Date:	Tuesday, August 10, 2021 12:14:13 PM

What would a safe and secure cannabis growing operation look like in a successful cannabis program?

(1) all on site fire prevention measures and equipment should be a requirement of any permit awarded (2) any growing operation should not be located in a high risk wild fire zone, (3) exemptions for cannabis operations currently in the County Codes and specifically related to defensible space should be removed (see County Code Section 13A-4 (c) (2)) and with that removal operators should be required to comply as a permit requirement (4) do not reduce or eliminate and safety requirements for cultivation operations such as the Board of Forestry Fire Safe Regulations (e.g. width and access for roads and driveways) (5) consider exclusion zones to prohibit cannabis operations in remote rural areas, which in turn exacerbate wildfire risk

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Richard R. Rudnansky
To:	Cannabis
Cc:	Susan Gorin
Subject:	Visioning Session- August 10, 2021
Date:	Tuesday, August 10, 2021 12:52:49 PM

There has been a lot of comparisons between the long established wine industry and the cannabis industry. Not all people who are wine tasting want to or do get high but can people who "taste" cannabis say the same thing? In any event why exacerbate the problem of drivers under the influence of alcohol with now allowing onsite cannabis tasting?

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rachel Zierdt
To: Cannabis
Subject: Your zoom sessions
Date: Tuesday, August 10, 2021 2:44:53 PM

"How cannabis can be regulated to lessen negative compatibility issues and use of resources? " is how your questions should be worded. How about the county admitting that the industry is setting up business in areas where there were none and are really not friendly neighbors in that there is odor, excessive water use, imposition on neighbors' health and welfare…The industry seems emboldened and entitled by the county approach.

There is no impetus for them to concede that they need to be good neighbors… sharing resources and being open to how to best fit their round peg (their cannabis) into a square box (our existing places of living.)

Rachel Zierdt

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Tamara Spratling
To: Cannabis
Subject: siting and land use
Date: Tuesday, August 10, 2021 8:08:28 AM

EXTERNAL

concerns:

not in zones 3 and 4. there are impaired watersheds and concerns about endangered species

high fire zones with any kind of response times over 15 minutes

small narrow and winding roads that would impede any kind of evacuation if necessary

designated scenic-by-ways

slow sheriff response times as well

not within 1000' of next parcel or one mile of residential communities in unincorporated areas

Tamara Spratling
8197 Franz Valley Rd

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Victoria De Crescenzo
To: Cannabis
Subject: Cannabis in Sonoma County
Date: Tuesday, August 10, 2021 1:09:39 PM

County officials,

I recommend adopting a moratorium on Cannabis until an EIR has been prepared and our water issue has been addressed. I am in complete agreement with the statement below:

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Please advise on how you are planning to work on the EIR and the water (drought) useage.

Sincerely,
Victoria DeCrescenzo
Resident, Bennett Valley

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Walt and Jenny
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Wednesday, August 11, 2021 9:44:01 AM

EXTERNAL

With the lowering of water tables caused by the current drought and made worse by excessive grape grower water use, I have had to have a new well drilled. I'm told the wait time now for new well permits is two years, to get drillers to drill wells is one year, and for having the new well connected to the existing plumbing is two months. I'm lucky that I can afford the $24,000 cost of drilling a new well; obviously most people living in rural areas cannot.

To recap: the water table is already falling, people's wells are running dry, and they have to wait 26 months and pay $24,000 to get a new well, and you want to open the door to rich outside interests to start up huge operations that will use many acrefeet of water we already don't have? Other than seeking more money, what other reason do you have for doing something so ill-advised?

Stop the permit process and pay some attention to the interests of your constituents! Institute a moratorium on Cannibis Permit approvals NOW!

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected, do not click any web links, attachments, and never give out your user ID or password.

From: storms
To: Cannabis
Subject: County Visioning Sessions
Date: Wednesday, August 11, 2021 7:49:14 AM

To the County Cannabis Program:

I am requesting that the head of the cannabis program, Ms. Akers, instruct the facilitator head of the visioning sessions, B.J. Bischoff, to cease attempting to lead the discussions by continually exhorting those particpating to provide "positive" comments & ideas. What Bishcoff really means by "positive" are comments that support the cannabis cause. Her role in this process should be entirely neutral.

The county of Sonoma requested that the public provide input on cannabis issues in our county. We are fully able to do this without the constant instruction to tell us what they want to hear.

I trust that you will allow these open public sessions to continue without interference.

Thank you,
Ann Storms
Santa Rosa

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Rae Wall
To: Cannabis
Subject: 2018 Open Letter for Record
Date: Wednesday, August 11, 2021 11:43:18 AM

Please make sure the following open letter from 2018 gets on record for the cannabis visioning sessions. These letters highlight how the program continues to fail operators and applicants year after year.

June 7, 2018

An Open Letter To The County of Sonoma-

It is disheartening that less than 5% - only 204 applicants out of the estimated 5,000 existing operators have succeeded in participating in Sonoma County's cannabis permit program. This disparity in participation is a glaring signal that today's ordinance does not reflect a successful program to transition local operators into a regulated market.

As you know from the 2016 Sonoma County Cannabis Economic Impact Report, cannabis is established locally as an important industry sector and is intricately woven into the fabric of our community as both a cultural and economic driver. The current ordinance framework is overly restrictive and burdensome for most small farmers hence the low participation. A decrease in access and increased in ordinance restrictions and conditions on a vulnerable market will only further destabilize and disrupt new businesses and the economy, furthering the disparity and divide between haves & have nots.

It is important to recognize that the ordinance has not been allowed to prove its merits yet and already the county is pressured to recommend more restrictions by community members that are uneducated on, or chose to disregard, the difference between a regulated market we seek to stabilize and the black market crimes that have exploited the most vulnerable. The recent string of crimes explicitly targeted unregulated operators. These crimes will continue if we do not address the heart of the issue and create viable solutions to protect and rehabilitate this industry in the most volatile time as we end prohibition.

True commitment to public safety means addressing the real threats, and creating systems to mitigate these threats. Arbitrary setback extensions will not stop the black market crimes afflicting our community.

Public safety will remain an evolving project that changes with the implementation of good systems and good policy. Let us find sophisticated solutions - such a sign postage for permitted farms and direct coordination with sheriff's dept - and not pander to the fears derived from the actions of illegal operators we all seek to eliminate.

The way to truly protect public health and safety is to ensure safe access and a regulatory path to permit for both existing and new operators.

Let me tell you something that I know is a fact. If the county votes to restrict the ordinance further and therefore the SoCo cannabis program fails, then the black market in Sonoma County and every fear that a neighbor has stood up here today and expressed to you will be that much more likely to happen. Wait until everyone goes back underground or stays underground specifically to stay out of this mess of uncertainty. The black market will be back in our neighborhoods, not ag lands where cannabis belongs, and quite frankly probably never left.

Another fact- today the black market is booming. Prices are higher than they have been in years. The incentive is in the wrong direction. And as the black market perpetuates and crime continues to happen, this county will have to face the fact that they had the opportunity to support this industry and provide a pathway to success for operators but instead choose to coward to a hysteria born of misunderstanding and uneducation and pushed operators back into the shadows.

Neighborhood groups, hear me now ~ stopping or restricting this ordinance will NOT achieve the public safety we all want. Only the opposite. Grows will be pushed back into houses & garages (IN OUR NEIGHBORHOODS) as the black market demand for indoor cannabis continues to rise, as it currently is.

And I can't help but ask- What is the REAL goal of this program? Is the goal to create a regulated system that protects public safety and provides economic business success? Or is the goal to eliminate all the good actors who choose to come forward to participate and scare all the other operators to stay underground in the unregulated market? Because it's looking like the goal is the latter.

Sonoma County is not being forward thinking… we are stuck looking inward, feeding off policy suggestions based on people's fears, instead we should be looking outward, making sensible policy that will secure the success of SoCo cannabis operators in the CA state market. WHY is SoCo not setting our cannabis businesses up for success?

Our members and operators need clarity & security. We've had little to no transparency throughout this entire process. Anything that the county did not want to deal with last year was thrown into this elusive "Phase 2" to quiet the crowd, but this phase never happened. During a time that we should be moving forward and strengthening this program, instead the county and community are trying to break us down. The community is trying to tear down the only true pathway that would keep them safe, protect the environment, reduce water use, all the things folks complain about etc. Everyone in this room should be on the same team. Whether or not you want to admit it, we all want the same thing, a safe, regulated cannabis market because without it, the black market will only continue to thrive, as it currently is without a doubt.

The policy changes before our county truly decide the success or failure of Sonoma County's implementation of state law and the public safety associated. I'm sorry to say this but this entire ordeal has turned into a political circus based on fear & emotions when in

reality we all share the same goal. Right now more than ever we need the thoughtful leadership that is necessary to hold an unbiased policy making process based on facts not fears.

Warmly,

Alexa Wall

Sonoma County Growers Alliance, Board Chair

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Rae Wall
To: Cannabis
Subject: 2019 Open Letter for Record
Date: Wednesday, August 11, 2021 11:44:00 AM

Please make sure the following open letter from 2019 gets on record for the cannabis visioning sessions. These letters highlight how the program continues to fail operators and applicants year after year.

January 4, 2019

An Open Letter To The County of Sonoma & Prospective Cannabis Applicants:

My name is Alexa Wall and I moved to California in 2012 to get my Master's in Environmental Management from the University of San Francisco. When my husband, a US Army Veteran, saw the opportunity to join the cannabis industry, a life-long dream of his, we jumped right in as young entrepreneurs right after graduating. We have been cultivating cannabis in Sonoma County since 2014 and a resident since 2015. I am Chair of the Board of the Sonoma County Growers Alliance and an appointed member of the Cannabis Advisory Group for Sonoma County. To say that I am immersed in this industry would be an understatement. I have first hand experience of what is happening here in Sonoma. I have been paying taxes on my cannabis business since 2014 and have always played by the rules. This is my story.

Sonoma County was poised to be a wonderful place to grow cannabis. It was already a deep part of the culture and economy here. Sonoma was set up to be a leader in this space, creating an ordinance before most counties in the state. We thought we were lucky to already be here growing in Sonoma and wanted to continue our passion. Then in December of 2016, against the recommendations of Staff and Planning Commission, the Board of Supervisors decided to removed AR/RR as zones allowed to cultivate, effectively eliminating the ability for most small farmers to participate in the regulated market as most were located in those zones. Overnight, hundreds if not thousands of farmers were forced into the illicit market. Looking back, this decision by the Supervisors was the start of the downfall of Sonoma County cannabis.

After being zoned out of AR/RR, we found ourselves fortunate enough to be in a position to purchase a 15-acre DA parcel to meet the new ordinance requirements. We bought the property in August of 2017 and worked tirelessly around the clock to submit an application as soon as possible. There was apparently going to be an rush so we wanted to get in line. We met the priority processing requirements due to having a tax-paying cannabis collective prior to 2016. Still to this day I have no clue why the county would claim to have priority processing but fail to deliver.

January 1, 2019 marked 16 months since I submitted our cannabis application for our property. We submitted on September 1, 2017 with a completed hydro-geologic study and

biologic resource assessment. There were a few small things we had to submit after our initial application, such as the traffic study sheet that was created after 9/1/17 and later we had to complete a cultural resource study but essentially we had everything together well over a year ago. We are not part of the Penalty Relief Program meaning we are non-operational and have yet to stick a shovel into the ground. In October of 2017 my husband and I went door to door to our neighbors and hand delivered a letter to them, explaining our plans for the property and invited everyone over for a open house tour. At this party we provided food, access to our application, we had a site plan for review, and letters from our security company. In addition, the county has sent out two separate official notices of our project plans. That I am aware of, we have no controversy with neighbors, yet the county claims that there's not a single non-controversial cannabis project. Both neighbors to either side fo us are supportive and we've even discussed working on new fence-lines and joint security measures together.

Fast forward several months and we barely heard from our planner. I have email records of months worth of me reaching out to check the status of our project and no response. Eventually our planner went on to quit, citing the county being slow to pay him and little county support as the reasons. Which seemed odd considering we paid over $15,000 when we submitted the application so the money was there, yet somehow wasn't getting to our consultant fast enough.

Fast forward several more months and we finally get assigned a new planner on July 1, 2018, almost a year after our original submission. Back to square one for us. I did feel like things were going to move along faster and our new planner was working on the initial study. However, yesterday I received an email that made my blood boil and it confirmed how utterly ridiculous this entire process has been. The email from my new planner, dated 1/4/19, read as follows.. "I've been unavailable for a couple of days, but am glad to report that I have now finally been given access to the County's data base. I can, therefore, put my hands on the County's files and can see what appears to have been referred to agencies for comment. I'll then be able to see if a new referral is needed. I'll keep you posted…"

ARE YOU KIDDING ME? THIS HAS TO BE A JOKE. He's been my new planner since JULY 2018 and he's JUST NOW getting access to the county database with our files almost SEVEN MONTHS later. I cried. I'm crying now. This can't really be how this county functions, is it? That is an honest question. I think the county needs to take a step back and reflect on how this looks to the public. More and more operators are getting angry and outspoken. And as a leader in this industry and in my community, I cannot sit back and bite my tongue any longer. The public deserves to know how this county is failing its operators and applicants that want nothing more than to be treated like any other business, be a part of this community, and pay our taxes.

I am truly worried our business will fail and we will have to shut our doors before they even open, with our bank account dwindling and our partner getting wary. Maybe that's secretly what the county wants to happen. All the small guys to fail and only the big guys make it. It's a sad, sorry time to be an applicant in Sonoma County. Our Supervisors are letting an outspoken minority group of NIMBYs shape policy. Our Permit Department has yet to issue a single Conditional Use Permit since they started accepting applicants in July 2017. The county is missing out on millions of dollars in tax revenues. What is really going on Sonoma

County? I need to know. I deserve to know.

In conclusion, I simply do not suggest that anyone applies to grow cannabis in Sonoma County at this time. Sonoma County is NOT cannabis-business friendly and they will not support you.

Regards,

Alexa

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Rae Wall
To: Cannabis
Subject: 2020 Open Letter for Record
Date: Wednesday, August 11, 2021 11:44:44 AM

Please make sure the following open letter from 2020 gets on record for the cannabis visioning sessions. These letters highlight how the program continues to fail operators and applicants year after year.

July 31, 2020

An Open Letter to the County of Sonoma:

As an industry leader, I must be as open and frank as possible in this letter because it is my duty to speak the truth, even if that truth comes across as inconvenient, unpalatable or blunt. To start, Sonoma County officials have utterly and totally ruined the cannabis industry in Sonoma County; I hope you know that. What is left is barely thriving, operators are waiting YEARS for permits, and those most deserving to enter the regulated market- craft legacy farmers- still have no pathway to permitting. Sonoma County has destroyed the businesses of mom and pop farmers that have been feeding their families through cannabis income for generations. The program is a failure because enforcement without opportunity is a failed paradigm.

In the updates yesterday, I heard zero recognition of this unsatisfactory failed program and no attempts to lower the barrier of entry for small farmers. It's clear that the county doesn't care to fix the problems they single handedly created or even attempt to get more family-owned, small cottage farmers back into the market. I appreciate the attempts to make things "easier" for the ones currently in the program, like myself (I cannot deny that), but after hearing all of the Commissioner remarks yesterday, I am wholly confused and worried about the direction this program is going.

This county should be ashamed that they are not choosing to lift up our "essential" industry and help more outdoor cultivators get permitted so we can continue to generate desperately needed jobs and tax revenue. Sonoma, as an agricultural county full of all sorts of farms (and smells), we should have experience facilitating economic growth in the farming sector yet continue an unwarranted bashing of an industry that was comprised of thousands of small farmers in 2017 and have eschewed the opportunities of cannabis regulation for cottage farmers throughout Sonoma. What we heard at yesterday's Planning Commission meeting was continued demonization of a plant that has shown over and over again to not only truly help people but help our economy and create jobs especially in this time of skyrocketing unemployment. We need cannabis now more than ever.

Why are we continuing to dwell on odor and not economic development? Why do people accept other ag smells but not cannabis? Why are the double standards allowed to exist? Why aren't we choosing to be a county of leaders and innovators? Why aren't we a county

that appreciates and supports ALL agriculture? Our county seal literally institutionalizes it: Agriculture, Industry, Recreation. Why are we not embracing something that could be so beneficial to us? Ask yourself, why are YOU afraid of embracing cannabis?

After almost 5 years of engagement county officials at every level should know how much love and appreciation cannabis growers have for the land and should know how restrictive the environmental standards are for cannabis cultivation. County officials should know that cannabis farmers are required to meter water usage and cannot use harmful pesticides unlike many farms & vineyards in Sonoma County who also ignore county codes and environmental regulations with impunity.

As humans we are hardwired to resist uncertainty, our brains tend to prefer a predictable, negative outcome over the uncertain largely positive one. But luckily, we do have the skills to change and evolve. And it starts with you, Commissioners & County Officials. Change is hard for everyone, especially in the times of today, but now more than ever we need leadership that isn't afraid to embrace cannabis for what it is- a real industry, with real businesses, with real people that want to contribute to the fabric of society. Progress is impossible without change, and those who cannot change their minds cannot change anything. Please don't let a few loud naysayers continue to destroy what is left of this valuable industry. Please find a way in your heart and mind to be open to this change and finding a path forward for all cannabis operators, big and small. We need you. We need help. We need acceptance. One day, soon I bet, cannabis will be legal at federal and international levels and the special differentiated cannabis that has been grown in Sonoma County for decades will be desired in that expanded marketplace but only if county officials recognize the industry not just in speech but in deeds. As Socrates once said, "the secret of change is to focus all of your energy not on fighting the old, but on building the new."

With Gratitude,

Alexa Wall

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Rae Wall
To: Cannabis
Subject: 2021 Open Letter for Record
Date: Wednesday, August 11, 2021 11:44:45 AM

Please make sure the following open letter from 2021 gets on record for the cannabis visioning sessions. These letters highlight how the program continues to fail operators and applicants year after year.

March 8, 2021

Open Letter to Sonoma County Planning Commissioners, Board of Supervisors, Staff, and other County Officials:

As a former Sonoma County Ag Commissioner once said back in 2018, “If the overall goal of the [cannabis] program was to create a regulatory scheme that favored a corporate, big dollar, new-money industry, then I think we have succeeded. If the goal was to create a workable regulatory pathway for existing cultivators to become legal, I think we have failed.” We have to do better and we can do better. Now is our chance.

As you know, what was once a robust industry of some 5,000+ farmers during the Prop. 215 years is now barely thriving, with operators waiting years for permits and those most deserving to enter the regulated market — our legacy craft farmers — still without a proper pathway to permitting.

Whether it has intended to or not, Sonoma County has destroyed the businesses of small legacy farmers who have been feeding their families through cannabis income for generations, who put dollars back into our local economy, and who wish to become legal and compliant. The program is a failure because enforcement without opportunity is a failed paradigm. This new ordinance update is finally a chance for Sonoma County to right the wrongs and fix the real problems that have been created by taking Sonoma County out of step with state law recommendations, housing the program in Permit Sonoma rather than the Dept. of Agriculture, being unduly influenced by a handful of NIMBYs, and grossly restricting right-to-farm opportunities for cannabis. This is not a time to fix the non existent non-problems that NIMBYs are spreading as an illusion to further destroy this program and to push cannabis back indoors.

Looking to the day when cannabis is not only nationally legal but internationally traded, the CDFA rolled out its Cannabis Appellations program on Jan. 1, 2021 and Sonoma County legacy craft farmers won’t be able to participate if our only production is indoor. Indoor grows are ecologically taxing and don’t support the robust tourist industry that cannabis can — and will — attract.

During this extraordinary era of pandemic and economic collapse, Sonoma County must not miss out on the opportunity for the essential cannabis industry to generate desperately

needed jobs and tax revenue. One Santa Rosa cannabis manufacturer alone has hired over 140 people since the pandemic began in March. The tax revenue even with the failure of county officials tops $2 million a year to date.

After nearly five years of engagement, county officials at every level know our industry is burdened with heavily restrictive policies and environmental rules. As examples, cannabis operators are required to meter water usage and cannot use harmful pesticides. No other agricultural industry is held to the standards that cannabis is.

So I urge you, please don't let a few loud naysayers continue to destroy what is left of this valuable industry. Treat cannabis as agriculture. Protect the farmers who have been stuck in the process for years. And ultimately adopt pro-cannabis, pro-business policies! As Socrates said, "The secret of change is to focus all of your energy not on fighting the old, but on building the new." Let's join together and focus on the new. Sonoma County depends on it. We depend on you.

Sincerely,

Alexa Wall

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Wall
To: Cannabis
Subject: Fwd: Cannabis Applicant Survey Responses
Date: Wednesday, August 11, 2021 11:48:34 AM

Please get the following responses below on record. This shows how this program has been destroying the livelihood for small farmers for years. 68 applicants took our survey and these were just a few of the responses we received.

---------- Forwarded message ---------
From: **Alexa Wall** <alexa@lumacalifornia.com>
Date: Wed, Apr 4, 2018 at 3:16 PM

Supervisors,

I wanted to say thank you again for your time in the board room yesterday. I do wish we weren't having to go through this but I very much appreciate your time and leadership.

By the way my husband and I had a 3.5-hour meeting with some folks from the No Pot on Purvine group, it went really well and I do hope to continue to work with them to find some common ground and maybe present some solutions together going forward. For example, we agreed that we don't need to increase the set backs and parcel size AND enact exclusion / inclusion zones.. but maybe take things on a case by case basis. There are definitely some extremists / alarmists on the SOS side but I hope to continue to work with the rational members of the NoPoP group and the neighborhood members of the Cannabis Advisory Group..

I also created a survey that was shared with cannabis cultivation applicants in Sonoma County- so far 68 applicants have taken it. I will be analyzing the results tomorrow and sharing them with you. I know the neighborhood groups feel threatened but it's important to stand by your policy and give the ordinance a chance to play out. Neighbors may feel threatened or may not like the smell, but applicants in the program truly have their livelihood on the line. Here are some of the responses from applicants when asked about what losses they would incur if they lost access to a cannabis permit at their farm.....

> *Literally would bankrupt me and cause my family to move out of the county after losing the house we rented in the fires.*

> *I took a second out on my home, where I raise my two children, to pay for the demands of the ordinance. I will loose my home if this doesn't work out. Unless, of course, I go to the black market. I invested all my time and energy, as well as made huge sacrifices, to comply with the new regulations. Having them change or end would make me loose all faith in our local government. I believe in you. Please don't drive me back to the black market. Please don't let me down.*

Basically the whole ordinance has already destroyed my business

---

Housing for family of four, entire savings, over a year of our lives put into this, jobs, likely have to move out of Sonoma County..

Job loss to all employees. I would most likely have to sell the family farm as we are heavely invested in the Cannabis farm project. With no access to legal business, property overhead would exceed my ability to maintain bills moving forward. Note: Our family had a total property loss in the Tubb's fire in Santa Rosa. Our Sebastopol cannabis farm business is a vital part of our recovery for my family of three.

I am 32 years old and have a 2 year old daughter. I have invested my life's earnings into this project with 2 other friends who have kids same age and same situation. This is creating a life for all of us and our families.

Face foreclosure with no income to cover mortgage payments, employees would move away and lose opportunity to produce Sonoma county origin product and lose our brand

---

Life savings, foreclosure of property, 2 years of time invested in this business without compensation, loss of advancement in previous careers, loss of access to safe nonpsychoactive cannabis remedies for hundreds of patients.

Property value would depreciate, my family savings will be $0 and we will have a mortgage payment on a devalued property, investors will lose their money, I will cancel contracts with local consultants and contractors, I file a lawsuit against the County of Sonoma for damages

---

my entire business would be destroyed and I would have to sell my property.

Would bury us financially.

We would have to leave our current home if we had to find jobs with another company because of our remote location... the housing market being what it is right now would mean that our family of four would be priced out of living in Sonoma county. That would mean 2 less children at our already under attended public school.

We would loose our land and have to move from the county being broke and basically homeless and jobless.

Our family would have to relocate away from Sonoma County and would lose relationships with colleagues that are counting on us for their careers and success. We have build a team we plan on supporting locally in this county. The other local restaurants and retailers

we support on a personal level would suffer.

Huge financial loss, time, energy, countless flights. Other business of mine is depending on the output of this farm.

We'd lose a county that has heart, that has grown thanks to its many agricultural entrepreneurs, and we'd lose it to the fearful of change, of progress, to those with unchecked perceptions of right and wrong. Cannabis won't harm our county, it will propel us further into economic growth and prosperity, and not just for those brave enough to be the first to rise to the occasion, but for the entire county.

Cancer patients will loose access to our medicine

The family we lease from has lost everything they own in the fire - this lease income is the only thing allowing them to keep the ranch as farmland and in their hands.

Our investment, our income, our future.

Thank you,
Alexa

--
Alexa Rae Wall
CEO & Owner, Luma California
Chair of the Board, Sonoma County Growers Alliance
(512) 826-0462

--
Luma California
Sonoma County Living Soil Farm
LIC#: CCL20-0000303

Looking to try our Ahti Collab rosin & hash?
Shop the menu online at Leaflink.com!

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Wall
To: Cannabis
Subject: Fwd: **Please Read and Protect Your Farmers!**
Date: Wednesday, August 11, 2021 11:50:59 AM

Please get the following information on record for the new ordinance update. Allow permits to run with the land and REMOVE TERM LIMITS!!

---------- Forwarded message ---------
From: **Alexa Wall** <alexa@lumacalifornia.com>
Date: Wed, Mar 17, 2021 at 5:31 PM

Dear Planning Commissioners, Supervisors & County Staff:

I am writing to you all today as a current cannabis permit holder in Sonoma County and resident of Penngrove. After waiting nearly 2 years I was finally awarded my CUP in 2019. My husband and I live on the farm with our family and along with our business partner we've invested nearly a million dollars into this project, not including the price of buying the property due to being zoned out of our previous RR zoned location.

The one thing that keeps us up at night is after working so hard to get our permit, the rug is going to be pulled out from under us and a new rule change will cause us to suddenly be deemed ineligible for CUP renewal. I know that I am not the only farmer that feels this way and I ask that you please "grandfather in" the current operators and applicants in the pipeline to the set of rules in place during their application or find a way to protect them from changes that could be detrimental to their business down the line come renewal time.

Here are a few examples, among many, of ways that myself and others would be affected if the County changed the rules to be more restrictive... we cannot let this happen!
- If setbacks are increased between cannabis and residents beyond the 300ft
- If parcel size is increased to 20 acres
- If the ordinance restricted cannabis operations directly adject to RR/AR zoned properties

Any additional restrictive changes, like the ones above, would further destroy what is left of the legacy farmers that did the right thing in 2017 and applied for permits and it would destroy our project plans here at 2275 Roberts Road.

Because my husband and I are terrified that the county will vote to change Chapter 26 and in 5 years the rules will be different, it makes it difficult for us to move forward with the greenhouse portion of our project (because why would we make such a big investment with little security that we will be able to grow past the 5-year life of our permit) and ultimately costing the county to miss out on our tax dollars and causing a loss of would-be jobs for the community. Living in fear of losing your life's dream when all you want to do is grow a plant and be a tax-paying legitimate business if not a fun position to be in.

One solution to this problem would be to **remove the 5-year permit timeline on CUPs** and allow those operators that spent thousands of dollars, and in our case, hundreds of thousands

of dollars on permitting to get a CUP to be allowed to continue operating past the 5-year life of their permit so long as the operator is in good standing with the county and maintains state licensing.

Another obvious solution to this problem would be to not create the problem in the first place and please do not make Chapter 26 more restrictive than it already is. **We don't need increased setbacks. We don't need increased parcel size requirements. We don't need onerous odor standards when the same plant (hemp) can be grown practically anywhere in the county. We need acceptance and a pathway to thrive as a legitimate industry that was voted on and legalized by the people of the State of California.** Please do not cave to the worries of the NIMBYs and halt this valuable industry worth over $60 billion dollars in the US alone. Thank you.

I appreciate your time and attention to this matter!

Kindly,
Alexa

--
Alexa Rae Wall | Luma California
LIC#: CCL20-0000303

--
Luma California
Sonoma County Living Soil Farm
LIC#: CCL20-0000303

Looking to try our Ahti Collab rosin & hash?
Shop the menu online at Leaflink.com!

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Alexa Rae Wall
To: Cannabis
Cc: joanna cedar; Lauren Mendelsohn
Subject: Fwd: Sonoma County Growers Alliance / Ordinance Response to BoS
Date: Wednesday, August 11, 2021 11:55:52 AM
Attachments: JM Memo re Strategy for Streamlining CEQA compliance for cannabis cultivation.pdf
SCGA_Ch38+Ch26 Ordinance Response to BOS_5.14.21.pdf

Please see the following memos submitted back in May. Below are the highlights of what we recommend for the direction of a new ordinance. Please get on record. Thanks!

The Sonoma County Growers Alliance board recommends the following:
● Continue accepting and processing applications for commercial cannabis permits under the existing Commercial Cannabis Land Use Ordinance.
● Pass the General Plan Amendment recommended by staff recognizing cannabis as agriculture.
● Engage with the state's cannabis licensing agencies as they merge and develop consolidated regulations as different changes to the county's ordinance will be
needed for alignment.
● Do NOT adopt the revised, more restrictive Chapter 26 and instead focus on improvement of the currently adopted version and alignment with state law, including updating the county's definitions and adding additional permit types.

Needed improvements include:
○ Allow distribution in AG zones with, at most, a MUP.
○ Allow on-farm light manufacturing with a MUP.
○ Develop regulations that allow for Type-7 manufacturing with a CUP.
○ Allow delivery-only retail with a MUP.
○ Allow consumption lounges with a MUP.
○ Allow farm stands and direct-to-consumer sales on a property where a cannabis permit has been issued provided that the applicable state licenses have been obtained.
○ Develop trigger language that will allow issuance of a permit or other authorization for cannabis direct to consumer sales so one can submit a state license application once the state develops regulatory language for their license.
○ Revisit the county's current cap on dispensaries.
○ Allow small scale cultivation on appropriate AR + RR parcels over 10 acres with a CUP
○ Reduce the 10 acre minimum parcel size for small-scale operations
○ Revisit the canopy cap for indoor cultivation on industrial parcels
○ Revisit the outdoor cultivation cap in agricultural zones

● Immediately re-establish the Board of Supervisors' Cannabis Ad Hoc Committee, or a Cannabis
Standing Committee, to deal specifically with cannabis-related issues.
● Hire or appoint a dedicated Cannabis Program Manager, who would coordinate with the various
departments involved and serve as a liaison between the county and the public.
● Dedicate planners in Permit Sonoma to review cannabis permit applications. With the fires and

other permit issues, the cannabis permits have created a major backlog with some applicants waiting four years now for a determination. Cannabis permit fees sufficiently cover dedicated planning staff, and more permit applications would be filed if the process was more efficient.
● Lower the cultivation taxes
● Engage with the community to establish a successful Cannabis Equity Program specific to Sonoma County to help local operators who've been disproportionately harmed by the war on drugs, from prohibition or overregulation. Enforcement without opportunity is a failed paradigm.
● Mirror state regulations to allow for more propagation area.
● Direct staff to embark on the development of a full comprehensive environmental impact report
that is broad in scope and based on a program that defines cannabis as agriculture at the local, state and federal levels akin to hemp and other field and row crops.
● Direct staff to inform and assist existing permit holders with the CEQA process for state licensing.
● Advocate for regulating cannabis as agriculture with the California State Association of Counties,
Rural County Representatives of California, regulatory agencies, our state representatives and the Governor's office.
● Create a process for current applicants and previous operators,and who were "zoned out" to be
grandfathered in or receive priority processing on future applications

Honorable Supervisors and Staff,

On behalf of the SCGA Board, please find the following documents attached:

- Letter from the SCGA Board regarding consideration of Chapters 38 and 26
- Memo prepared by James Moose of Remy, Moose and Manley, LLP regarding CEQA and its application to the statewide cannabis industry

Thank you,

Joanna Cedar
(707) 953-5829

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

REMY | MOOSE | MANLEY LLP

James G. Moose
jmoose@rmmenvirolaw.com

MEMORANDUM

To: Genine Coleman, Executive Director, Origins Council

From: Jim Moose

Re: Suggestions for legislative solutions to existing challenges in achieving efficient CEQA compliance for cannabis licensing

Date: March 21, 2021

INTRODUCTION

The Origins Council asked me to familiarize myself with the complex regulatory scheme that currently exists under California law with respect to the licensing of cannabis cultivation. The Council also asked me to share my thoughts regarding how the existing regulatory framework might be modified in order to work more efficiently but without any loss of environmental rigor. This memorandum is the product of my work on both of these tasks.

As I have learned, the existing regulatory system is not functioning well at present. Indeed, there is a large backlog of license applications that have not yet been approved, both at the state level and within cities and counties. This situation is creating near-term dangers both of a legal cannabis supply shortage and of the failures of numerous small businesses unable to bring their products to market. In the pages that follow below, I first share my understanding of the details of the existing regulatory framework, and then offer my specific suggestions about how I believe it could be improved through legislation.

As you will see in the second half of this memorandum, I am recommending that the current statutory framework be modified to transfer the primary responsibility for mitigating the environmental impacts of cannabis cultivation from the California Department of Food and Agriculture (CDFA) to local governments. This change should make the overall regulatory system more efficient. I would not change, however, the existing roles of other key state agencies, and in particular the California Department of Fish and Wildlife (CDFW) and the State Water Resources Control Board (SWRCB). The Legislature has already provided means by which these two state agencies, compared with CDFA, can regulate cannabis cultivation comprehensively but in a relatively more efficient manner.

The current system assigns to CDFA environmental responsibilities that could be implemented more efficiently at the local level. In those cities and counties that have chosen to regulate cannabis cultivation, the current system is needlessly duplicative. Using the existing regulatory framework as a starting point, I suggest three alternative legislative strategies for effectuating the transfer of environmental responsibilities from CDFA to such cities and counties. Each option strikes a different balance between the need for a state role in regulating cultivation, on the one hand, and traditional notions of local governmental autonomy, on the other. Under all options, CDFW and SWRCB would remain involved. The various options also involve differing levels of compliance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), which is the source of much of the inefficiency in the current system. My hope is that my recommendations will be useful to the Origins Council as it works with legislators and key stakeholders in its efforts to address the flaws of the current regulatory framework.

DISCUSSION

A. The Legal Status Quo: Environmental Review for Cannabis Cultivation Licensing

1. The Role of the California Department of Food and Agriculture under the Medicinal and Adult-Use Cannabis Regulation and Safety Act

In June 2017, with the enactment of Senate Bill 94 (Stats. 2017, ch. 27), the Legislature created the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) (Bus. & Prof. Code, § 26000 et seq.) (commonly pronounced "mao-ker-suh"). Amendments followed in September 2017 with the passage of Assembly Bill 133 (Stats. 2017, ch. 253).

MAUCRSA repealed the 2015 Medical Cannabis Regulation and Safety Act (MCRSA) and, with some changes, integrated its medicinal licensing requirements with the provisions of Proposition 64, a ballot proposition adopted in 2016 and officially known as the Adult Use of Marijuana Act (AUMA). The result was a single statutory scheme regulating the medical and recreational cannabis industry in California. MAUCRSA established an integrated regulatory structure for cultivation, processing, manufacturing, tracking, quality control, testing, inspection, distribution, and retail sale of commercial cannabis. MAUCRSA designates responsibilities for oversight of cannabis commerce to several state agencies.

CDFA is one such agency. It is tasked with, among other things, the licensing of commercial cannabis cultivation. (See Bus. & Prof. Code, § 26050 et seq.)[1] Such licenses are "valid [only] for 12 months from the date of issuance," though each "license may be

[1] At the time this memorandum was prepared, Governor Newsom's proposed fiscal year 2021-2022 budget included a proposal to consolidate the three existing cannabis licensing entities— CDFA, the Bureau of Cannabis Control, and the Department of Public Health — into a single Department of Cannabis Control. The Administration's intent is that establishment of a stand-alone department with an enforcement arm will centralize and streamline regulation, creating a single point of contact for cannabis licensees and local governments. This proposal was first announced in January 2020 but was delayed due to the impacts of the COVID-19 pandemic. If approved by the Legislature, the new Department will be created on July 1, 2021.

renewed annually." (*Id*., § 26050, subd. (c).) In furtherance of this annual licensing function, CDFA was directed to adopt regulations addressing a wide variety of topics, both environmental and nonenvironmental in character. (*Id*., §§ 26013, 26060, subds. (a), (f), 21060.1, subd. (b).) For example, licenses should include conditions developed by CDFW and SWRCB in order to protect fish in water bodies that could be affected by cultivation activities. (*Id*., § 21060.1, subd. (b).) CDFA promulgated its regulations in 2017. Echoing the requirements of MAUCRSA, the regulations specify all of the environmental and nonenvironmental requirements that any would-be licensee must satisfy in order to obtain a license. (See Cal. Code Regs., tit. 3, div. 8 [CDFA Cannabis Cultivation Program regulations].)

As discussed below, MAUCRSA assumes that, in addition to licenses from CDFA, cannabis cultivation proposals will also require local approvals of some kind, as well as approvals from other state agencies with environmental protection responsibilities (e.g., CDFW, SWRCB. and its nine regional water quality control boards [RWQCBs]). MAUCRSA also assumes that CDFA, as well as other agencies with discretionary authority over cannabis cultivation projects, will have to comply with CEQA.

In general, agencies subject to CEQA fall into one of three broad categories with respect to projects that require the preparation of environmental documents such as environmental impact reports (EIRs) and negative declarations (NDs) or mitigated negative declarations (MNDs). First, "lead agencies" prepare such documents, and then take some sort of discretionary action approving the projects for which the documents are prepared.[2] Second, "responsible agencies" use these documents in granting their own limited approvals for such projects.[3] And third, "trustee agencies" comment on the lead

[2] "'Lead Agency' means the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared." (Cal. Code Regs, tit. 14, div. 6, ch. 3 ["CEQA Guidelines"], § 15367.)

[3] "'Responsible Agency' means a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term 'Responsible Agency' includes all public agencies other than the Lead Agency which

agencies' environmental documents despite not having any direct regulatory or legal authority over the proposed projects.[4] Though it often also functions as a responsible agency, CDFW is the primary example of a trustee agency.[5] Three other state agencies have also been expressly identified as serving in that function.[6]

MAUCRSA specifically directs that, for purposes of CEQA compliance, CDFA "shall serve as the lead agency … related to the licensing of cannabis cultivation[.]" (Bus. & Prof. Code, § 26060, subd. (c).) This legislative pronouncement suggests that CDFA should normally do most of the heavy lifting required by CEQA. In practice, though, CDFA often serves as a responsible agency, and seems to prefer to act in such a capacity. Although CDFA did act as lead agency in preparing a Program EIR (PEIR) for the legislatively-mandated regulations that CDFA adopted in 2017, the PEIR and CDFA's regulations, as discussed below, set up a scheme in which agencies other than CDFA, and especially local agencies, often act as CEQA lead agencies. Indeed, the process set up by the Legislature and CDFA works most efficiently where a local agency, in granting its

---

have discretionary approval power over the project." (CEQA Guidelines, § 15381; see also *id*., § 15096 [process by which for responsible agencies interact with lead agencies].)

[4] "'Trustee Agency' means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California." (CEQA Guidelines, § 15386.)

[5] CEQA Guidelines, § 15386, subd. (a); see also Fish & G. Code, § 1802 ("[t]he department, as trustee for fish and wildlife resources, shall consult with lead and responsible agencies and shall provide, as available, the requisite biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used in [CEQA]"). CDFW's status as a trustee agency reflects the traditional legal notion that "'[t]he wild game within a state belongs to the people in their collective, sovereign capacity; it is not the subject of private ownership, except in so far as the people may elect to make it so.'" (*Center for Biological Diversity, Inc. v. FPL Group, Inc.* (2008) 166 Cal.App.4th 1349, 1362, quoting *Ex parte Maier* (1894) 103 Cal. 476, 483.) "It is from this common ownership that the public trust arises." (*San Diego County Archaeological Society, Inc. v. Compadres* (1978) 81 Cal.App.3d 923, 927.)

[6] These three other agencies are (i) the State Lands Commission with regard to state owned "sovereign" lands such as the beds of navigable waters and state school lands; (ii) the State Department of Parks and Recreation with regard to units of the State Park System; and (iii) the University of California with regard to sites within the Natural Land and Water Reserves System. (CEQA Guidelines, § 15386, subds. (b), (c), & (d).)

own discretionary approval for a cannabis cultivation project, functions as lead agency and CDFA acts as a responsible agency.

The process works least efficiently, at least for CDFA and license applicants, where a local agency grants a ministerial approval for a cannabis cultivation project, and thus does not prepare any site-specific CEQA document that CDFA can use.[7] Ironically, this latter scenario occurs where a local agency prepared an earlier EIR or MND for the development of its local regulatory scheme with the intended purposes of obviating any need for site-specific environmental documents, thereby streamlining the local process. In such instances, because CDFA must still act as lead agency for a site-specific license – a resource-intensive role that can consume much time – the local agency's strategy of setting up a ministerial regulatory scheme approvals yields very limited streamlining benefits in actual practice.

In notable contrast, as also discussed below, the Legislature has found ways by which to ease the burdens that cannabis cultivation licensing has imposed on CDFW, SWRCB, and RWQCBs. CDFW and SWRCB have issued "general" regulatory directives that are binding on qualifying cannabis cultivators but do not require any discretionary approvals subject to CEQA. By allowing CDFW, SWRCB, and RWQCBs to avoid having to get involved in individual CEQA processes for individual cannabis

[7] "Ministerial projects proposed to be carried out or approved by public agencies" are *exempt* from CEQA. (Pub. Resources Code, § 21080, subd. (b)(1).) "'Ministerial' describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out." (CEQA Guidelines, § 15369.) In contrast, the term "'Discretionary Project' means a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations, or other fixed standards. The key question is whether the public agency can use its subjective judgment to decide whether and how to carry out or approve a project." (*Id*., § 15357.)

cultivation licenses that can rely on the general directives, these directives save time and resources not only for these agencies, but for the private license applicants as well.

2. How CDFW, SWRCB, and RWQCBs may avoid site-specific CEQA compliance in many instances

a. CDFW's General Lake and Streambed Alteration Agreement or Activities Related to Cannabis Cultivation

Chapter 6 (Fish and Wildlife Protection) of Division 2 (Department of Fish and Wildlife) of the Fish and Game Code is devoted to lake and streambed alteration agreements. The need for such an agreement is generally triggered where an "entity" proposes to "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake." (See Fish & G. Code, § 1602.) When CDFW receives notice of such a proposed activity, CDFW prepares a "draft agreement" that "describe[s] the fish and wildlife resources that the department has determined the activity may substantially adversely affect and include[s] measures to protect those resources. (*Id*., § 1603, subd. (a).) When CDFW sends out a draft agreement, its action in so doing commences a dialogue with the applicant that typically results in a set of mutually acceptable measures that CDFW believes will adequately protect the affected resources. (*Ibid*.) Where consensus cannot be reached, binding arbitration can be pursued, with the result to be "based on the best scientific information reasonably available at the time of the arbitration." (*Id*., subd. (b).)

In 2016, before the enactment of MAUCRSA, the Legislature passed Senate Bill 837 (Stats. 2016, ch. 32), which added Fish and Game Code section 1617 to Chapter 6. In 2017, in Senate Bill 94 (Stats.2017, c. 27), the Legislature made modifications to section 1617 that led to its current wording. As amended, section 1617 provides that CDFW may,

through the enactment of emergency regulations, "adopt general agreements for the cultivation of cannabis," which would be relied on "in lieu of an individual agreement."

Such a general agreement now exists in the form of section 722 of Title 14 of the California Code of Regulations (entitled, *General Lake or Streambed Alteration Agreement for Activities Related to Cannabis Cultivation*) (Cannabis General Agreement). The "General Agreement applies only to the construction, Reconstruction, maintenance, or repair of Stream Crossings, in the form of a bridge, culvert, or rock ford, and Water Diversions on non-finfish rivers, streams, and lakes that are used or will be used for the purpose of Cannabis Cultivation, each a 'Covered Activity.'" (Fish & G. Code, § 722, subd. (a)(2).) The agreement does not apply where a Covered Activity would "occur in a finfish stream or lake" or would "result in take of a Listed or Fully Protected Species." (*Id*., subds. (d)(3), (d)(4).)

For a "covered entity" proposing cannabis cultivation to qualify for reliance on the Cannabis General Agreement instead of an individual lake and streambed alteration agreement (a discretionary approval subject to CEQA), the entity comply with a series of stringent design and mitigation requirements and pay a fee. The covered entity must notify CDFW of its intention to rely on the Cannabis General Agreement and must prepare documents called a Biological Resources Assessment, a Design Plan for construction or Reconstruction of each Stream Crossing or reservoir, and a Property Diagram. (*Id*., subd. (f).) The covered entity must also certify that the Covered Activity will not harm certain types of resources and will comply with various detailed measures intended to minimize or avoid environmental effects. (*Id*., subd. (d).) To obtain authorization under the Cannabis General Agreement, the covered entity must certify compliance with its requirements. CDFW then "*shall authorize* the Covered Activity or Activities" after "receipt of Notification, Certifications, and applicable fees." (*Id*., subd. (g) [italics added].)

Because CDFW "shall approve" a qualifying Covered Activity that meets all applicable requirements, as certified by the covered entity, CDFW's action is ministerial

and need not comply with CEQA. After receiving the proper paperwork and fees supplied by the covered entity, CDFW has no choice but to approve the Covered Activity. The "yes or no" nature of this decision is quintessentially ministerial.[8]

b. SWRCB's Cannabis Cultivation Policy, "Cannabis General Order," and "Cannabis Small Irrigation Use Registration" program

In 2015, Senate Bill 643 (Stats. 2015, ch. 719) – part of MCRSA – created what is now *former* Business and Professions Code section 19332, subdivision (d). It required CDFA, in consultation with CDFW and SWRCB, to "ensure that individual and cumulative effects of water diversion and discharge associated with cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability."

Another bill within the three-bill package making up MCRSA was Assembly Bill 243. It created Water Code section 13276, which was subsequently amended by both Proposition 64 and MAUCRSA. This statute directs either SWRCB or the "appropriate" RWQCB to address discharges of waste resulting from medical and commercial cannabis cultivation, including adopting a general permit establishing waste discharge requirements (WDRs), or the waiver of WDRs pursuant to Water Code section 13269.

In 2016, as noted in the preceding discussion of CDFW's General Agreement, the Legislature enacted Senate Bill 837 (Stats. 2016, ch. 32). In addition to directing CDFW to address cannabis cultivation, as discussed above, this legislation also directed SWRCB to take action. Specifically, Water Code section 13149 required SWRCB to adopt principles and guidelines for diversion and use of water for cannabis cultivation in areas where cannabis cultivation may have the potential to substantially affect instream flows.

[8] I am informed that the ministerial nature of compliance with the General Agreement does not necessarily make it an attractive option to all cultivators. The "one size fits all" approach embodied in a generic agreement of this kind precludes the kind of site-specific considerations and negotiations that are available for standard lake and streambed alteration agreements. Cultivators all consider many of the provisions of the Cannabis General Agreement to be more onerous than necessary to protect the resources at issue.

Under the statute, the principles and guidelines may include, but are not limited to, instream flow objectives, limits on diversions, and requirements for screening of diversions and elimination of barriers to fish passage. The principles and guidelines may also include requirements that apply to groundwater extractions where the board determines those requirements are reasonably necessary. (Wat. Code, § 13149, subd. (a).)

Enacted in 2017, MAUCRSA includes Business and Professions Code section 26060.1. Subdivision (b)(1) of that statute requires that any cannabis cultivation licenses issued by CDFA include conditions requested by CDFW and SWRCB to ensure that individual and cumulative effects of water diversion and discharge associated with cannabis cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability. The conditions shall include, but not be limited to, the principles, guidelines, and requirements established pursuant to Water Code section 13149.

On October 17, 2017, consistent with all of these statutory directives, and especially Water Code section 13149, SWRCB adopted a document entitled, *Cannabis Cultivation Policy: Principles and Guidelines for Cannabis Cultivation* (Cannabis Cultivation Policy). This document explained that its requirements would be incorporated and implemented through five regulatory programs:

- CDFA's Cultivation Licensing Program (see Bus. & Prof. Code, § 26060, subd. (b)(1);
- SWRCB's Cannabis General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order) or any Waste Discharge Requirements addressing cannabis cultivation activities adopted by a RWWQCB;
- SWRCB's General Water Quality Certification for Cannabis Cultivation Activities (Cannabis General Water Quality Certification);
- State Water Board's Cannabis Small Irrigation Use Registration (Cannabis SIUR); and

- SWRCB's Water Rights Permitting and Licensing Program.

SWRCB adopted its Cannabis General Order at the same time it adopted the Cannabis Cultivation Policy (October 17, 2017). Both of these documents were updated on February 5, 2019. The Cannabis SIUR program was established on December 19, 2017, when SWRCB's Deputy Director for Water Rights signed a resolution. It was subsequently updated April 10, 2018, and again on July 17, 2019, and July 14, 2020.

The Cannabis Cultivation Policy describes the overarching water diversion and WDRs associated with cannabis cultivation activities. It includes measures to protect springs, wetlands, and aquatic habitats from negative impacts of cannabis cultivation.

The Cannabis General Order implements the Cannabis Cultivation Policy requirements, and specifically those addressing waste discharges associated with cannabis cultivation activities. Dischargers covered under the Cannabis General Order are subject to the requirements of the Cannabis Policy in its entirety.[9]

A document entitled, *Cannabis Cultivation Policy Staff Report* (Feb. 5, 2019), describes (on page 76) how the Cannabis General Order is intended to work:

> To obtain coverage under the Cannabis Cultivation General Order, cannabis cultivators must *self-certify* that all applicable Requirements have been, or will be implemented by the onset of the winter period following the enrollment date. Those cannabis cultivators that cannot implement all applicable Requirements by onset of the winter period, must submit a proposed time schedule and scope of work to the Regional Water Board for use in preparing a time schedule order. Interim Requirements must also be implemented to prevent unseasonable precipitation events from resulting in discharges of waste constituents. Interim Requirements are those that can be implemented immediately following site development. Furthermore, to avoid water quality degradation from erosion and

[9] The Cannabis General Order also mentions (on page 2) two related General Orders previously adopted by RWQCBs. On August 13, 2015, the North Coast Regional Water Quality Control Board adopted a Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region (Order No. R1-2015-0023). On October 2, 2015, the Central Valley Regional Water Quality Control Board adopted a General Waste Discharge Requirements Order for Discharges of Waste Associated with Medical Cannabis Cultivation Activities (Order No. R5-2015-0113).

> sedimentation, construction and grading activities must not occur during the winter period, as defined in the Policy. Emergency construction and site grading activities are subject to authorization by the applicable Regional Water Board Executive Officer or designee on a site-specific basis. The Regional Water Board Executive Officer may require a separate work plan, compliance schedule, and require that all work is supervised a Qualified Professional, as defined in the Policy.
>
> (Italics added; see also Cannabis General Order, ¶ 45.)

A document entitled, *Cannabis General Order Frequently Asked Questions*, explains the mechanics of how dischargers can obtain coverage under the Cannabis General Order through the Internet:

> The State Water Board has created an online application portal that allows an applicant to apply through the Internet. The application addresses both the General Order and the water right program. Upon submittal of an application for coverage under the General Order, a Notice of Receipt will be issued via e-mail. The Notice of Receipt will indicate if an application fee is assessed, and where to pay the fee (within 30 days). Upon payment of the fee, the Regional Water Board will issue a Notice of Applicability (NOA). The NOA can be used to apply to the California Department of Food and Agriculture to obtain a cannabis cultivation license.

Because this approval process relies heavily on self-certification by applicants that they will follow all applicable rules and does not involve the exercise of any discretion by SWRCB itself, or by any RWQCBs, the issuance of an NOA does not trigger compliance with CEQA. There is no opportunity for the approving body to fashion site-specific, ad hoc modifications to a proposed operation to address site-specific environmental concerns – normal indicia of discretion under CEQA. Rather, cultivators must comply with a set of stringent requirements applicable to all cultivation operations. Thus, as with CDFW's General Agreement, the Cannabis General Order allows SWRCB to impose complex environmental conditions on dischargers without getting enmeshed in the CEQA processes for individual license applications.

Notably, however, the Cannabis General Order itself identifies circumstances in which, after a site inspection, a RWQCB may determine that site-specific WDRs are required:

> This General Order does not limit the State Water Board or Regional Water Board authority to inspect and/or evaluate the regulatory status, water quality impacts, or water right regulatory requirements of cannabis cultivation activities. If a Regional Water Board determines that due to site-specific conditions, coverage under this General Order will not be protective of water quality, the Regional Water Board may issue site-specific WDRs for discharges from a cannabis cultivation site.
>
> (General Order, pp. 2-3.)

Moreover, all cannabis cultivators that plan to divert surface water need a *water right* to irrigate cannabis, and the Cannabis General Order does not provide a ministerial means for obtaining or modifying water rights. (Cannabis General Order, ¶¶ 6, 14, 44(c); see also *Cannabis Cultivation Policy Staff Report*, pp. 53.) Rather, cultivators should follow a separate process *before* seeking regulatory coverage under the Cannabis General Order.

As noted earlier, the Cannabis Cultivation Policy anticipated the adoption by SWRCB's Division of Water Rights of the Small Irrigation Use Registration (SIUR) program. Where a cultivator lacks a water right and believes that it can get by with the limited water right that can be granted under this program, the cultivator should obtain such a water right before seeking coverage under the Cannabis General Order.

The Cannabis SIUR program was created pursuant to SWRCB's statutory authority under Water Code sections 1228 through 1229.2, which created what is collectively known as the Water Rights Registration Program. These statutes provide for the acquisition of water rights for small domestic use purposes through registration of the proposed water use with SWRCB.

The Cannabis SIUR process is a streamlined option by which cultivators can obtain a small appropriative water right (less than 6.6 acre-feet per year) to divert and store surface water for commercial cannabis. Cannabis SIURs cannot be issued on Wild

and Scenic rivers and streams, on fully appropriated streams, or within a CDFW Instream Flow Study area. There is an initial registration fee that is required to obtain registration and annual fees required to maintain the right.

The Cannabis SIUR requires compliance with the Cannabis Cultivation Policy and additional general terms and conditions, including a prohibition on diverting surface water during the dry season forbearance period, from April 1 through October 31 of each calendar year. This prohibition requires that water used for cannabis cultivation activities must be diverted to off-stream storage during the wet season to be used during the dry season.

After a registrant has provided the information and certification required by Water Code section 1228.3, SWRCB issues the registrant a written document under section 1228.6 that sets forth the general conditions to be followed. Because the conditions are generic and are not developed on an ad hoc basis, SWRCB's action approving a water right bears all of the indicia of a ministerial approval, and thus does not trigger any need to comply with CEQA.

c. Comparison of CDFA's Discretionary Process with the "General Processes" of CDFW and SWRCB

In summary, although the Legislature required CDFA to comply with CEQA (or identify an applicable CEQA exemption) for each and every application for commercial cultivation, the Legislature created mechanisms by which CDFW, SWRCB, and RWQCBs could issue general directives that spared those agencies in a great many instances the need to deal with a similar mass of permits applications in a manner that triggered CEQA obligations for those agencies. Although some cultivation license applications will not qualify under either CDFW's Cannabis General Agreement or SWRCB's Cannabis General Order or Cannabis SIUR program, those three general directives have had, and will continue to have, the effect of significantly reducing those

agencies' workloads compared with what they would have faced if all of their decisions involving cannabis cultivation were subject to CEQA.

3. The Role of Local Governments Under MAUCRSA

a. Local Governments may ban cannabis cultivation altogether, but must be no less stringent than State requirements where they do choose to allow and regulate it

MAUCRSA anticipates local regulation of cultivation projects but also allows cities and counties to refuse to authorize cannabis cultivation within their jurisdictions. In the Legislature's words, MAUCRSA "shall not be interpreted to supersede or limit the authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under [MAUCRSA], including, but not limited to, local zoning and land use requirements, … or to completely prohibit the establishment or operation of one or more types of businesses licensed under [MAUCRSA] within the local jurisdiction." (Bus. & Prof. Code, § 26200, subd. (a).) In other words, cities and counties have the discretion to refuse to grant the regulatory approvals needed for the licensing of commercial cannabis activities (e.g., they can ban cannabis cultivation altogether). But local governments also have the discretion to allow such activities with additional levels of regulation beyond what is imposed by various state agencies, including CDFA.

Any such local regulations may be more, but not less, stringent that standards set by the State: "[a]ny standards, requirements, and regulations regarding health and safety, environmental protection, testing, security, food safety, and worker protections established by the state shall be the minimum standards for all licensees under this division statewide. A local jurisdiction may establish additional standards, requirements, and regulations." (*Id.*, § 26201.) Stated another way, state regulations set the environmental floor, but not the ceiling, for local regulation of commercial cannabis cultivation and other cannabis activities regulated under MAUCRSA.

b. Temporary CEQA exemption for the development of local discretionary regulatory schemes

In anticipation of a need for project-specific CEQA review of individual commercial cannabis projects at the local level, MAUCRSA included a CEQA exemption for the adoption of a local "ordinance, rule, or regulation … that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity," provided that "the discretionary review in any such law, ordinance, rule, or regulation shall include any applicable environmental review" required by CEQA. (*Id*., § 26055, subd. (h).) Thus, MAUCRSA does not require CEQA compliance for the *creation* of local regulatory schemes addressing cannabis cultivation, as long as such schemes require project-specific CEQA compliance for individual cultivation projects. By its own terms, this CEQA exemption for the creation of local regulatory schemes does not apply to those that would create a framework for *ministerial* approvals of commercial cannabis projects – regardless of how stringent such regulatory schemes might be.

Under Senate Bill 94, this statutory CEQA exemption for the adoption of local discretionary regulatory schemes was set to expire on July 1, 2019. In 2019, however, Assembly Bill 97 (Stats. 2019, ch. 40) extended that date two years into the future. As of the date of this memorandum, this exemption only remains operative through July 1, 2021. I am aware, however, of a pending legislative proposal (Senate Bill 59 – Caballero) that would push this date out until July 1, 2028.

4. Interaction Between CDFA and Local Agencies

a. Information required in license applications filed with CDFA

The CDFA regulations addressing cannabis cultivation are found in Chapter 1 (Cannabis Cultivation Program) of Division 8 (Cannabis Cultivation) of Title 3 of the California Code of Regulations. Article 2 addresses Applications. Subdivision (r) of section 8102 (Annual License Application Requirements) requires that an application for

an annual permit must include "[e]vidence of exemption from, or compliance with," CEQA. "The evidence provided shall be one of the following:

> (1) A signed copy of a project specific Notice of Determination or Notice of Exemption and a copy of the associated CEQA document, or reference to where it may be located electronically, a project description, and/or any accompanying permitting documentation from the local jurisdiction used for review in determining site specific environmental compliance;
>
> (2) If an applicant does not have the evidence specified in subsection (1), or if the local jurisdiction did not prepare a CEQA document, the applicant will be responsible for the preparation of an environmental document in compliance with CEQA that can be approved or certified by the department, unless the department specifies otherwise." [10]

As this language makes clear, CDFA generally anticipates two scenarios when it receives applications for state cannabis cultivation licenses. Under the first (and likely the preferred) approach, the state license applicant will show that a local agency has already complied with CEQA in granting one or more local entitlements needed to authorize cultivation at the local level, or determined that CEQA did not apply to the local approval. Under this scenario, CDFA would presumably act either as a responsible agency or would agree with the local agency that CEQA did not apply to the particular license.[11]

---

[10] This second option assumes that CDFA will be able to use, and adapt as necessary, the environmental document submitted by an applicant. It seems possible that, if CDFA finds the proposed analysis to be so flawed as to be unusable, CDFW could refuse to accept the submission and try to insist that the applicant instead submit sufficient funds by which CDFA could retain its own environmental consultant. The regulation, however, does not expressly contemplate such a scenario.

[11] Where CDFA's action on a proposed cultivation license is not exempt from CEQA but the local agency's only available environmental analysis is not site-specific on its face (as with a program EIR or an MND used to create a ministerial local regulatory scheme), CDFA will have to assess whether the document (or perhaps a checklist based on such a document) is sufficiently specific to cover the impacts of the particular proposed cultivation activity and therefore allow CDFA to function as a responsible agency. (See, e.g., CEQA Guidelines, § 15168, subd. (c)(2) [an agency may find that a proposed activity is "within the scope of the project covered by the program EIR"].) If CDFA finds the program EIR, checklist, or MND to be inadequate, CDFA will have to operate as a lead agency. (*Id.*, § 15052, subd. (a)(3) [responsible agency shall become lead agency where the ostensible lead agency failed to prepare an

Under the second approach, the applicant cannot point to any already-prepared CEQA document, and must therefore take on the task of preparing what amounts to an administrative draft of a CEQA document, which CDFA, acting as lead agency, would then have to review, modify if necessary, and ultimately use the document as its own. Under this approach, CDFA would need to any modifications to the applicant's submission needed to ensure that, as required by longstanding CEQA principles, the document as formally published to the public reflects CDFA's "independent judgment." (See CEQA Guidelines, § 15084, subds. (c) & (d)(3) [authorizes project proponents to prepare administrative draft environmental documents]; see also *Friends of La Vina v. County of Los Angeles* (1991) 232 Cal.App.3d 1446, 1452-1456 [permits the practice of applicants submitting administrative draft environmental documents as long as the documents as eventually published reflect the lead agency's independent judgment].)

b. Provisional licenses

In 2018, the Legislature passed Senate Bill 1452 (Stats. 2018, ch. 857), establishing the "provisional license" program, by which a state "licensing authority"[12] could grant a provisional license good for a period of one year, provided that the applicant could show either CEQA compliance or "evidence that compliance is *underway*." (Bus. & Prof. Code, § 26050.2, subd. (a)(1) [italics added].) Such provisional license approvals were themselves exempt from CEQA. (*Id*., subd. (g).) Originally, this option was to remain available only until

. (Bus. & Prof. Code, § 26050.2, subd. (i).) I am aware, however, of a pending bill (Senate Bill 59 – Caballero) that would push this date out until July 1, 2028.

---

adequate environmental document without consulting the responsible agency, and the statute of limitations for a legal challenge has passed].)

[12] Business and Professions Code section 26001, subdivision (aa), defines "licensing authority" as "the state agency responsible for the issuance, renewal, or reinstatement of the license, or the state agency authorized to take disciplinary action against the licensee."

c. Rules coming out of CDFA's 2017 Program EIR

In anticipation and support of the regulations that it was required to adopt under MAUCRSA, CDFA prepared a Program EIR (PEIR) that, among other things, laid out roadmaps for how CDFA anticipated interacting with local agencies with regulatory authority over cannabis cultivation proposals.

The PEIR described "[t]he overarching goal of the Proposed Program" as "establish[ing] a regulatory licensing program that would ensure that commercial cannabis cultivation activities would be performed in a manner that protects the health and safety of the general public, cannabis cultivation workers, and the environment from the individual and cumulative effects of these operations." (Final PEIR [FPEIR], p. ES-2.) The PEIR also identified the following objectives, among others:

- Require that individual and cumulative effects of water diversion and discharge associated with cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability;
- Require that cultivation will not negatively impact springs, riparian wetlands, and aquatic habitats;
- Require that cannabis cultivation by licensees is conducted in accordance with applicable federal, state, and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, species protection, agricultural discharges, pesticide use, and similar matters; and
- Develop a cultivation checklist tool that can be used by CDFA, other agencies, and local governments to evaluate environmental impacts of cannabis cultivation license programs.

(FPEIR, pp. ES-2 – ES-3.)

The PEIR characterized itself as both a program EIR prepared pursuant to CEQA Guidelines section 15168 and a "first tier EIR" prepared pursuant to CEQA Guidelines section 15152. (FPEIR, p. 1-4.) Both of these types of EIRs (which can indeed coinhabit a single EIR) are intended to streamline future, site-specific environmental review by

providing broad general information that act as an informational foundation that can be built upon later. "One of CDFA's intentions in preparing the PEIR is to minimize the amount of duplicate information that may be required in the future when considering site-specific issues associated with license applications by dealing as comprehensively as possible at the program level with the impacts of the Proposed Program, including cumulative impacts, considering regional issues and similar overarching issues. In general, while substantial efforts have been made to provide as specific an analysis as possible, project-level detail was generally not available or feasible to provide, because of the large number of cultivation sites around the State, the uncertainty regarding which cultivators may seek a license under the Proposed Program at which locations, and the potential range of site-specific environmental issues which cannot be predicted without a site-specific proposal without being unduly speculative." (*Ibid*.)

Consistent with these limitations, the environmental analysis in the PEIR was "limited to activities conducted in accordance with a CDFA license" and does not include:

- Site development activities, including new construction or modifications to existing structures used for cultivation (with the exception that, under the proposed regulations, modifications and upgrades to electrical systems must be performed by a licensed electrician);
- Unlicensed, illegal, and/or trespass grows, including activities not in compliance with 20 applicable laws and regulations;[13]

[13] "Operations that do not obtain a license after (and if) CDFA approves and implements the Proposed Program would not be part of the Proposed Program. For example, the impact analysis excludes operations that would be unlawful under both the baseline and the Proposed Program (for instance, cultivation on public land and cultivation for export outside of the state). * * * To the extent that cultivators at existing unlicensed cultivation sites would modify their operations to comply with the Proposed Program, those cultivators' existing operations are considered as part of the baseline, and the impacts that would be caused by modifying their operations to comply with the Proposed Program would generally be beneficial. [¶] The analysis also assumes that licensed cultivators would generally operate in accordance with applicable state and local regulations and other legal requirements (including those of the Proposed Program). CDFA acknowledges that some cultivators who have obtained licenses may not operate in strict compliance with applicable regulations and requirements, either knowingly or unknowingly. However, for the purposes of the impact analysis, the PEIR does not speculate on the extent or nature of such noncompliance. Instead, the analysis assumes that noncompliance would not be

- Non-commercial cannabis cultivation activities (i.e., personal use as defined by 22 MAUCRSA); and
- Activities related to cannabis that are under the licensing authority of another state agency (e.g., manufacturing, retail sale, distribution).

(*Id*. at p. 2-11.)

CDFA intended the PEIR to be "used by other agencies to support their issuance of permits or approvals in relationship to cannabis cultivation or other aspects of cannabis licensing, in accordance with CEQA's subsequent review and tiering provisions. These agencies may include, but are not limited to, … [c]ities and counties throughout California," as well as the following state and regional agencies (among others): California Department of Pesticide Regulation; State Water Resources Control Board; Regional Water Quality Control Boards (all regions); California Department of Fish and Wildlife; California Coastal Commission; California Office of Historic Preservation; California Air Resources Board; California Department of Forestry and Fire Protection; California State Lands Commission; and the California Environmental Protection Agency. (*Id*. at pp. 2-11 – 2-12.)

CDFA wrote the PEIR with a clear recognition that many of the environmental issues associated with the cultivation of cannabis had to be addressed, and could only be addressed at the local level, as the issues fell outside the legal jurisdiction of CDFA:

> CDFA has determined that some topics fall outside of CDFA's regulatory authority because they are regulated by local land use authorities at the project-specific level. Indeed, MAUCRSA explicitly states that it does not supersede or limit existing local authority for law enforcement activity; enforcement of local zoning requirements or local ordinances; or enforcement of local license, permit, or other authorization requirements. Topics delegated to local land use authorities include issues such as aesthetics, land use and planning, noise, odors, compliance with building standards, provisions for police and fire protection, and connections to public utilities (e.g., public water, wastewater, and storm drainage systems). For these topics, determination of potential impacts is most appropriately

sufficiently widespread, systematic, or otherwise of a nature that would meaningfully change the impact conclusions related to the Proposed Program." (*Id*. at p. 4.0-4.)

> evaluated at a local (and in some cases, site-specific) level, and the development of statewide requirements to comprehensively address such impacts falls outside of CDFA's jurisdiction, nor would it be practical and feasible to do so.
>
> (*Id*. at pp. 4.0-6 – 4.0-7.)

Some of these topics, as well as other site-specific information, might be dealt with by local governments in the development of their own cannabis cultivation ordinances, which would create an additional local tier of environmental regulation:

> many local jurisdictions have conducted, or will conduct, CEQA compliance as part of the process of adopting commercial cannabis cultivation ordinances. In some cases, in addition to or in lieu of conducting CEQA analysis on their ordinances, local jurisdictions may conduct CEQA compliance for individual cultivation operations. These CEQA compliance documents would generally be expected to address any site-specific impacts of cannabis cultivation that have not been individually considered in this PEIR. The same is true of further project-specific review by various state agencies as they exercise their own regulatory authority over individual cultivation operations.
>
> Therefore, the site-specific impacts of licensing particular cultivation operations would be addressed, to the extent needed, in tiered CEQA analysis conducted at a more local, site specific, level. This may be done by a local jurisdiction as the lead agency, or by another agency with discretion over the activity (such as CDFA, CDFW, SWRCB, or a RWQCB). This tiered analysis would need to be completed prior to issuance of a license for a cultivation operation that may have a significant impact on the environment in a way not addressed by the PEIR. As such, all significant impacts would be disclosed before final approval of the cultivation activity that may result in such impacts, which would ensure full compliance with CEQA.
>
> (*Id*. at pp. 4.0-7 – 4.0-8.)

Appendix J to the PEIR is entitled, *CEQA Tiering Strategy and Checklist*. It provides a sample checklist that agencies can use "to assess whether the proposed activity at issue (such as a specific cultivation action being considered in connection with a site-specific license application) would result in effects that differ from the impacts examined

in the PEIR or effects that were not examined in the PEIR. Users should compare their knowledge of the proposed activity's potential impacts to the assumptions, analysis and conclusions presented in the PEIR." (FPEIR, App. J, p. J-3.)

Appendix J describes four different scenarios for using the checklist contained therein. Before addressing them in detail, however, the text generally states as follows:

> In most cases, it is expected that an applicant for a cannabis cultivation license from CDFA will have already applied for and obtained a related permit or approval from a local government. Indeed, MAUCSRA states that "[a]n applicant may voluntarily provide proof of a license, permit, or other authorization from the local jurisdiction verifying that the applicant is in compliance with the local jurisdiction." Further, CDFA's anticipated regulations implementing MAUCSRA are expected to contain a provision requiring that an application for a cultivation license shall include evidence that the local permit, license or other authorization to cultivate cannabis was issued in compliance with CEQA, including a copy of the Notice of Determination or Notice of Exemption, and either a copy of the CEQA document or reference to where it can be located electronically. In cases where the local jurisdiction did not prepare a CEQA document, the applicant will be responsible for providing a tiering checklist demonstrating that an environmental document is not necessary, or an environmental document in compliance with CEQA that can be certified by CDFA in its role as lead agency.
>
> (*Id*. at p. J-4 [footnote omitted].)

The four scenarios involving the use of the recommended checklist are the following: (1) local agency leads the project-specific CEQA Review; (2) local agency leads the project-specific CEQA review without consulting CDFA; (3) local agency issues an approval, but no CEQA document is prepared; and (4) no local agency approval is involved. (*Id*. at pp. J-4 – J-6.)

i. Local Agency leads the project-specific CEQA Review

Under this scenario, "in which a local lead agency leads the project-specific CEQA review," the local agency should either act "as a responsible agency on CDFA's PEIR" or should conduct its own "independent environmental review of the specific

project" with the option of using the PEIR "through mechanisms such as incorporation by reference." Before determining whether to prepare a site-specific MND or a site-specific EIR, the local agency should consult with responsible agencies, including CDFA. After the local agency approves the project, CDFA will function as a responsible agency. (*Id*. at pp. J-4 – J-5.) [14]

ii. Local agency leads the project-specific CEQA review without consulting CDFA

Under this scenario, the local agency has proceeded in the same manner as in the first scenario, except that the agency failed to consult with CDFA as a responsible agency. Here, CDFA will "need to assess the adequacy of the local lead agency's analysis of the environmental impacts of the project. CDFA may require the applicant to complete the Tiering Checklist to assist with CDFA's review. The Tiering Checklist should be used to document the extent to which the PEIR addresses the impacts of the applicant's project. CDFA should assess the Tiering Checklist, together with the local CEQA document, to determine whether all project impacts are adequately addressed. If CDFA determines that project impacts are not adequately addressed, CDFA may assume the lead agency status. CDFA may require the applicant to prepare the appropriate environmental document, but CDFA, as lead agency, will subject the environmental document to CDFA's own review and analysis." (*Id*. at p. J-5 [footnotes omitted].)[15]

---

[14] Some local agencies' only available environmental analysis may be not, on its face, be site-specific in character (as with a program EIR or an MND used to create a ministerial local regulatory scheme). In such instances, CDFA must assess whether the document (or perhaps a checklist based on such a document) is sufficiently specific to cover the site-specific impacts of the particular proposed cultivation activities at issue and therefore allow CDFA to function as a responsible agency. (See, e.g., CEQA Guidelines, § 15168, subd. (c)(2) [an agency may find that a proposed activity is "within the scope of the project covered by the program EIR"].) If CDFA finds the program EIR, checklist, or MND to be inadequate, CDFA will have to operate as a lead agency. (*Id*., § 15052, subd. (a)(3) [responsible agency shall become lead agency where the ostensible lead agency failed to prepare an adequate environmental document without consulting the responsible agency, and the statute of limitations for a legal challenge has passed].)

[15] This scenario is governed by section 15052 of the CEQA Guidelines, which identifies circumstances in which a responsible agency *shall* assume the role of the lead agency." (Italics added.) One such circumstance arises where "[t]he Lead Agency prepared inadequate environmental documents without

iii. Local agency issues an approval, but no CEQA document is prepared

Under this scenario, the local agency approves a cannabis cultivation project without preparing a CEQA document, possibly because the local agency believes that the project is exempt from CEQA. Here, CDFA may reject such reasoning, but should have a "reasonable basis" for doing so. "CDFA may require the applicant to complete the Tiering Checklist to assist CDFA's review. The Tiering Checklist should be used to document the extent to which the PEIR addresses the impacts of the applicant's project. CDFA should assess the Tiering Checklist to determine whether all project impacts are adequately addressed. If CDFA determines that project impacts are not adequately addressed, CDFA may require the applicant to prepare the appropriate environmental document, but CDFA will subject the environmental document to CDFA's own review and analysis. (*Id*. at p. J-6 [footnotes omitted].)

iv. No local agency approval is involved

This last scenario seems to apply where the local approval of a cannabis cultivation project is ministerial in character or is allowed by right under applicable zoning. CDFA states that "[i]n some rare cases, there may be no local agency involvement (for example, because no discretionary local approval is required pursuant to local ordinance). In such cases, CDFA will likely be the lead agency, as the sole licensing authority. In this case, the process would be very similar to that of Scenario 3. CDFA may require the applicant to complete the Tiering Checklist to assist CDFA's review. The Tiering Checklist should be used to document the extent to which the PEIR addresses the impacts of the applicant's project. CDFA should assess the Tiering Checklist to

---

consulting with the Responsible Agency …, and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency." (CEQA Guidelines, § 15052, subd. (a)(3).) Another circumstance arises where "[t]he Lead Agency prepared environmental documents for the project, but the following conditions occur: (A) A subsequent EIR is required pursuant to Section 15162, (B) The Lead Agency has granted a final approval for the project, and (C) The statute of limitations for challenging the Lead Agency's action under CEQA has expired." (*Id*., subd. (a)(2).)

determine whether all project impacts are adequately addressed. If CDFA determines that project impacts are not adequately addressed, CDFA may require the applicant to prepare the appropriate environmental document, but CDFA, as lead agency, will subject the environmental document to CDFA's own review and analysis." (*Ibid*. [footnotes omitted].)

v. Summary of CDFA CEQA Compliance processes

As the four scenarios described above make clear, the one that works most efficiently for CDFA is the first one, in which a local agency, acting as lead agency, has already complied with CEQA on a site-specific basis and has consulted with CDFA along the way. This scenario allows CDFA to function as a responsible agency, using the local agency's environmental work product. CDFA's workload under this scenario should normally be relatively limited. Only a handful of CEQA actions would be needed in most circumstances. When approving a proposed license for which a local agency has certified an EIR or has adopted an MND, CDFA may have to adopt its own mitigation measures beyond those adopted by the lead agency. Such a need would require CDFA to approve those measures as license conditions and to approve an associated mitigation monitoring and reporting program. (Pub. Resources Code, § 21081.6, subds. (a)(1), (b); CEQA Guidelines, § 15097, subd. (a).) When the local agency has prepared an EIR, CDFA must also adopt its own "CEQA Findings" with respect to the significant environmental effects relating to the mitigation measures to be adopted by CDFA. (*Id*., §§ 15096, subds. (g)(2), (h), 15091, subd. (a); *RiverWatch v. Olivenhain Municipal Water Dist.* (2009) 170 Cal.App.4th 1186, 1201-1202.) Finally, if one or more of these significant effects remains significant even after the adoption of all feasible mitigation, CDFA would also have to adopt a statement of overriding considerations explaining why, from CDFA's perspective, the cultivation project's benefits outweigh these unavoidable significant environmental effects. (CEQA Guidelines, § 15096, subd. (h); see also *id*., § 15093 [general requirement of statement of overriding considerations].)

In rare circumstances, CDFA, under this first scenario, might have to prepare some sort of "supplemental review" document addressing project changes or changed circumstances that have arisen in the time period following the local agency's action on the cultivation project. (CEQA Guidelines, §§ 15096, subd. (f), 15162 – 15164 [rules governing supplemental environmental review under CEQA]; see also *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 944-946, 949-961 [explanation of general legal principles governing supplemental review].) Where supplemental review is required, the applicant is expected to prepare the environmental analysis in the first instance, subject to review and approval by CDFA.

The next best scenario for CDFA would be the second one, in which the local agency has prepared an environmental document but, for whatever reason, neglected to consult with CDFA along the way. Under this scenario, CDFA might be able to use the local agency's work product, but will first have to ascertain its adequacy for use by CDFA. If the local agency's work is inadequate for CDFA's purposes, CDFA may have to step into the shoes of the lead agency and prepare some sort of supplemental review documentation. (See CEQA Guidelines, § 15052, subd. (a)(2).) As noted above, where supplemental review is required, the applicant is expected to prepare the analysis in the first instance, subject to review and approval by CDFA.

The third and fourth scenarios represent the most work-intensive scenarios for CDFA. Under these last two scenarios, CDFA does not receive any environmental document prepared by a local agency, either because the relevant local agency considers the cultivation project to be exempt from CEQA due to its minimal environmental effects or because a local agency has approved the project based on a ministerial local regulatory scheme. Here, again, CDFA requires the applicant to prepare the initial environmental analysis, whether an EIR, MND, or ND, subject to CDFA's review and approval.

B. Observations about apparent inefficiencies in the regulatory scheme described above: (i) the one-year permit duration of CDFA's licenses is too short; and (ii) CDFA's role in the environmental regulation of cannabis cultivation is anomalous and inefficient where cities and counties also regulate cultivation.

In my communications with the Origins Council, I have learned that, under the current regulatory scheme for cannabis cultivation projects, as sketched out above, there is a large backlog of CEQA work to be done for pending cannabis cultivation licenses and license renewals. Backlogs exist both at CDFA and within local governments. If, as is proposed in the Governor's 2021-2022 budget, the three existing state-level cannabis licensing entities are consolidated into a single Department of Cannabis Control, the CDFA backlog would be transferred to this new entity.

I have also learned from the Origins Council that some local agencies have not been able to complete and adopt discretionary local regulatory schemes under the terms of the CEQA exemption created by Business and Professions Code section 26055, subdivision (h). That exemption is currently set to expire on July 1, 2021, though Senate Bill 59 (Caballero) would push this date out until July 1, 2028.

Finally, I have learned that there is widespread concern about the near-term sunsetting of Business and Professions Code section 26050.2, subdivision (a)(1), which allows state licensing authorities to grant one-year provisional licenses for cannabis cultivation proposals for which the CEQA process is "underway" but not yet complete. As explained earlier, that statute as currently written would expire by its own terms on January 1, 2022. This date would be also be modified by Senate Bill 59, which would push the sunsetting date out until July 1, 2028.

I have been informed that this current state of affairs has created a potential crisis within the cannabis industry, and particularly for industry participants in the legacy cannabis producing regions. The legal cannabis supply for the California market could be disrupted, numerous small businesses could fail, and millions of dollars in potential taxes

could be lost due to the would-be cultivators' inability to receive licenses allowing them to produce their product.

In light of this unfortunate state of affairs, the Origins Council asked me, as a long-time CEQA and land use attorney, for recommendations on how the current regulatory system might be modified to make it operate more efficiently while still meeting the environmental objectives built into that current statutory framework. Below I set forth both my observations about the existing legal framework and some recommendations and suggestions about how it might be modified to operate more efficiently.

My first observation is that the financial burden of CEQA compliance – which is often quite considerable – is a lot to bear for applicants for state cannabis cultivation licenses that only last for one year. (Bus. & Prof. Code, § 26050, subd. (c).) My guess is that this short duration reflects the concern of the authors of Proposition 64 that members of the voting public might be concerned about the policy wisdom granting long-term cultivation licenses. After all, at the time, cannabis production for non-medical purposes was not allowed under California law. Such a concern may have been reasonable in 2016, but to me the one-year duration makes little sense in retrospect from a regulatory or economic standpoint. Economic activities subject to CEQA typically require long permit durations in order to be able to internalize the high costs of environmental review and still ultimately yield positive returns on investment. Indeed, the greater the costs of CEQA compliance and environmental mitigation, the longer the period an applicant normally needs in order to absorb such costs and still have an economically viable activity to pursue in the marketplace. I am unaware of any other instance in which a permit that requires CEQA compliance remains in effect for such a limited period of time.[16]

[16] To the extent that license renewal by CDFA is a discretionary action, CDFA's actions granting such renewals could trigger supplemental environmental review under CEQA in order to address whether project changes or changed circumstances have given rise to environmental impacts not anticipated in the original CEQA compliance documentation for 12-month licenses as approved in the first instance. (See

My second, and much more important, observation is that CDFA's involvement in the environmental side of cannabis cultivation licensing is anomalous in light of the normal way that land use planning and environmental permitting occur in California. Under the typical interagency division of labor between local and state agencies, cities and counties do most of the heavy lifting, while state agencies focus on very specific issues. I have worked on a great many types of development projects over the years, but I have never encountered CDFA as a permitting agency – except in the limited context of cannabis cultivation licensing. Otherwise, CDFA is not normally involved in development siting or environmental permitting. In contrast, CDFW and the various RWQCBs, with their focused statutory missions, are very frequently involved in permitting limited aspects of new development (i.e., those aspects affecting particular biological resources and water quality).

Much efficiency, I believe, would be gained if CDFA's environmental responsibilities were transferred to other agencies, and in particular to local governments that are willing to take on the responsibility. Under such an approach, the State of California would still be involved, but in a more traditional manner. CDFW would continue to participate in ensuring that cultivation activities do not cause undue impacts in biological resources. It would rely on its Cannabis General Agreement where appropriate, but where necessary would approve individual lake and streambed alteration agreements and individual incidental take permits under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). Similarly, SWRCB and the various RWQCBs would also stay involved in protecting water quality, using the Cannabis General Order and the Cannabis where appropriate, and individual WDRs, individual water rights approvals, and other discretionary regulatory approvals where necessary under section 401 of the Clean Water Act (33 USC § 1341) and the Porter-Cologne Water Quality Control Act (Wat. Code, § 13100 et seq.).

CEQA Guidelines, §§ 15162 – 15164.) Thus, in theory, the issue of CEQA compliance could arise with each and every license renewal ad infinitum.

In the typical land use process, local governments, acting as CEQA lead agencies, make the primary decisions about where proposed land uses should go, and how they should be conditioned or mitigated. Then, state agencies such as CDFW and RWQCBs, acting as responsible agencies, typically focus solely on limited issues that reflect their focused statutory missions, such as the protection of biological resources or water quality. In my experience, state agencies are generally content with this division of labor, as they lack the staff resources to function efficiently as lead agencies. Local agencies function well as lead agencies, as they generally best satisfy the applicable criteria, under which the lead agency "will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project." (CEQA Guidelines, § 15051, subd. (b)(2).)[17]

The role of CDFA in cannabis cultivation licensing does not fit this normal model where city or county regulation is also occurring. Rather, CDFA functions as a kind of generalist state agency that lacks the kind of very specific subject matter expertise possessed by CDFW, SWRCB, RWQCBs, and many other state agencies. Indeed, as described earlier in section A.2.b of the Discussion portion of this memorandum, CDFA's role in the cannabis cultivation permitting process seems to be, in part at least, to act as a conduit for environmental recommendations from those other agencies. (See, e.g., Bus. & Prof. Code, § 26060.1, subd. (b)(1) [requiring the inclusion in cultivation licenses of conditions recommended by CDFW and SWRCB].) In candor, CDFA, from what I can tell, adds relatively limited environmental value on top of what could be

[17] Cities and counties are accustomed to dealing with a wide range of environmental issues, and are required to do so in their general plans. For example, each general plan must include a "conservation element for the conservation, development, and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources." (Gov. Code, § 65302, subd. (d)(1).) Each general plan must also include a "land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, greenways, … and other categories of public and private uses of land."

achieved more efficiently by other state and local agencies. It is not clear to me what, if anything, would be lost from an environmental standpoint if CDFA's environmental function were passed down to local agencies.

As explained earlier in section A.4.c of the Discussion portion of this memorandum as part of the description of CDFA's Program EIR, CDFA already disavows responsibility over subjects that normally come under the jurisdiction of local agencies: aesthetics, land use and planning, noise, odors, compliance with building standards, provisions for police and fire protection, and connections to public utilities (e.g., public water, wastewater, and storm drainage systems). (PEIR, p. 4.0-6.) These subjects are within the wheelhouse of cities and counties because of the breadth of the police power that they exercise through their general plans, zoning ordinances, and similar local enactments. (See Cal. Const., Art. XI, § 7; *Candid Enterprises, Inc. v. Grossmont Union High School Dist*. (1985) 39 Cal. 3d 878, 885 (*Candid Enterprises*).)

In contrast, state agencies typically exercise only those powers specifically delegated to them by the Legislature. (See, e.g., *County of San Diego v. Bowen* (2008) 166 Cal.App.4th 501, 508 ["agency action must 'be within the scope of authority conferred' by the Legislature, and cannot be inconsistent with its authorizing statutes].) As a result, most state agencies have very focused statutory missions that do not enable them to dabble outside their areas of authority and expertise. This is true of CDFW and SWRCB, as examples. Notably, CEQA does not allow responsible agencies to comment on areas outside their areas of expertise and jurisdiction. (Pub. Resources Code, § 21153, subd. (c).)

Unlike state agencies, cities and counties exercise a comparatively expansive police power that enables them to legislate in a manner that broadly serves the general welfare and protects public health and safety. (*Richeson v. Helal* (2007) 158 Cal.App.4th 268, 277.) "Under the police power granted by the Constitution, counties and cities have plenary authority to govern, subject only to the limitation that they exercise this power within their territorial limits and subordinate to state law. (Cal. Const., art. XI, § 7.) Apart

from this limitation, the 'police power [of a county or city] under this provision ... is as broad as the police power exercisable by the Legislature itself.'" (*Candid Enterprises*, *supra*, 39 Cal.3d at p. 885, quoting *Birkenfeld v. City of Berkeley* (1976) 17 Cal.3d 129, 140.) The breadth of the local police power puts cities and counties into a good position to engage in comprehensive environmental regulation of cannabis cultivation, working as necessary with state agencies such as CDFW, SWRCB, and RWQCBs, as well as with air districts.

If the Legislature were to consider removing the environmental protection function from CDFA (or from a future Department of Cannabis Control) and giving it to local governments instead, there are a variety of potential mechanisms by which the transfer of authority could occur. Below I discuss three specific options that seem promising to me.

C. Recommended options for enhanced city and county regulation of cannabis cultivation

The common element in all three of my proposals is the modification of CDFA's regulatory authority so that, once a city or county adopts its own regulatory scheme for cannabis cultivation, CDFA is no longer involved in the environmental regulation of projects subject to local regulation. Instead, CDFA's authority would be focused solely on non-environmental factors. This change would relieve CDFA of any obligation to comply with CEQA with respect to locally regulated cannabis cultivation projects. The elimination of the duplication that currently exists under the law would make the current process substantially more efficient, less time-consuming, and less expensive.

- *Option 1*: Extend by five years the current CEQA exemption in Business and Professions Code section 26055, subdivision (h), by which local governments can develop their own regulatory "ordinance, rule, or regulation … that requires *discretionary* review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity";

- *Option 2*: Extend that same exemption by five years but allow local governments to develop either discretionary or *ministerial* local cannabis cultivation regulatory frameworks; or
- *Option 3*: Require local agencies that want to develop ministerial frameworks to prepare program EIRs instead of operating under a CEQA exemption.

A. Option 1: Discretionary local regulatory programs

As discussed in section A.3.b of the Discussion portion of this memorandum, the Legislature has encouraged cities and counties to adopt regulatory schemes by which, ultimately, these local agencies can grant discretionary approvals authorizing cannabis cultivation. This encouragement takes the form of a CEQA exemption for the adoption of an "ordinance, rule, or regulation … that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity," provided that "the discretionary review in any such law, ordinance, rule, or regulation shall include any applicable environmental review" required by CEQA. (Bus. & Prof. Code, § 26055, subd. (h).) This exemption is currently available until July 1, 2021, but would be extended to July 1, 2028, by Senate Bill 59.

Under the first policy option I am recommending, CDFA's environmental authority over cultivation within a particular city or county would end once the participating city or county has adopted its discretionary framework regulating cannabis cultivation. All individual local cultivation applications would be subject to CEQA, ensuring that environmental considerations would be given significant attention. Where the impacts of individual proposals are substantial enough to require an ND, MND, or EIR, the public review process, combined with interagency consultation involving responsible and trustee agencies, would ensure input on how draft proposals can be improved from an environmental standpoint.

To ensure that key state agencies would get a chance to comment on local agencies' proposed regulatory frameworks, the current CEQA exemption could be

modified to require cities and counties to submit their draft ordinances, rules, or regulations to specified state agencies for their review and comment. Such state agencies could include CDFA, CDFW, SWRCB, RWQCBs, the Department of Forestry and Fire Protection (Cal Fire), the Department of Conservation (DOC), the Air Resources Board (ARB), and the Native American Heritage Commission (NAHC), as well as the pertinent air pollution control district or air quality management district. Input from all of these agencies would likely improve the quality of the local agencies' final products. To ensure that local agencies do not simply ignore good input, they could be required to explain in writing why they rejected suggestions for tightening draft language or including new language. In this respect, the local process could function like a state agency rulemaking process under the Administrative Procedure Act (Gov. Code, § 11346.9, subd. (a)(3).)

Such a process would preserve a large measure of local autonomy and control, as occurs under general plans around the state under the Planning and Zoning Law (Gov. Code, § 65000 et seq.).[18] Different local agencies strike different balances between competing environmental and economic consideration. Some jurisdictions regulate agriculture more aggressively than others, reflecting the preferences of their constituents. One size does not fit all in a state as large as California. Some counties and cities would choose to adopt policies more stringent than those that would be more acceptable in other local jurisdictions.

The development of such local regulatory frameworks will take time. The current CEQA exemption, as noted above, expires on July 1, 2021, but would be extended to July 1, 2028, by Senate Bill 59. Such an extended time frame should be more than sufficient

[18] "The Legislature recognizes that the capacity of California cities and counties to respond to state planning laws varies due to the legal differences between cities and counties, both charter and general law, and to differences among them in physical size and characteristics, population size and density, fiscal and administrative capabilities, land use and development issues, and human needs. It is the intent of the Legislature in enacting this chapter to provide an opportunity for each city and county to coordinate its local budget planning and local planning for federal and state program activities, such as community development, with the local land use planning process, recognizing that each city and county is required to establish its own appropriate balance in the context of the local situation when allocating resources to meet these purposes." (Gov. Code, § 65300.9.)

for local agencies to put together new discretionary regulatory programs. Five years should suffice (i.e., until July 1, 2026).

B. Option 2: Discretionary or ministerial local regulatory programs

A variation on the concept of transferring CDFA's environmental function to local agencies under the terms described above would be to allow participating local agencies the option of approving either a discretionary or a *ministerial* local regulatory scheme. Input on draft versions of either type of legal framework would still be sought from CDFW, SWRCB, RWQCBs, Cal Fire, DOC, ARB, NAHC, and relevant air districts. Under this option, the process by which the local agency develops its regulatory scheme would remain exempt from CEQA, consistent with Business and Professions Code section 26055, subdivision (h), though the current time period for compliance would be extended for at least five years.

The current CEQA exemption for the formulation of local regulatory schemes is conditioned on the schemes being discretionary in character, and therefore requiring CEQA compliance for individual cannabis cultivation proposals. (Bus. & Prof. Code, § 26055, subd. (h).) This qualification suggests that the Legislature intended to ensure that such individual proposals were subjected to the rigor of the CEQA process as practiced by cities and counties.

A contrary legislative intent appears to have motivated the Legislature when it enacted Fish and Game Code section 1617 and Water Code section 13276. As discussed in section A.2.a of the Discussion portion of this memorandum, section 1617 as amended directed CDFW to adopt emergency regulations that culminated in the adoption of section 722 of Title 14 of the California Code of Regulations, which is entitled, *General Lake or Streambed Alteration Agreement for Activities Related to Cannabis Cultivation* (General Agreement). As discussed in section A.2.b of the Discussion portion of this memorandum, section 13276 led to the preparation of the *General Waste Discharge*

Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order).

Both the Cannabis General Agreement and the Cannabis General Order are enforceable outside and independent of CEQA, and do not require CDFW, SWRCB, or RWQCBs to participate in project-specific CEQA processes. As a result, they benefit cultivation applicants by sparing them the costs in time and money associated with CEQA compliance. The Legislature apparently had these economic and fiscal benefits in mind in directing two key state agencies to develop efficient regulatory approaches to dealing with cannabis-related environmental impacts.

With similar cost and time savings in mind, the Legislature could help to facilitate much more rapid – and less expensive – approvals of local cannabis cultivation projects by allowing cities and counties to develop ministerial regulatory frameworks.

C. Option 3: Ministerial local regulatory programs supported by program EIRs

Under Option 2, discussed immediately above, the process of creating each local regulatory scheme would be exempt from CEQA, but would still be reasonably transparent and would require input from the same state agencies repeatedly mentioned above (CDFW, SWRCB, etc.). Local agencies would have to hold public hearings on their proposals.

Under Option 3, this CEQA exemption would be eliminated, and local agencies would have to prepare program EIRs as informational and analytical vehicles for developing their regulatory programs. Otherwise, Option 3 would retain key elements of Options 1 and 2 with respect to CDFA's reduced role, state agency participation in commenting on draft regulatory proposals, and the need for additional time for the contemplated processes to play themselves out.

The requirement that program EIRs be prepared would increase costs, but might be more acceptable, from a legislative standpoint, to certain stakeholders involved in the

law-making process. Moreover, although, in theory, MNDs might be possible in some jurisdictions facing few environmental challenges, there are precedents for legislatively mandated EIRs (see, e.g., Pub. Resources Code, § 21151.7), and MNDs are notoriously difficult to defend in court against determined opponents supported by expert consultants.

D. Preferred legislative proposal

Of the three options for potential reform I have suggested above, Option 2 has the greatest potential for creating a reasonably efficient process for approving cannabis cultivation projects around the State. This option would require legislative changes allowing for *ministerial* local regulatory schemes adopted after a city or county process exempt from CEQA. Once the local rules were in place, individual cultivation applications in participating cities and counties would not trigger CEQA compliance, and there would no longer be any need for CDFA (or a future Department of Cannabis Control) to get involved in any environmental issues within those local jurisdictions. Where a cultivation project not only receives a ministerial local approval, but also qualifies for coverage under CDFW's Cannabis General Agreement, SWRCB's Cannabis General Order, and, if need be, SWRCB's SIUR process, the result would be an environmentally friendly operation that was not forced to bear the costs in time and money associated with CEQA compliance. I believe that such a process could be put in place well within the timelines proposed in Senate Bill 59 (i.e., by 2028), or even sooner (i.e., by 2026).

CONCLUSION

I hope that this memorandum provides a range of ideas that will facilitate useful discussion within the Legislature and amongst the various stakeholders associated with, and interested in, the cannabis industry in California. By laying out a range of potential legislative approaches, I have attempted to provide fodder for prompting a reasoned discussion of how the current regulatory logjam can be addressed while still ensuring the

ultimate existence of adequate environmental safeguards for cannabis cultivation activities. Reasonable minds can differ as to how they achieve the best balance among various competing policy considerations.

May 14, 2021

Sonoma County Board of Supervisors
575 Administration Drive
Room 100 A
Santa Rosa, CA 9540

Susan.Gorin@sonoma-county.org
David.Rabbitt@sonoma-county.org
district3@sonoma-county.org
jchamber@sonoma-county.org
district5@sonoma-county.org

CC: cannabis@sonoma-county.org
CC: Andrew Smith, andrew.smith@sonoma-county.org
CC: Christina Rivera, christina.rivera@sonoma-county.org
CC: Arielle Kubu Jones, arielle.kubu-jones@sonoma-county.org
CC: Andrea Krout, Andrea.Krout@sonoma-county.org

Re: Comments from Sonoma County Growers Alliance on Proposed Cannabis Policy Updates

Dear Honorable Supervisors,

Since its formation in 2015, the Sonoma County Growers Alliance has always known that a functional cannabis program in Sonoma County has enormous potential to facilitate economic development and augment the county's agricultural sector in an environmentally sustainable manner. It is with sadness and disappointment that we have watched a once thriving local industry fall victim to complicated and duplicative regulations, government bureaucracy, and NIMBYism.

It is abundantly clear that the county's approach has not provided a stable onramp for cannabis operators and has exacerbated tensions among community members and broken the staff structure that was supposed to shepherd the industry into regulatory compliance. Ironically, neither the cannabis industry nor neighborhood groups who generally oppose cannabis are satisfied with the approach the county has taken thus far.

Recognizing this problem, in December, 2019 the Ad Hoc recommended "changes to staff approaches in the following areas: Penalty Relief, outdoor cultivation, original jurisdiction, code enforcement, and the timeline for these recommendations. These changes include an assessment of all remaining penalty relief applicants, process improvements to address the permit backlog, code enforcement shift, and updates to the ordinance toward ministerial permitting."

The Board of Supervisors directed staff to align the cannabis program with state law, fix the problems that prevented operators from obtaining local permits and address compatibility concerns among land uses. However, as written, the package recommended by the Planning Commission that is being presented to the Board of Supervisors fails to achieve any of these goals. In fact, the proposed Chapter 38 and the lack of reforms to fix the implementation difficulties with Chapter 26 would exacerbate the existing problems. . There are too many disqualifiers in the proposed Chapter 38, and the amendments suggested for Chapter 26 would make it harder to obtain a discretionary permit. One of the most concerning recommendations of the Planning Commission was to limit the Chapter 38 pathway to properties only in groundwater availability zones 1 & 2, disqualifying many otherwise eligible parcels which would be subject to regional and state water regulations anyway. With all the restrictions in Chapter 38 and no mitigation allowed, few applicants will be able to obtain ministerial permits, forcing the vast majority of applicants into a dysfunctional use permit process.

SCGA is working with Origins Council, an industry coalition, to advocate for a pathway for a true local ministerial permitting in a manner that provides more legal certainty for localities and realistic pathway for operators to obtain annual licenses from state agencies. In pursuit of that goal, Origins Council contracted with CEQA Attorney Jim Moose of Remy, Moose and Manley to analyze the CEQA considerations in the present licensing schema and make recommendations to bring the licensing structure into alignment with how other field and row crops, including hemp, satisfy CEQA compliance. The report is gaining traction with the Governor's Office, legislators committed to transitioning provisional licenses to annual and the agencies tasked to solve the implementation issues related to treating cannabis differently than other field and row crops. We have attached the Moose Report for your review and implore the Cannabis Ad Hoc, county counsel and other staff to read it; we are prepared to participate in robust discussion about CEQA, cannabis, ministerial permitting and local government.

Major changes to cannabis laws and regulations are pending at the state and federal levels. Specifically, California's three cannabis licensing agencies are slated to be combined into a new Department of Cannabis Control later this year, and new consolidated state regulations will be issued as part of that merger. At the federal level, legislation has been introduced that would legalize this plant once and for all. With these and other changes coming soon, Sonoma County would be better served by fixing the problems with Chapter 26, carefully monitoring the development of state policy with regard to agency consolidation and the application of CEQA to cannabis and national policy with regard to the recognition of cannabis as an agricultural crop, and preparing for those eventualities rather than moving forward hastily with the drafts that have been presented to you.

We appreciate the work of county staff, who have been tasked with a huge undertaking without adequate resources or guidance, but we are frustrated by the lack of any support or guidance for current applicants and legacy operators. The draft ordinances and accompanying materials fail to even mention efforts to help current applicants and legacy operators via grandfathering, an expedited review process, or similar measures when this was brought up numerous times with staff and the Supervisors prior to and during the drafting process. Nonetheless, the county should not implement a policy that creates more problems than it solves and forces it to revisit the same issues again and again. To remedy the dysfunction, the county must reinstate an engaged ad hoc committee, a dedicated program administrator/manager, dedicated planners who will not be reassigned at will and adequate communication among all stakeholders.

Therefore, the Sonoma County Growers Alliance board recommends the following:

- Continue accepting and processing applications for commercial cannabis permits under the existing Commercial Cannabis Land Use Ordinance.
- Pass the General Plan Amendment recommended by staff recognizing cannabis as agriculture.
- Do not adopt Chapter 38 and engage with the state's cannabis licensing agencies as they merge and develop consolidated regulations as different changes to the county's ordinance will be needed for alignment.
- Do NOT adopt the revised, more restrictive Chapter 26 and instead focus on improvement of the currently adopted version and alignment with state law, including updating the county's definitions and adding additional permit types. Needed improvements include:
    - Allow distribution in AG zones with, at most, a MUP.
    - Allow on-farm light manufacturing with a MUP.
    - Develop regulations that allow for Type-7 manufacturing with a CUP.
    - Allow delivery-only retail with a MUP.
    - Allow consumption lounges with a MUP.
    - Allow farm stands and direct-to-consumer sales on a property where a cannabis permit has been issued provided that the applicable state licenses have been obtained.
    - Develop trigger language that will allow issuance of a permit or other authorization for cannabis direct to consumer sales so one can submit a state license application once the state develops regulatory language for their licensure.
    - Revisit the county's current cap on dispensaries.
    - Allow small scale cultivation on appropriate AR + RR parcels over 10 acres with a CUP
    - Reduce the 10 acre minimum parcel size for small-scale operations
    - Revisit the canopy cap for indoor cultivation on industrial parcels
    - Revisit the outdoor cultivation cap in agricultural zones
- Immediately re-establish the Board of Supervisors' Cannabis Ad Hoc Committee, or a Cannabis Standing Committee, to deal specifically with cannabis-related issues.
- Hire or appoint a dedicated Cannabis Program Manager, who would coordinate with the various departments involved and serve as a liaison between the county and the public.

- Dedicate planners in Permit Sonoma to review cannabis permit applications. With the fires and other permit issues, the cannabis permits have created a major backlog with some applicants waiting four years now for a determination. Cannabis permit fees sufficiently cover dedicated planning staff, and more permit applications would be filed if the process was more efficient.
- Lower the cultivation taxes
- Engage with the community to establish a successful Cannabis Equity Program specific to Sonoma County to help local operators who've been disproportionately harmed by the war on drugs, from prohibition or overregulation. Enforcement without opportunity is a failed paradigm.
- Mirror state regulations to allow for more propagation area.
- Direct staff to embark on the development of a full comprehensive environmental impact report that is broad in scope and based on a program that defines cannabis as agriculture at the local, state and federal levels akin to hemp and other field and row crops.
- Direct staff to inform and assist existing permit holders with the CEQA process for state licensing.
- Advocate for regulating cannabis as agriculture with the California State Association of Counties, Rural County Representatives of California, regulatory agencies, our state representatives and the Governor's office.
- Create a process for current applicants and previous operators,and who were "zoned out" to be grandfathered in or receive priority processing on future applications

If the BOS does decide to move to approve Chapter 38 (the staff version,) we urge the Supervisors to not make Chapter 26 more restrictive as it will be the vital lifeline for cultivators that can not qualify for permitting under Chapter 38.

Many of the recommendations above can be implemented under the county's original Mitigated Negative Declaration for Chapter 26. We understand that County government has its hands full among the pandemic, wildfires, and day-to-day operations. That being said, we are hopeful that the Board of Supervisors understands that the industry needs your full engagement, that cannabis and the economic activity that flows from this essential supply chain can and should be part of the solution to reestablish solvency and economic growth in a post-COVID world. We urge you to focus on sound policy that supports a robust cannabis industry in Sonoma County.

Respectfully Submitted,

[redacted]

Joanna Cedar
On behalf of the Sonoma County Growers Alliance Board

From: Nancy and Brantly Richardson
To: Cannabis
Subject: VISIONING WORKHSOP - WATER RESOURCES - 8/11/21
Date: Wednesday, August 11, 2021 5:41:59 PM

I love growing marijuana.
This site happily admits to weed needing a lot of water!!! It used to state something along the lines of .....be sure you have lots of water....!! Also love the first paragraph - coming from an industry site.

How Can You Make Your Grow More Green?

April 27, 2018

How Can You Make your Grow More Green?

Let's be honest, growing cannabis is not the best thing for the environment. Actually, it's pretty bad for the environment. Growing uses a lot of water and electricity, the former becoming increasingly scarce in California, and the latter can get exceedingly expensive. Indoor grow warehouses in Colorado had electricity bills that went as high as 130 thousand dollars! Fortunately, it doesn't have to be like that for you. There are ways you can make your grow more green.

Grow Outdoors

Growing outdoors is the quickest way for you to make your grow more green. The reason why growing is expensive is because of the equipment you have to buy (grow lights, etc.), and of course the enormous power bill that you have to contend with. The awesome thing about sunshine is that it's free. If you live in the right area, you have a lot of it at your disposal.

Growing outdoors helps the environment by allowing plants to release more oxygen into the air via photosynthesis.

Use Less Water

The biggest environmental issue with growing cannabis is the amount of water it requires, especially if you're growing a large crop. Collecting rainwater is also a great way to reduce your water usage. Collecting rainwater is not as restricted as it used to be. Some states still have really strict laws on collecting it, but it's rarely outright illegal. Colorado, for instance only allows rainwater harvesting directly from residential roofs and there are strict regulations on it. Harvesting rainwater in Oregon is only allowed off of rooftops, and there are still 17 pages of regulations on it. There are other ways to reduce your water usage. You can also use a mulch which reduces waste and reduces the frequency you need to water your plants.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Barbara Barrielle
To: Cannabis
Subject: recorded sessions of cannabis visioning discussions
Date: Wednesday, August 11, 2021 8:10:05 AM

Hi -

I am writing about these webinars and am hoping they have been recorded since I missed Monday....can you send me a link to the previous visioning sessions?

Thanks,

Barbara

--
barbara jean barrielle

www.barbarabarrielleproductions.net
author, 99 Things to do in Sonoma County.
freelance writer - wine, spirits, food, travel, entertainment
film producer, CRUSHED documentary in production
BREAK NIGHT on Amazon Prime
707-291-5364
@barbarabarrielletravels
member: Society of American Travel Writers

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Becky Bass
To: Cannabis
Subject: Request for information related to the current vision sessions
Date: Wednesday, August 11, 2021 8:30:00 AM

EXTERNAL

Good morning,

I'm a concerned homeowner from Bennett Ridge who's been attending the midday visioning sessions this week.

First, thank you for providing this opportunity for us to have input and become better informed on both sides of the issue. I think the moderators are doing a great job. One thing that would help me is if as we begin each session, someone would provide of brief summary of what the current rules are governing existing permits. Some of us have not had time to read the actual permit requirements, so then the Q&A gets full of ideas that the growers say they're already doing, although some residents seem to feel that the existing rules are not being adequately enforced.

Second, can you explain to me (and maybe everybody) how there came to be - and why - a "coastal exclusion zone"?

Monday I put a few comments in the Q & A, but I found that then I missed others' ideas - so now I'm trying to absorb as much as possible and plan to submit my thoughts via email before the Friday night deadline. Thanks for providing that alternate conduit for weighing in.

Many thanks,

Becky Bass

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Bonnie Brown
To: Cannabis
Subject: Water/cannabis
Date: Wednesday, August 11, 2021 11:33:36 AM

The County must start a moratorium on new cannabis grows and vineyards. We do not and will not have enough water to supply any more. Existing wells are running dry and people cannot afford to drill deeper with new wells. The aquifers are running out of water. The Board of Supervisors must take the lead and do what is responsible.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Carol Bokaie
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Wednesday, August 11, 2021 11:58:23 AM

My 3 neighbors and my family on Herrerias Way in Petaluma experienced the harmful and dangerous effects of putting a pot grow near residences that did not respect property lines or had an adequate setback to mitigate the toxic effect of terpene emissions. All household experienced worsening health conditions due to the strong terpene emissions that blew straight onto our property and into our homes. The 300 ft setback to a residence instead of the property line of the residence is completely inadequate. A 1000 foot setback to a resident's property line is minimal requirement to prevent health and nuisance issues. Since the removal of the pot grow our health conditions and our ability to use our entire property without a terpene emission nuisance have returned to their previous states before the grow was allowed. Also there was security issues that occurred that were directly related to the pot grow. Individuals came to the pot grow in the middle of the night and were yelling and possibly stealing cannabis. The Sheriff had to be called. So security is a major issue. If the cannabis grow was allowed to continue, so close to schools and to city limits, I am confident it would have been an ongoing and dangerous situation for the residents. So I agree with the following areas where not to grow cannabis and where not to grow cannabis.

Where NOT to grow cannabis

1. Not in water zones 3, 4, impaired watersheds or riparian corridors or where water must be trucked in, or where any catchment ponds will hamper groundwater replenishment
2. For outdoor grows the odor must stop at the property line. Setbacks from residential communities and hamlets or to adjacent Rural Residential or Agricultural Residential parcels in unincorporated areas must be increased to at least 1000 feet preserve the integrity of the community and to protect health and safety of residents.
3. For indoor and greenhouse, setbacks from residential communities and hamlets must not produce odor or visually impair the integrity of the community. Adequate power supply and wastewater disposal capacity for the operations must be demonstrated.
4. Not on dead-end substandard roads over 1 mile long, or on roads less than 20 ft wide
5. Not on roads with existing evacuation issues or that would cause evacuation issues for the existing residents
6. Not in Rural and Residential Development zones

7. Not in voter approved Community Separators
8. Not on slopes over 15%
9. Not in forested areas or Oak-woodlands or anywhere where the operation will require removal of native trees
10. Not in high or very high fire zones
11. Not in areas with sheriff response time is inadequate
12. Not where visible from scenic roads, parks or public rights-of-way or any other identified scenic resource
13. Not in areas where overconcentration would be the result unless the area is designated as an inclusion zone
14. Not within community agreed Exclusion Zones

Where <u>TO</u> grow cannabis

1. All 3 ag zones: LEA, LIA, DA, on parcels 10 acres or greater
2. Industrial and commercial zones with adequate power and wastewater disposal capacity
3. Industrial/Commercial zones only for indoor and greenhouse (mixed light) with adequate power and wastewater disposal capacity
4. For outdoor, on large parcels where setbacks are sufficient for odor, adjacency and community integrity issues
5. For all, with confirmed water availability in conjunction with all other present and projected users (residential, commercial and industrial needs county wide) for the next 20 years
6. Within Cannabis Inclusion Zones

Where to process cannabis (drying, trimming)

1. Industrial and commercial zones only with adequate power and wastewater disposal capacity

Where to extract THC oil

1. Industrial zones only with adequate power and wastewater disposal capacity

Where to sell cannabis

1. Commercial zones only with adequate power and wastewater disposal capacity

Where to sample and have cannabis events

1. Commercial zones only .– No consumption allowed on site. No events at grow sites

Carol and Stefan Bokaie

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Carol Bokaie
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Wednesday, August 11, 2021 1:59:31 PM

EXTERNAL

Vision Idea

Use newly updated data of water reserves and usage to assess the amount of cannabis the county could sustain without threatening current water use and needs.
County identifies large tracks of land away from rural residences, forests and parks for cannabis farming that meets the requirements found in the EIR.
Subdivide it into parcels for qualifying cannabis growers to purchase or lease possibly through something similar to first time home buyer mortgage rates.
Growers use water conserving methods such as dry farming and grow drought resistant strains of cannabis
Crops are limited during drought
Area surrounding grows use elevated mounds so they and security measures cannot be seen from the road.
Roads to the larger grow site are Fire Safe using current regulations

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: China Dusk
To: Cannabis
Subject: comments for cannabis visioning sessions/water Resources
Date: Wednesday, August 11, 2021 6:35:46 PM

Adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates current water use.

We are in an historic and prolonged drought. Today it was reported that residents living on Harrison Grade are watching their wells run dry. With the progress of Climate Change we can expect to see increased water scarcity and drought (California Department of Fish and Game). Many people in rural areas rely on their wells to provide water. Over-pumping aquafers leads to the collapse of the aquifer. That's it. They cannot be restored. This leaves existing agriculture and residents without the ability to provide water for themselves. It is urgently important to protect our aquifers from over water consumption and deep well drilling by cannabis cultivators. We must protect our wetlands to provide an environmental buffer. We must protect our water sheds. This is not the time to be seriously considering permitting large tracts of cannabis cultivation as it is a crop that requires six times the water that grapes do. Therefore, Cannabis must be prohibited from zones 3 and 4, impaired watersheds or riparian corridors or where water must be trucked in, or where any catchment pond will hamper groundwater replenishment. Grow instead in 3 ag zones: LEA, LIA. DA on parcels of 10 acres or greater. These parcels must be able to confirm water availability in conjunction with all other present and projected (residential, commercial and industrial needs county wide) for the next 20 years.

Sincerely,
China Dusk and Steven Tierra

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Cameron Hattan
To: Cannabis
Subject: cannabis water use study and findings
Date: Wednesday, August 11, 2021 12:25:24 PM

Good afternoon,

A recent study from the University of California Berkeley Cannabis Research and fellows at the Public Policy Institute of Californias Water Policy Center found that permitted cannabis farmers are consuming less water than previously thought.

“cannabis farms are considerably smaller than other crops- cannabis has a very small footprint and accounts for just a fraction of the water used by California agricultural overall.”

“Legal outdoor cannabis production uses about the same amount of water as a crop like tomatoes”

“Add it all up and we’ve estimated that a single large almond farm in the Central Valley utilizes 33 times MORE water than all of the permitted cannabis farms in Humboldt COMBINED!”

“Looking at agricultural output produced per gallon of water used other crops like tomatoes, lettuce or almonds, a gallon of water produces between a tenth of a cent to two cents of value in yield. For cannabis a gallon of water produces nearly $7.00 worth of value making cannabis by far the most water efficient agricultural product in California”

Link to study crc.berkely.edu

Cameron Hattan
Sent from Mail for Windows

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Cameron Hattan
To: Cannabis
Subject: clarification please
Date: Wednesday, August 11, 2021 1:01:24 PM

I posted several fact based, source cited comments about water usage that were not added to the online discussion while at the same time multiple comments were read into the record that were completely devoid of facts, outright lies, or off topic.

I would like to understand why please

Thank you
Cameron Hattan

Sent from Mail for Windows

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Cecile Isaacs
To: Cannabis
Subject: Ministerial Permitting
Date: Wednesday, August 11, 2021 11:34:33 AM

Ministerial Permitting
I love the idea of ministerial permitting. For one thing, it removes the friction from citizen interactions with government departments.

Definition of the person empowered to grant "ministerial permits"
A person who may/must grant permits to all projects that exactly fit the code and regulation definitions for that type of project. No judgement is required or allowed. If the project fits, it gets a permit. If it doesn't, it doesn't. No discussion is allowed for whether unusual benefits of the project outweigh detriments. No evaluation of mitigation is allowed.

Obviously that requires extraordinary front loading on the workload to get the codes and regs in great shape before such permitting is put in place.

What are the disadvantages?

Every parcel in the develop-able area must be evaluated in advance in case an applicant comes forward with a request to develop it.

Many parcels will be evaluated which will never be developed. This is a cost that can't be re-couped in fees.

Changes in State or federal rules may require the process to be redone periodically.

What are the advantages?

The cost PER PARCEL to analyze impacts is lower.

Staff time, review cost and enforcement cost are potentially much less once all parcels have been evaluated.

Developer time to completion is much shorter.
Developer cost to complete can be lower.
Developers are encouraged to work on more projects in a climate of increased certainty.

--
Cecile
Cell phone 510-693-3459

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Dick and Vi Strain
To:	Cannabis
Subject:	Comments regarding Water Resources for Wednesday, August 11 Visioning Sessions
Date:	Wednesday, August 11, 2021 11:31:35 AM

Sonoma County Staff,

I'm submitting comments below in the CEQA format rather than attending the Session. I've attended the first two sessions and have these comments

1. The County's questions are focused solely thru the cannabis lens rather than the neighborhood compatibility lens.

2. The majority of the questions from the moderators is how can we accommodate cannabis, not how neighborhood compatibility can be achieved and how scarce resources can be shared. Neighborhoods have submitted hundreds of letters over the past months outlining what they would like to see regarding cannabis siting including setbacks that moderate impacts and many other options for considerations. There are no questions asking the cannabis commenters how they could integrate into Sonoma County and be good neighbors.

3. The Cannabis commenters use fake names and it's disrespectful to the moderators and neighborhood commenters who are seriously concerned about neighborhood and County wide impacts of cannabis. Also, the chat feature creates an "us against them" situation rather than comments from different sides of an issue that can be considered and weighed equally and without bias by decision makers.

4. The way the questions are worded and the continual commenting of the moderators that they want "positive" ideas etc are designed to narrow the context of replies, such as "give us positive ideas about sites for tasting operations" as an example. Commenters other than cannabis might be opposed to tasting operations. The questions assume the community wants tasting sites and that is far from true. The questions are designed with a bias in favor of the cannabis industry. Most of us are trying to ignore this bias and just continue to input our comments.

5. Once again the County has failed at focussing on neighborhood compatibility. Neighborhood groups are united and using their precious time and resources to have a seat at the table. The visioning sessions have been a waste of time. The purpose of an Environmental Impact Report is a fact based technical analysis and we will look toward this document being a factual and unbiased look at the state of Sonoma County.

Vi Strain

X. HYDROLOGY AND WATER QUALITY (Wednesday Vision Session)

CEQA criteria and performance standards

a) violate water quality standards or waste discharge requirements
b) substantially deplete groundwater supplies
c/d) alter existing drainage patterns on site or in area through alteration of the course of a stream or river –

i) result in substantial erosion

ii) increase the rate or amount of surface runoff – flooding

e) runoff water that exceeds storm water drainage systems

f) otherwise degrade water quality

General Plan – Water and Watershed Goals

Goal LU-8: Protect Sonoma County's water resources on a sustainable yield basis that avoids long term declines in available surface and groundwater resources or water quality.

Objective LU-8.1: Protect, restore, and enhance the quality of surface and groundwater resources to meet the needs of all beneficial uses.

Objective LU-8.5: Improve understanding and sound management of water resources on a watershed basis.

Policy LU-8h: Support use of a watershed management approach for water quality programs and water supply assessments and for other plans and studies where appropriate.

Request the Board of Supervisors impose a moratorium on groundwater wells for cannabis cultivation in Groundwater Availability Zones 3 and 4 for ministerial and CUP discretionary approval. Groundwater wells in any areas in the County

designated as Groundwater Availability Zones 3 or 4. These are areas where groundwater supplies are limited and uncertain; thus, vulnerable to groundwater overdraft and reduced groundwater recharge.

Require comprehensive Water Availability Analysis: Determine all current and projected water usage needs in the County across all uses - residential, agricultural, commercial and industrial- and based on this information, determine available water for new cannabis operations under drought conditions as well as historical averages. **Also see Page 4 – Net Zero Water Plan CEQA insufficiency**

Recommend the County pre-test the adequacy or reliability of net-zero water plans – (rainwater catchment basins, etc.) and whether they interfere substantially with groundwater recharge. These analyses are crucial in light of the drought that has gripped this State for the past several years.

Demand an adequate analysis of Environmental Setting- by watershed: The County must gather data and complete analyses on:

<!--[if !supportLists]-->- <!--[endif]-->the number of existing legal and illegal cultivation sites, including renewals

<!--[if !supportLists]-->- <!--[endif]-->then estimate the number of eligible sites (based on siting criteria) that may apply for permits,

<!--[if !supportLists]-->- <!--[endif]-->accurately estimate the amount of water supply needed for those sites,

<!--[if !supportLists]-->- <!--[endif]-->evaluate the potential impacts on surface and groundwater resources,

<!--[if !supportLists]-->- <!--[endif]-->proactively evaluate whether net-zero catchment plans produce needed water supplies and impacts on groundwater replenishment for neighboring wells

Define Exclusion Zones:

- prohibit or limit the number of cannabis facilities (cap set by watershed) within Groundwater Availability Zones 3 or 4

- exclude commercial cannabis facilities from impaired watersheds

- Use Geo-spatial analysis to map at parcel scale, then exclude parcels with certain

sensitive habitats, per CDFW.

Sonoma County General Plan – Protection of Watershed Values

Watershed Siting Criteria

<!--[if !supportLists]-->- <!--[endif]-->Prohibit all cannabis cultivation in Sonoma County's Class 3 and 4 groundwater areas and all impaired watersheds. Continued permitting of water intensive commercial uses may exacerbate groundwater overdraft conditions.

<!--[if !supportLists]-->- <!--[endif]-->Site cannabis operations along wastewater pipelines only. Prohibit trucking of water or recycled wastewater under all circumstances. (DL)

Set criteria for Inclusion Zones with siting based on long-term water availability: **Identifying areas appropriate for cannabis operations requires more comprehensive analyses than individual well tests:**Assess water availability in water zones 1 and 2 as recommended by CDFW before issuing new conditional use permits. Conduct Hydrologic studies in addition to well-yield tests. Well-yield tests which merely evaluates if the minimum yield will meet irrigation demands, but does not evaluate if pumping would adversely impact surface water and groundwater resources.

Expert Testimony for impaired watersheds – Kamman study and CDFW

Exclusion Zone: Impaired Watersheds: Per expert testimony in the FMWW SMW LLP letter and CDFW recommendations, excluding impaired watersheds from commercial cannabis cultivation will prevent impacts to sensitive habitats and the risk of discretionary approvals that are incompatible with State Water Resources Control Board and the Department of Fish and Wildlife regulations.

SMW LLP Exhibit: Tech Study by Kamman Hydrology and Engineering, Greg Kamman (Source SMW March Pg 16 and exhibits): Baseline study must assess groundwater pumping impacts on groundwater overdraft and vulnerability to reduced

groundwater recharge.

“Excluding the Mark West Watershed and other similarly impaired watersheds from the Project entirely, however, would prevent new commercial cannabis activities from drawing groundwater, thus preventing decreases in streamflow

and avoiding significant environmental impacts to sensitive watersheds.” (Source: SMW Pg 6, referencing attachments and exhibits)

The CDFW recommends the EIR map and exclude parcels with certain sensitive habitats as part of the EIR Baseline analysis.

Per the March 17, 2021 (“CDFW Comment Letter”), the agency expressed concern that given Sonoma County’s “high density of sensitive species and essential habitat areas” the County should designate areas that would not be considered for cannabis cultivation under the ministerial process. Id. at 3 and 4. The agency recommends that:

“…the Ordinance should establish a current baseline of permitted cannabis

cultivation areas and project where new cannabis cultivation expansion may

occur on a map. **Geo-spatial analysis should be used at an individual property parcel scale,** to exclude ministerial approval of cannabis cultivation within areas with habitat to support special-status species and where special-status species occurrences are documented within the California Natural Diversity Database (CNDDB). Exclusion area boundaries should be mapped at a parcel scale.” (SMW pg 5-6)

Sensitive Habitats - Riparian Corridor Setbacks may not be adequate: CDFW expressed concern about this impact stating that “Groundwater extraction has the potential to impact groundwater dependent resources and reduce streamflow, especially during the late spring and summer months which is a critical time period for the state federally endangered coho salmon and federally threatened steelhead.” (Source: CDFW Comment Letter at 5-7).

Significantly, the setbacks from riparian corridors incorporated in the Project do

not eliminate impacts to the Mark West Watershed and other **similarly impaired**

watersheds or the linked groundwater basins. A streamflow analysis of the Mark West Watershed determined that, **while wells at increased distance from streams depleted streamflows at slower rates, "all wells generated depletion given enough time."** (Source: SMW Attachment 2 to Exhibit A, Kobor et al., at p. 11.) "Requiring new wells to be drilled at a specified minimum distance from a stream or spring . . . may extend the length of time before streamflow depletion occurs; however, it will not prevent streamflow depletion from occurring." Id. at 21.

Issue with Net Zero Water Plans – approve high water use cultivation before testing catchment system which may prove to be "paper water": "CEQA requires that an EIR present decision makers "with sufficient facts to evaluate the pros and cons of supplying the amount of water that the [project] will need*." Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova, 40 Cal.4th 412, 430-31 (2007).* This includes identifying and analyzing water supplies that "bear a likelihood of actually proving available; speculative sources and unrealistic allocations ('paper water') are insufficient bases for decision making under CEQA." Id. at 432.

The fact that an agency has identified a likely source of water for the Project does not end the inquiry. The ultimate question under CEQA . . . is not whether an EIR establishes a likely source of water, but whether it adequately addresses the reasonably foreseeable impacts of supplying water to the project. If the uncertainties inherent in long-term land use and water planning make it impossible to confidently identify the future water sources, an EIR may satisfy CEQA if it acknowledges the degree of uncertainty involved, discusses the

reasonably foreseeable alternatives—including alternative water sources

and the option of curtailing the development if sufficient water is not available for later phases—and discloses the significant foreseeable environmental effects of each alternative, as well as mitigation measures to minimize each adverse impact. Id. at 434."

SMW March letter pg 21: **CEQA requirements for permit applicants to**

document a net zero water plan demonstrating that the proposed facility would not result in a net increase of groundwater. However, this approach does not comply with CEQA, both because evaluating water use for each facility fails to evaluate the use and impacts of the whole of the project and because this provision defers the assessment until after Project approval. It is well-established that the County cannot defer its assessment of important environmental impacts until after the project is approved. Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296, 306-07.

Water Quality: Sedimentation: Complete analysis of impacts from increased

sedimentation resulting from ground disturbance and from vegetation clearing for net zero catchment reservoirs.

Put a moratorium on new permit approvals or renewals during a drought as declared by the State of California. And, until full water availability analyses are completed as part of the EIR Baseline – Environmental Assessment

Require a hydrogeologic report...demonstrating and concluding that the commercial cannabis use will not result in or exacerbate any of the following conditions of a basin or aquifer, consistent with the California Sustainable Groundwater Management Act (SGMA):

<!--[if !supportLists]--><!--[endif]-->Chronic lowering of groundwater levels;

<!--[if !supportLists]--><!--[endif]-->Reduction of groundwater levels;

<!--[if !supportLists]--><!--[endif]-->Seawater intrusion;

<!--[if !supportLists]--><!--[endif]-->Degraded water quality; due to grading, pesticide application, fertilizers, and irrigation practices

<!--[if !supportLists]--><!--[endif]-->Land subsidence

<!--[if !supportLists]--><!--[endif]-->Depletions of interconnected surface water.

Ensure cannabis operations do not draw from the zone of influence of neighboring wells

Complete technical studies to determine impacts to sensitive waterways and impaired watersheds, including the impacts of groundwater pumping on surface water flows.

Require independent monitoring of all wells using a micro grid network system. Take precautionary steps to ensure that residential and agricultural wells are not impacted or degraded by cannabis groundwater extraction.

Complete studies of net-zero catchment system plans to prove they produce sufficient water for the proposed square footage of cannabis operation, with no degradation of supply in downstream wells.

Adequately analyze the impacts of groundwater pumping on creeks, streams, and rivers, per CDFW recommendations.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Diane
To: Cannabis
Subject: Comments for Wednesday"s cannabis meeting: On Water Resources
Date: Wednesday, August 11, 2021 8:36:34 AM

Good morning:

The comments below are for Wednesday's topic, regarding Water Resources. Kindly include them in the comments for this topic, for the cannabis meeting.

Thank you so much!

*

Given the drought conditions which have been challenging California year after year for the last number of years, it's becoming evident that any water-intensive operation or crop is competing with more limited water resources available to farmers and residents alike. Regardless of industry, this means that *everyone* needs to conserve; both residents and businesses.

There's been lots of back-and-forth, with statistics on all sides, about the water usage of cannabis, in particular, with some saying it's a thirsty crop and some saying it is not.

The point is being missed: that existing aquifers are not being recharged by rainfall at the rates they were even 10 years ago, and this means that ANY additional usage by any crop or business or development needs to be scrutinized and limited accordingly.

My take is simple: given the extreme drought we are all in, *no new commercial well permits should be issued* for the foreseeable future, until several years of rainfall indicate that weather patterns have returned to what they were when recharge rates of aquifers were first calculated as being adequate to support homes and farms. This isn't singling out the cannabis industry, in particular. And it shouldn't pertain to permits to

REPLACE aging or drying-up wells; but to adding new wells. It is just common sense for the entire county, to be able to manage the diminishing water resources we all must share.

For the proposed grow in Bloomfield, for example, it has been mentioned that 5-6 new wells would need to be drilled. This is one example of additional strain on local resources. We townspeople in Bloomfield all exist on these wells. While it may be temping to say that there is somehow an abundance of water available in this particular locale; in reality, the rainfall here (as well as in Sonoma County as a whole) has been much, much less. This means that all aquifers are not being recharged at the same levels as calculated pre-drought, and approving commercial projects which need to drill and take additional water resources to prove viable is not only a threat, but an insult to those of us residents who are already conserving water. It should also be noted that, just past Bloomfield, the water recharge situation is much more dire; further indicating that our town does not enjoy an unlimited abundance of water resources to expend on large-scale commercial developments of any kind.

In the future, there will be a greater need to dry farm crops. Those which do not lend well to dry farming (such as water-hungry almonds, for example) will not be able to adequately adjust to the "new norm" of less water availability, and may be replaced by crops and varieties which are able to get by on less.

Other solutions related to water issues and management should be considered by the BOS. These include:

. Quantify and produce a formula for available water allotted for new cannabis operations based on not just historical rainfall, but our "new norm" of drought conditions

. Make sure "net-zero water plans" don't interfere with groundwater recharging

. Exclude commercial cannabis facilities (and any commercial crop that uses water intensively) from watersheds identified as impaired

. Require from any farming activity a hydrogeologic report demonstrating and concluding that the commercial cannabis grows will not result in or exacerbate the lowering of groundwater levels, degraded water quality, or deplete surface water resources, as is consistent with the California Sustainable Groundwater Management Act (SGMA)

. **Ensure that cannabis operations do not draw from the zone of influence of neighboring wells**. I have bolded this because this is the key concern of those of us who reside next door to proposed grows, who depend on our well water

Given the back-and-forth over how much water cannabis actually uses, it seems prudent that the County require a comprehensive water availability analysis before allowing any further commercial crop permits. Determining all current and projected water usage needs in the County across all uses - residential, agricultural, commercial and industrial- will result in information that can help formulate more reasoned policies surrounding available water for new cannabis operations under drought conditions as well as historical averages.

Too much work, you say? A simpler approach: prohibit or limit the number of cannabis facilities (with a cap set by watershed) within Groundwater Availability Zones 3 or 4 and simply exclude commercial cannabis facilities from impaired watersheds.

Once again, I return to the request that I made previously in each of my letters to the BOS: instigate an immediate Moratorium on cannabis permitting until all this can be straightened out. Otherwise, a flood of applications under the 'old rules' will challenge and mitigate any efforts to protect the health and well-being of neighbors who live next door to these proposed operations.

Sincerely,

Diane Donovan
Homeowner, Bloomfield CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Deborah Eppstein
To: Rachel Zierdt
Cc: Cannabis
Subject: Re: water usage ideas
Date: Wednesday, August 11, 2021 8:05:34 PM

EXTERNAL

good points

> On Aug 11, 2021, at 7:35 PM, Rachel Zierdt <rzierdt@gmail.com> wrote:
>
> There should be a moratorium on any kind of growing while the county is trying to get a handle on the baseline for the EIR.
> Once the EIR is written, there should be two considerations added for cannabis growing.
>
> 1.Permits only lasting a year so that each year water usage could be accurately evaluated.
> 2. There should be a limit on the number of crops a grower is allowed yearly and the number of plants that a grower can produce depending on the availability of water.
>
> That provides flexibility to the county in years of drought or years of excess water…also the grower knows what the parameters would be.
> Water is a shared resource and shouldn't just be used because one party or entity is going to increase their revenue.
>
> Rachel Zierdt

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Gary Holm
To:	Cannabis
Cc:	Lynda Hopkins
Subject:	Cannabis EIR Process-Recommend Moratorium on Cannabis
Date:	Wednesday, August 11, 2021 1:40:12 PM

Please Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.

It is our recommendation that an Ordinance prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

With the ongoing drought water availability is a major concern with existing agricultural operations. A random walk in our neighborhood, surrounded by vineyards, shows ground water is being challenged as seen in the attached photo. It shows an almost empty vineyard pond being refilled with ground water (see pipe at lower left). This is not a unique condition and will only be exacerbated by the addition of cannabis fields requiring vast amounts of water from a finite ground water source. The same source we rely on for our home.

Rural and scenic areas of Sonoma County are not suitable or compatible sites for cannabis operations.

Sincerely,

Gary and Karen Holm
Ross Road
Sebastopol

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: Comments on dispensaries and criminal activity
Date: Wednesday, August 11, 2021 6:52:04 AM

I come to this issue from an ethical perspective honed both by theological studies (M.Div.) and social scientific inquiry (Ph.D. in Sociology). As a pastor, I believe that a healthy community is built on bonds of trust centered in respect for the dignity of every human being, legal justice, and the moral precept of "do no harm" to others, or what might be called the Golden Rule. Rabbi Hillel has said, "Whatever is hateful to you, do not do to your fellow man." It is disrespectful and hateful to ignore the wishes of neighbors who will be affected by It is hateful to ignore social scientific evidence of elevated criminal activity at dispensaries as well as car break-ins, burglaries and robberies in residential neighborhoods adjacent to dispensaries. It is hateful to ignore the traffic fatalities associated with impaired drivers who cannot be charged because there is no valid and reliable highway test for marijuana intoxication.

Dispensaries are "attractive nuisances," attracting burglaries, robberies of customers and drivers, and property crimes in the neighborhood. Crime takes a motivated offender, a suitable target, and an absence of capable guardians who may serve to deter violent or criminal behaviors. Criminals are motivated offenders who, when patronizing new dispensaries in residential neighborhoods, identify new area targets for burglaries and other property crimes far from police surveillance. No dispensary belongs in or near any residential area.

Large, scientific studies of crime and marijuana dispensaries in Denver and Los Angeles agree that property crimes increase in areas up to a mile away from dispensaries, although not at the dispensary's exact location because increased security on the premises. (Freisthler, Ponicki et al. 2016, Freisthler, Gaidus et al. 2017, Burkhardt and Goemans 2019). However, "vehicle break-ins increase up to a mile away from a new dispensary," and "Property crime, a crime of opportunity, may increase as offenders use different activity nodes (in this case to obtain medical marijuana) increasing familiarity with new neighborhoods. This familiarity provides information on when guardians are around and what homes might have valuables worth stealing" (Burkhardt and Goemans 2019). The authors continue, "Denver found 15% more vehicle break-ins per month within a ½ mile radius of dispensaries. Further out, between ½ mile and a mile radius, we find that vehicle break-ins remain consistently elevated after the introduction of a new dispensary. Our results suggest that legal marijuana sales are local substitutes for hard drug sales."

A different researcher found that in Denver, "marijuana outlets are related to 84.8 more property crimes per year," and "Across local and adjacent areas, an increase of one dispensary per square mile was related to a 0.4 – 2.6% increase in property crime." (Freisthler, Ponicki et al. 2016, Freisthler, Gaidus et al. 2017).

One of the studies concludes, "As patients of [illegal] dispensaries change their travel patterns to go to these different neighborhood areas where medical marijuana remains available through storefront dispensaries, they may find opportunities to participate in various crimes (e.g. burglarizing a home). Property crime, a crime of opportunity, may increase as offenders use different activity nodes (in this case to obtain medical marijuana) increasing familiarity with new neighborhoods. This familiarity provided information on when guardians are around and what homes might have valuables worth stealing. … Our

research suggests that these [medical marijuana] dispensaries may increase crime rates in adjacent areas." (Freisthler, Ponicki et al. 2016).

Another peer-reviewed, scientific article (Freisthler, Gaidus et al. 2017) summarizes:

> This study (along with previous research) suggests that the effects of the physical availability of marijuana outlets on crime do not necessarily occur within the specific block groups within which outlets are located, but are occurring in adjacent areas. … This study (along with previous research) suggests that the effects of the physical availability of marijuana outlets on crime do not necessarily occur within the specific block groups within which outlets are located, but are occurring in adjacent areas. The effects of outlets on crime may occur in adjacent areas as people move in and out of the areas where these marijuana outlets are located. Interpreting these findings within the framework of routine activities theory, the property (e.g., automobiles) of dispensary customers, particularly those who may be tourists, may be suitable targets for those wishing to commit crimes (Glensor & Peak, 2004), as their owners may not secure their belongings before visiting a dispensary. Properties in surrounding areas may also prove to be ideal targets as they may have less security (e.g., lack of suitable guardians) than the areas local to the marijuana outlets. Motivated offenders may also be those who use these marijuana outlets who become familiar with the adjacent areas as they pass through them regularly.

Further, newspapers and other mass media in the Bay area and elsewhere report that cannabis retailers with large amounts of cannabis and cash on hand have been besieged by thefts in the daytime and at night, most prominently after the George Floyd protests, but also violently and with injuries at other times.

https://sanfrancisco.cbslocal.com/2020/07/23oakland-cannibis-retailers-say-theyre-under-siege-from-violent-thefts/

https://www.forbes.com/sites/chrisroberts/2020/07/02/legal-cannabis-b…ed-again-will-police-protect-marijuana-legalization/?sh=404c8bb91009/

https://www.denverpost.com/2020/04/15/denver-marijuana-dispensaries-burglaries-coronavirus/

https://www.kxii.com/22020/06/22/chocktaw-county-dispensary-out-thousandso-of-dollars-after-robbery/

https://sacramento.cbslocal.com/2019/09/03/sacramento-police-marijuana-breakins/

https://kptv.com/news/police-id-suspects-involved-in-armed-ne...pensary-robbery/article_c2b42b2c-4c84-11eb-9b98-e30c9cd38313.html/

https://www.laweekly.com/valley-dispensary-robbery-caught-on-tape-suspect-shoots-his-way-out/

https://www.baltimoresun.com/maryland/harford/aegis/cng-ag-dispensary-robbery-20210318-vavp5cbv2rgghjosisi5zrsub4-story.html

https://www.leafly.com/news/politics/43-west-coast-cannibis-dispensaries-report-looting-in-weekend-rioting/

https://www.thegrowthop.com/cannabis-health/man-charged-after-making-threats-of-violence-at-medical-

marijuana-dispensary

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: The visioning process
Date: Wednesday, August 11, 2021 7:41:06 AM

I wrote this this morning. I wrote this in exasperation at the process the past two days. It is clear where this Visioning Process team wants this issue to go—to allow commercial marijuana grows, tastings and dispensaries throughout the county regardless of community input. For two days now I've heard people on screen say, "What are some POSITIVE IDEAS about sites for commercial marijuana cultivation, operations for tasting, location of dispensaries, etc. What would an IDEAL cultivation site, dispensary location, etc. look like?" Well, that's simply assuming that the community wants ANY commercial cultivation sites or ANY tasting sites or ANY dispensaries of any kind…This is LEADING THE WITNESS. Transcribe the video and you will see it too. The County assumes that this is all okay and we just need to put in a few regulations (what they call "best practices") around it. NO! Allowing any commercial marijuana cultivation, tasting and dispensaries in this county is outrageous given climate change to our water table and supply, the increasing risk of catastrophic county fires, the absence of any valid and reliable test for marijuana intoxication, and proven criminal activities associated with dispensaries in Denver and elsewhere (see studies cited in the Q&A and in the comments submitted for the record for the past two days). If this process doesn't result in an immediate moratorium on commercial cultivation, tasting and dispensary permits in Sonoma County, this process is not OPEN, but biased in favor of the marijuana industry. Just transcribe the videotapes of the past two days and you'll see it.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Gail Cafferata
To:	Cannabis
Subject:	Implications for water from UN CLIMATE REPORT (attached)
Date:	Wednesday, August 11, 2021 8:23:49 AM
Attachments:	UN global climate report.pdf IPCC_AR6_WGI_Headline_Statements.pdf

---

The EIR for the General Plan was completed in 2000. Given the current drought and the UN's changing climate report,

https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Headline_Statements.pdf,

it is clear that any policy decisions about marijuana commercial cultivation in Sonoma County need a NEW EIR reflecting these realities. The UN Report (attached) says uniquivocably:

> **"**Many changes in the climate system become larger in direct relation to increasing global warming. They include increases in the frequency and intensity of hot extremes, marine heatwaves, and heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic sea ice, snow cover and permafrost.
>
> Continued global warming is projected to further intensify the global water cycle, including its variability, global monsoon precipitation and the severity of wet and dry events."

The report projects (p. 23) that precipitation will decrease in CA and soil moisture will decrease as well: "Precipitation is projected to increase over high latitudes, the equatorial Pacific and parts of the monsoon regions, but decrease over parts of the subtropics and in limited areas of the tropics." And "**Annual mean total column soil moisture change (standard deviation)" will be affected "**Across warming levels, changes in soil moisture largely follow changes in precipitation but also show some differences due to the influence of evapotranspiration."

Because of proven impending catastrophic climate change, to assure sustainability of water in the county, Sonoma County must:

Do a baseline analysis and determine all current and projected water usage needs in the County. include all uses (residential, agricultural, commercial and industrial) then determine amount of water available for new uses under 1. drought conditions and 2. historical averages.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Study rainwater catchment reservoirs (net-zero water plans) and determine if they interfere with groundwater recharge of the aquifers and/or downstream flow.

Prohibit cultivation in the already impaired watersheds. Water intensive commercial use will further exacerbate conditions.

Prohibit cultivation in groundwater availability zones 3 and 4 and other areas where groundwater supplies are limited, uncertain and vulnerable to overdraft and reduced water recharge.

Tests of wells of adjacent neighbors in water zones 1 and 2 should be current. Some are 30 years old.

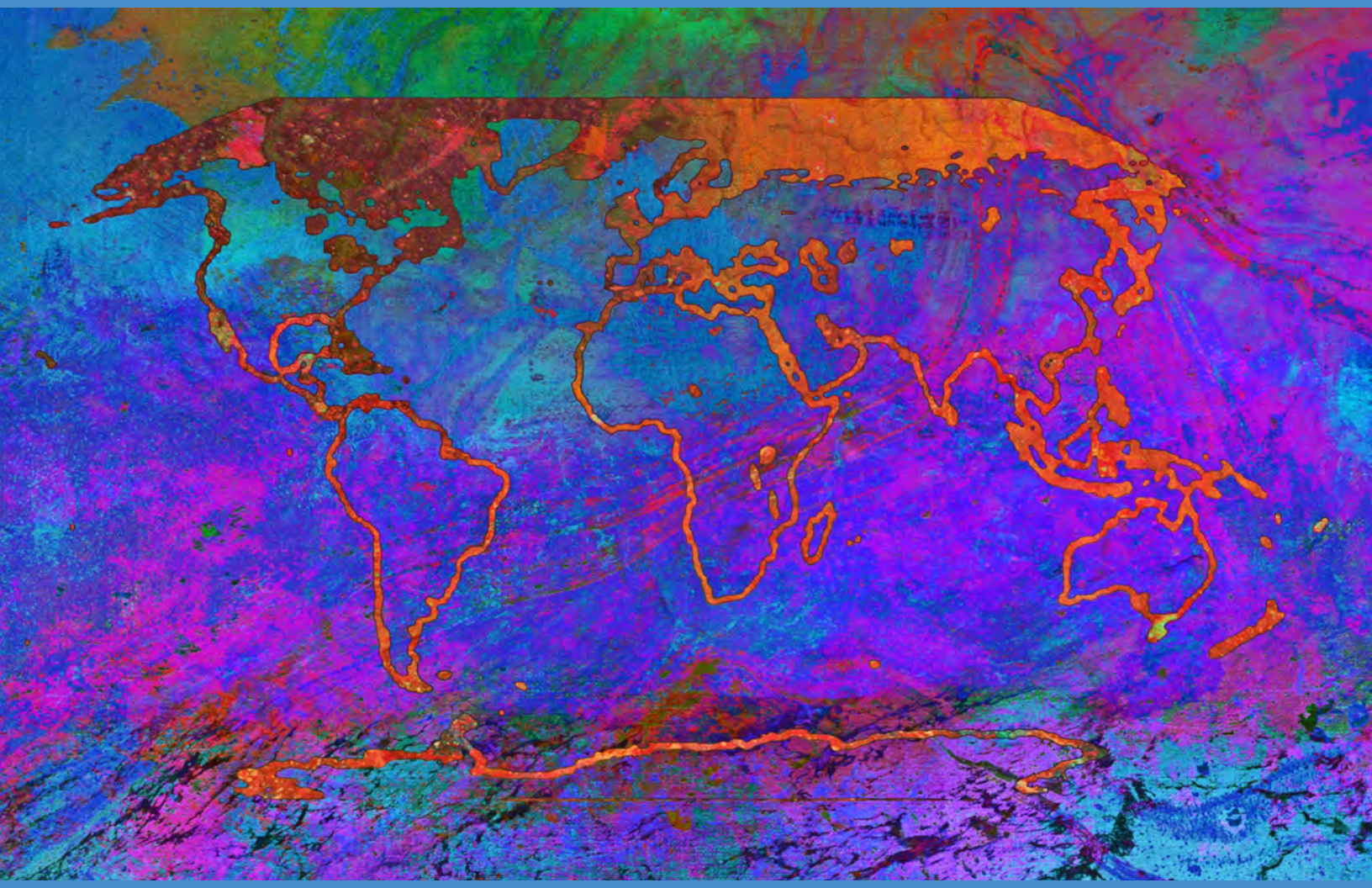
ipcc

INTERGOVERNMENTAL PANEL ON climate change

Climate Change 2021

The Physical Science Basis

Summary for Policymakers



WGI

Working Group I contribution to the
Sixth Assessment Report of the
Intergovernmental Panel on Climate Change

WMO UNEP

Summary for Policymakers

Drafting Authors:
Richard P. Allan (United Kingdom), Paola A. Arias (Colombia), Sophie Berger (France/Belgium), Josep G. Canadell (Australia), Christophe Cassou (France), Deliang Chen (Sweden), Annalisa Cherchi (Italy), Sarah L. Connors (France/United Kingdom), Erika Coppola (Italy), Faye Abigail Cruz (Philippines), Aïda Diongue-Niang (Senegal), Francisco J. Doblas-Reyes (Spain), Hervé Douville (France), Fatima Driouech (Morocco), Tamsin L. Edwards (United Kingdom), François Engelbrecht (South Africa), Veronika Eyring (Germany), Erich Fischer (Switzerland), Gregory M. Flato (Canada), Piers Forster (United Kingdom), Baylor Fox-Kemper (United States of America), Jan S. Fuglestvedt (Norway), John C. Fyfe (Canada), Nathan P. Gillett (Canada), Melissa I. Gomis (France/Switzerland), Sergey K. Gulev (Russian Federation), José Manuel Gutiérrez (Spain), Rafiq Hamdi (Belgium), Jordan Harold (United Kingdom), Mathias Hauser (Switzerland), Ed Hawkins (United Kingdom), Helene T. Hewitt (United Kingdom), Tom Gabriel Johansen (Norway), Christopher Jones (United Kingdom), Richard G. Jones (United Kingdom), Darrell S. Kaufman (United States of America), Zbigniew Klimont (Austria/Poland), Robert E. Kopp (United States of America), Charles Koven (United States of America), Gerhard Krinner (France/Germany, France), June-Yi Lee (Republic of Korea), Irene Lorenzoni (United Kingdom/Italy), Jochem Marotzke (Germany), Valérie Masson-Delmotte (France), Thomas K. Maycock (United States of America), Malte Meinshausen (Australia/Germany), Pedro M.S. Monteiro (South Africa), Angela Morelli (Norway/Italy), Vaishali Naik (United States of America), Dirk Notz (Germany), Friederike Otto (United Kingdom/Germany), Matthew D. Palmer (United Kingdom), Izidine Pinto (South Africa/Mozambique), Anna Pirani (Italy), Gian-Kasper Plattner (Switzerland), Krishnan Raghavan (India), Roshanka Ranasinghe (The Netherlands/Sri Lanka, Australia), Joeri Rogelj (United Kingdom/Belgium), Maisa Rojas (Chile), Alex C. Ruane (United States of America), Jean-Baptiste Sallée (France), Bjørn H. Samset (Norway), Sonia I. Seneviratne (Switzerland), Jana Sillmann (Norway/Germany), Anna A. Sörensson (Argentina), Tannecia S. Stephenson (Jamaica), Trude Storelvmo (Norway), Sophie Szopa (France), Peter W. Thorne (Ireland/United Kingdom), Blair Trewin (Australia), Robert Vautard (France), Carolina Vera (Argentina), Noureddine Yassaa (Algeria), Sönke Zaehle (Germany), Panmao Zhai (China), Xuebin Zhang (Canada), Kirsten Zickfeld (Canada/Germany)

Contributing Authors:
Krishna M. AchutaRao (India), Bhupesh Adhikary (Nepal), Edvin Aldrian (Indonesia), Kyle Armour (United States of America), Govindasamy Bala (India/United States of America), Rondrotiana Barimalala (South Africa/Madagascar), Nicolas Bellouin (United Kingdom/France), William Collins (United Kingdom), William D. Collins (United States of America), Susanna Corti (Italy), Peter M. Cox (United Kingdom), Frank J. Dentener (EU/The Netherlands), Claudine Dereczynski (Brazil), Alejandro Di Luca (Australia, Canada/Argentina), Alessandro Dosio (Italy), Leah Goldfarb (France/United States of America), Irina V. Gorodetskaya (Portugal/Belgium, Russian Federation), Pandora Hope (Australia), Mark Howden (Australia), Akm Saiful Islam (Bangladesh), Yu Kosaka (Japan), James Kossin (United States of America), Svitlana Krakovska (Ukraine), Chao Li (China), Jian Li (China), Thorsten Mauritsen (Germany/Denmark), Sebastian Milinski (Germany), Seung-Ki Min (Republic of Korea), Thanh Ngo Duc (Vietnam), Andy Reisinger (New Zealand), Lucas Ruiz (Argentina), Shubha Sathyendranath (United Kingdom/Canada, Overseas Citizen of India), Aimée B. A. Slangen (The Netherlands), Chris Smith (United Kingdom), Izuru Takayabu (Japan), Muhammad Irfan Tariq (Pakistan), Anne-Marie Treguier (France), Bart van den Hurk (The Netherlands), Karina von Schuckmann (France/Germany), Cunde Xiao (China)

Date of Document: 7 August 2021 17:00 CEST

This Summary for Policymakers should be cited as:
IPCC, 2021: Summary for Policymakers. In: *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Masson-Delmotte, V., P. Zhai, A. Pirani, S. L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M. I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T. K. Maycock, T. Waterfield, O. Yelekçi, R. Yu and B. Zhou (eds.)]. Cambridge University Press. In Press.

This document is subject to final copy-editing.

Table of Contents

Introduction 4
A. The Current State of the Climate 5
B. Possible Climate Futures 15
C. Climate Information for Risk Assessment and Regional Adaptation 31
D. Limiting Future Climate Change 36

Introduction

This Summary for Policymakers (SPM) presents key findings of the Working Group I (WGI) contribution to the IPCC's Sixth Assessment Report (AR6)[1] on the physical science basis of climate change. The report builds upon the 2013 Working Group I contribution to the IPCC's Fifth Assessment Report (AR5) and the 2018–2019 IPCC Special Reports[2] of the AR6 cycle and incorporates subsequent new evidence from climate science[3].

This SPM provides a high-level summary of the understanding of the current state of the climate, including how it is changing and the role of human influence, the state of knowledge about possible climate futures, climate information relevant to regions and sectors, and limiting human-induced climate change.

Based on scientific understanding, key findings can be formulated as statements of fact or associated with an assessed level of confidence indicated using the IPCC calibrated language[4].

The scientific basis for each key finding is found in chapter sections of the main Report, and in the integrated synthesis presented in the Technical Summary (hereafter TS), and is indicated in curly brackets. The AR6 WGI Interactive Atlas facilitates exploration of these key synthesis findings, and supporting climate change information, across the WGI reference regions[5].

[1] Decision IPCC/XLVI-2.

[2] The three Special reports are: Global warming of 1.5°C: an IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty (SR1.5); Climate Change and Land: an IPCC Special Report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems (SRCCL); IPCC Special Report on the Ocean and Cryosphere in a Changing Climate (SROCC).

[3] The assessment covers scientific literature accepted for publication by 31 January 2021.

[4] Each finding is grounded in an evaluation of underlying evidence and agreement. A level of confidence is expressed using five qualifiers: very low, low, medium, high and very high, and typeset in italics, for example, *medium confidence*. The following terms have been used to indicate the assessed likelihood of an outcome or a result: *virtually certain* 99–100% probability, *very likely* 90–100%, *likely* 66–100%, *about as likely as not* 33–66%, *unlikely* 0–33%, *very unlikely* 0–10%, *exceptionally unlikely* 0–1%. Additional terms (*extremely likely* 95–100%, *more likely than not* >50–100%, and *extremely unlikely* 0–5%) may also be used when appropriate. Assessed likelihood is typeset in italics, for example, *very likely*. This is consistent with AR5. In this Report, unless stated otherwise, square brackets [x to y] are used to provide the assessed *very likely* range, or 90% interval.

[5] The Interactive Atlas is available at https://interactive-atlas.ipcc.ch

A. The Current State of the Climate

Since AR5, improvements in observationally based estimates and information from paleoclimate archives provide a comprehensive view of each component of the climate system and its changes to date. New climate model simulations, new analyses, and methods combining multiple lines of evidence lead to improved understanding of human influence on a wider range of climate variables, including weather and climate extremes. The time periods considered throughout this Section depend upon the availability of observational products, paleoclimate archives and peer-reviewed studies.

A.1 It is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred.

{2.2, 2.3, Cross-Chapter Box 2.3, 3.3, 3.4, 3.5, 3.6, 3.8, 5.2, 5.3, 6.4, 7.3, 8.3, 9.2, 9.3, 9.5, 9.6, Cross-Chapter Box 9.1} **(Figure SPM.1, Figure SPM.2)**

A.1.1 Observed increases in well-mixed greenhouse gas (GHG) concentrations since around 1750 are unequivocally caused by human activities. Since 2011 (measurements reported in AR5), concentrations have continued to increase in the atmosphere, reaching annual averages of 410 ppm for carbon dioxide (CO_2), 1866 ppb for methane (CH_4), and 332 ppb for nitrous oxide (N_2O) in 2019[6]. Land and ocean have taken up a near-constant proportion (globally about 56% per year) of CO_2 emissions from human activities over the past six decades, with regional differences (*high confidence*)[7]. {2.2, 5.2, 7.3, TS.2.2, Box TS.5}

A.1.2 Each of the last four decades has been successively warmer than any decade that preceded it since 1850. Global surface temperature[8] in the first two decades of the 21st century (2001-2020) was 0.99 [0.84-1.10] °C higher than 1850-1900[9]. Global surface temperature was 1.09 [0.95 to 1.20] °C higher in 2011–2020 than 1850–1900, with larger increases over land (1.59 [1.34 to 1.83] °C) than over the ocean (0.88 [0.68 to 1.01] °C). The estimated increase in global surface temperature since AR5 is principally due to further warming since 2003–2012 (+0.19 [0.16 to 0.22] °C). Additionally, methodological advances and new datasets contributed approximately 0.1ºC to the updated estimate of warming in AR6[10].

[6] Other GHG concentrations in 2019 were: PFCs (109 ppt CF_4 equivalent); SF_6 (10 ppt); NF_3 (2 ppt); HFCs (237 ppt HFC-134a equivalent); other Montreal Protocol gases (mainly CFCs, HCFCs, 1032 ppt CFC-12 equivalent). Increases from 2011 are 19 ppm for CO_2, 63 ppb for CH_4 and 8 ppb for N_2O.

[7] Land and ocean are not substantial sinks for other GHGs.

[8] The term 'global surface temperature' is used in reference to both global mean surface temperature and global surface air temperature throughout this SPM. Changes in these quantities are assessed with *high confidence* to differ by at most 10% from one another, but conflicting lines of evidence lead to *low confidence* in the sign of any difference in long-term trend. {Cross-Section Box TS.1}

[9] The period 1850–1900 represents the earliest period of sufficiently globally complete observations to estimate global surface temperature and, consistent with AR5 and SR1.5, is used as an approximation for pre-industrial conditions.

[10] Since AR5, methodological advances and new datasets have provided a more complete spatial representation of changes in surface temperature, including in the Arctic. These and other improvements have additionally increased the estimate of global surface temperature change by approximately 0.1 ºC, but this increase does not represent additional physical warming since the AR5.

A.1.3 The *likely* range of total human-caused global surface temperature increase from 1850–1900 to 2010–2019[11] is 0.8°C to 1.3°C, with a best estimate of 1.07°C. It is *likely* that well-mixed GHGs contributed a warming of 1.0°C to 2.0°C, other human drivers (principally aerosols) contributed a cooling of 0.0°C to 0.8°C, natural drivers changed global surface temperature by –0.1°C to 0.1°C, and internal variability changed it by –0.2°C to 0.2°C. It is *very likely* that well-mixed GHGs were the main driver[12] of tropospheric warming since 1979, and *extremely likely* that human-caused stratospheric ozone depletion was the main driver of cooling of the lower stratosphere between 1979 and the mid-1990s.
{3.3, 6.4, 7.3, Cross-Section Box TS.1, TS.2.3} **(Figure SPM.2)**

A.1.4 Globally averaged precipitation over land has *likely* increased since 1950, with a faster rate of increase since the 1980s (*medium confidence*). It is *likely* that human influence contributed to the pattern of observed precipitation changes since the mid-20th century, and *extremely likely* that human influence contributed to the pattern of observed changes in near-surface ocean salinity. Mid-latitude storm tracks have *likely* shifted poleward in both hemispheres since the 1980s, with marked seasonality in trends (*medium confidence*). For the Southern Hemisphere, human influence *very likely* contributed to the poleward shift of the closely related extratropical jet in austral summer.
{2.3, 3.3, 8.3, 9.2, TS.2.3, TS.2.4, Box TS.6}

A.1.5 Human influence is *very likely* the main driver of the global retreat of glaciers since the 1990s and the decrease in Arctic sea ice area between 1979–1988 and 2010–2019 (about 40% in September and about 10% in March). There has been no significant trend in Antarctic sea ice area from 1979 to 2020 due to regionally opposing trends and large internal variability. Human influence *very likely* contributed to the decrease in Northern Hemisphere spring snow cover since 1950. It is *very likely* that human influence has contributed to the observed surface melting of the Greenland Ice Sheet over the past two decades, but there is only *limited evidence*, with *medium agreement*, of human influence on the Antarctic Ice Sheet mass loss.
{2.3, 3.4, 8.3, 9.3, 9.5, TS.2.5}

A.1.6 It is *virtually certain* that the global upper ocean (0–700 m) has warmed since the 1970s and *extremely likely* that human influence is the main driver. It is *virtually certain* that human-caused CO_2 emissions are the main driver of current global acidification of the surface open ocean. There is *high confidence* that oxygen levels have dropped in many upper ocean regions since the mid-20th century, and *medium confidence* that human influence contributed to this drop.
{2.3, 3.5, 3.6, 5.3, 9.2, TS.2.4}

A.1.7 Global mean sea level increased by 0.20 [0.15 to 0.25] m between 1901 and 2018. The average rate of sea level rise was 1.3 [0.6 to 2.1] mm yr^{-1} between 1901 and 1971, increasing to 1.9 [0.8 to 2.9] mm yr^{-1} between 1971 and 2006, and further increasing to 3.7 [3.2 to 4.2] mm yr^{-1} between 2006 and 2018 (*high confidence*). Human influence was *very likely* the main driver of these increases since at least 1971.
{2.3, 3.5, 9.6, Cross-Chapter Box 9.1, Box TS.4}

A.1.8 Changes in the land biosphere since 1970 are consistent with global warming: climate zones have shifted poleward in both hemispheres, and the growing season has on average lengthened by up to two days per decade since the 1950s in the Northern Hemisphere extratropics (*high confidence*).
{2.3, TS.2.6}

[11] The period distinction with A.1.2 arises because the attribution studies consider this slightly earlier period. The observed warming to 2010–2019 is 1.06 [0.88 to 1.21] °C.

[12] Throughout this SPM, 'main driver' means responsible for more than 50% of the change.

Human influence has warmed the climate at a rate that is unprecedented in at least the last 2000 years

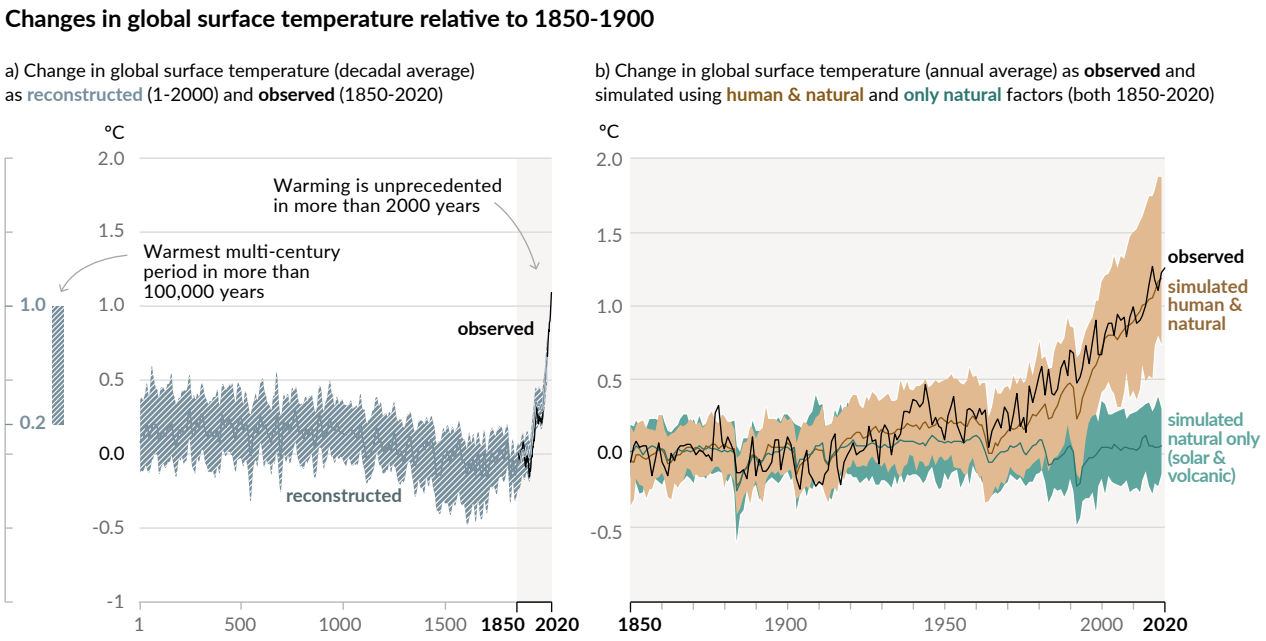


Figure SPM.1: History of global temperature change and causes of recent warming.

Panel a): Changes in global surface temperature reconstructed from paleoclimate archives (solid grey line, 1–2000) **and from direct observations** (solid black line, 1850–2020), both relative to 1850–1900 and decadally averaged. The vertical bar on the left shows the estimated temperature (*very likely* range) during the warmest multi-century period in at least the last 100,000 years, which occurred around 6500 years ago during the current interglacial period (Holocene). The Last Interglacial, around 125,000 years ago, is the next most recent candidate for a period of higher temperature. These past warm periods were caused by slow (multi-millennial) orbital variations. The grey shading with white diagonal lines shows the *very likely* ranges for the temperature reconstructions.

Panel b): Changes in global surface temperature over the past 170 years (black line) relative to 1850–1900 and annually averaged, compared to CMIP6 climate model simulations (see Box SPM.1) of the temperature response to both human and natural drivers (brown), and to only natural drivers (solar and volcanic activity, green). Solid coloured lines show the multi-model average, and coloured shades show the *very likely* range of simulations. (see Figure SPM.2 for the assessed contributions to warming).

{2.3.1, 3.3, Cross-Chapter Box 2.3, Cross-Section Box TS.1, Figure 1a, TS.2.2}

Observed warming is driven by emissions from human activities, with greenhouse gas warming partly masked by aerosol cooling

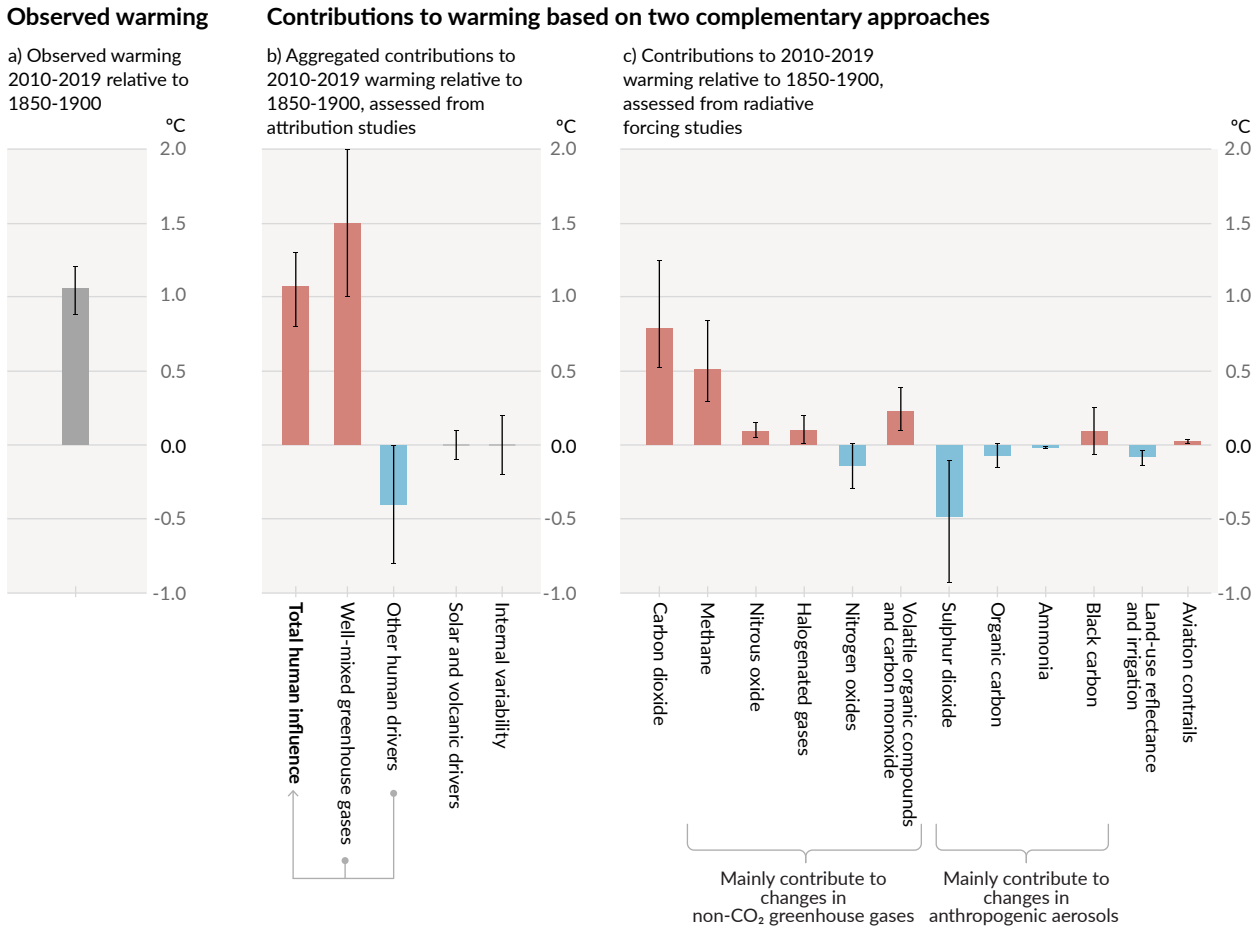


Figure SPM.2: Assessed contributions to observed warming in 2010–2019 relative to 1850–1900.

Panel a): Observed global warming (increase in global surface temperature) and its *very likely* range {3.3.1, Cross-Chapter Box 2.3}.

Panel b): Evidence from attribution studies, which synthesize information from climate models and observations. The panel shows temperature change attributed to total human influence, changes in well-mixed greenhouse gas concentrations, other human drivers due to aerosols, ozone and land-use change (land-use reflectance), solar and volcanic drivers, and internal climate variability. Whiskers show *likely* ranges {3.3.1}.

Panel c): Evidence from the assessment of radiative forcing and climate sensitivity. The panel shows temperature changes from individual components of human influence, including emissions of greenhouse gases, aerosols and their precursors; land-use changes (land-use reflectance and irrigation); and aviation contrails. Whiskers show *very likely* ranges. Estimates account for both direct emissions into the atmosphere and their effect, if any, on other climate drivers. For aerosols, both direct (through radiation) and indirect (through interactions with clouds) effects are considered.{6.4.2, 7.3}

A.2 The scale of recent changes across the climate system as a whole and the present state of many aspects of the climate system are unprecedented over many centuries to many thousands of years.

{Cross-Chapter Box 2.1, 2.2, 2.3, 5.1} **(Figure SPM.1)**

A.2.1 In 2019, atmospheric CO_2 concentrations were higher than at any time in at least 2 million years (*high confidence)*, and concentrations of CH_4 and N_2O were higher than at any time in at least 800,000 years (*very high confidence*). Since 1750, increases in CO_2 (47%) and CH_4 (156%) concentrations far exceed, and increases in N_2O (23%) are similar to, the natural multi-millennial changes between glacial and interglacial periods over at least the past 800,000 years (*very high confidence*).
{2.2, 5.1, TS.2.2}

A.2.2 Global surface temperature has increased faster since 1970 than in any other 50-year period over at least the last 2000 years (*high confidence*). Temperatures during the most recent decade (2011–2020) exceed those of the most recent multi-century warm period, around 6500 years ago[13] [0.2°C to 1°C relative to 1850–1900] (*medium confidence*). Prior to that, the next most recent warm period was about 125,000 years ago when the multi-century temperature [0.5°C to 1.5°C relative to 1850–1900] overlaps the observations of the most recent decade (*medium confidence*).
{Cross-Chapter Box 2.1, 2.3, Cross-Section Box TS.1} **(Figure SPM.1)**

A.2.3 In 2011–2020, annual average Arctic sea ice area reached its lowest level since at least 1850 (*high confidence*). Late summer Arctic sea ice area was smaller than at any time in at least the past 1000 years (*medium confidence*). The global nature of glacier retreat, with almost all of the world's glaciers retreating synchronously, since the 1950s is unprecedented in at least the last 2000 years (*medium confidence*).
{2.3, TS.2.5}

A.2.4 Global mean sea level has risen faster since 1900 than over any preceding century in at least the last 3000 years (*high confidence*). The global ocean has warmed faster over the past century than since the end of the last deglacial transition (around 11,000 years ago) (*medium confidence*). A long-term increase in surface open ocean pH occurred over the past 50 million years (*high confidence*), and surface open ocean pH as low as recent decades is unusual in the last 2 million years (*medium confidence*).
{2.3, TS.2.4, Box TS.4}

[13] As stated in section B.1, even under the very low emissions scenario SSP1-1.9, temperatures are assessed to remain elevated above those of the most recent decade until at least 2100 and therefore warmer than the century-scale period 6500 years ago.

A.3 Human-induced climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, and, in particular, their attribution to human influence, has strengthened since AR5.

{2.3, 3.3, 8.2, 8.3, 8.4, 8.5, 8.6, Box 8.1, Box 8.2, Box 9.2, 10.6, 11.2, 11.3, 11.4, 11.6, 11.7, 11.8, 11.9, 12.3} **(Figure SPM.3)**

A.3.1 It is *virtually certain* that hot extremes (including heatwaves) have become more frequent and more intense across most land regions since the 1950s, while cold extremes (including cold waves) have become less frequent and less severe, with *high confidence* that human-induced climate change is the main driver[14] of these changes. Some recent hot extremes observed over the past decade would have been *extremely unlikely* to occur without human influence on the climate system. Marine heatwaves have approximately doubled in frequency since the 1980s (*high confidence*), and human influence has *very likely* contributed to most of them since at least 2006.
{Box 9.2, 11.2, 11.3, 11.9, TS.2.4, TS.2.6, Box TS.10} **(Figure SPM.3)**

A.3.2 The frequency and intensity of heavy precipitation events have increased since the 1950s over most land area for which observational data are sufficient for trend analysis (*high confidence*), and human-induced climate change is *likely* the main driver. Human-induced climate change has contributed to increases in agricultural and ecological droughts[15] in some regions due to increased land evapotranspiration[16] (*medium confidence*).
{8.2, 8.3, 11.4, 11.6, 11.9, TS.2.6, Box TS.10} **(Figure SPM.3)**

A.3.3 Decreases in global land monsoon precipitation[17] from the 1950s to the 1980s are partly attributed to human-caused Northern Hemisphere aerosol emissions, but increases since then have resulted from rising GHG concentrations and decadal to multi-decadal internal variability (*medium confidence*). Over South Asia, East Asia and West Africa increases in monsoon precipitation due to warming from GHG emissions were counteracted by decreases in monsoon precipitation due to cooling from human-caused aerosol emissions over the 20th century (*high confidence*). Increases in West African monsoon precipitation since the 1980s are partly due to the growing influence of GHGs and reductions in the cooling effect of human-caused aerosol emissions over Europe and North America (*medium confidence*).
{2.3, 3.3, 8.2, 8.3, 8.4, 8.5, 8.6, Box 8.1, Box 8.2, 10.6, Box TS.13}

[14] Throughout this SPM, 'main driver' means responsible for more than 50% of the change.

[15] Agricultural and ecological drought (depending on the affected biome): a period with abnormal soil moisture deficit, which results from combined shortage of precipitation and excess evapotranspiration, and during the growing season impinges on crop production or ecosystem function in general. Observed changes in meteorological droughts (precipitation deficits) and hydrological droughts (streamflow deficits) are distinct from those in agricultural and ecological droughts and addressed in the underlying AR6 material (Chapter 11).

[16] The combined processes through which water is transferred to the atmosphere from open water and ice surfaces, bare soil, and vegetation that make up the Earth's surface.

[17] The global monsoon is defined as the area in which the annual range (local summer minus local winter) of precipitation is greater than 2.5 mm day^{-1}. Global land monsoon precipitation refers to the mean precipitation over land areas within the global monsoon.

A.3.4 It is *likely* that the global proportion of major (Category 3–5) tropical cyclone occurrence has increased over the last four decades, and the latitude where tropical cyclones in the western North Pacific reach their peak intensity has shifted northward; these changes cannot be explained by internal variability alone (*medium confidence*). There is *low confidence* in long-term (multi-decadal to centennial) trends in the frequency of all-category tropical cyclones. Event attribution studies and physical understanding indicate that human-induced climate change increases heavy precipitation associated with tropical cyclones (*high confidence*) but data limitations inhibit clear detection of past trends on the global scale. {8.2, 11.7, Box TS.10}

A.3.5 Human influence has *likely* increased the chance of compound extreme events[18] since the 1950s. This includes increases in the frequency of concurrent heatwaves and droughts on the global scale (*high confidence*); fire weather in some regions of all inhabited continents (*medium confidence*); and compound flooding in some locations (*medium confidence*). {11.6, 11.7, 11.8, 12.3, 12.4, TS.2.6, Table TS.5, Box TS.10}

[18] Compound extreme events are the combination of multiple drivers and/or hazards that contribute to societal or environmental risk. Examples are concurrent heatwaves and droughts, compound flooding (e.g., a storm surge in combination with extreme rainfall and/or river flow), compound fire weather conditions (i.e., a combination of hot, dry, and windy conditions), or concurrent extremes at different locations.

Climate change is already affecting every inhabited region across the globe with human influence contributing to many observed changes in weather and climate extremes

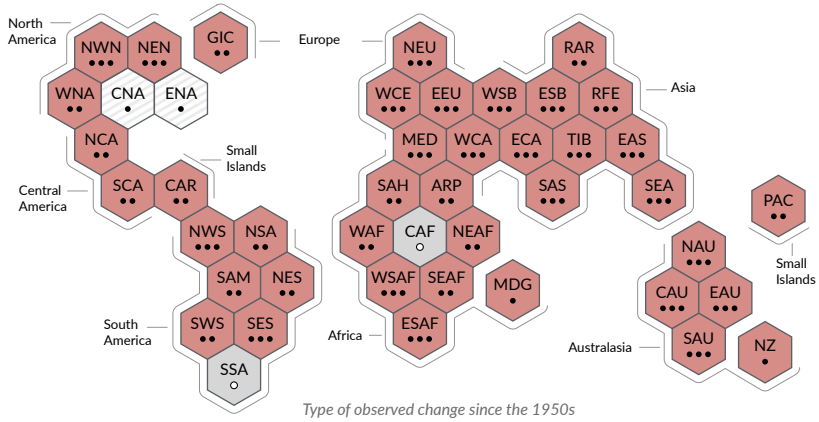
a) Synthesis of assessment of observed change in **hot extremes** and confidence in human contribution to the observed changes in the world's regions

Type of observed change in hot extremes

- Increase (41)
- Decrease (0)
- Low agreement in the type of change (2)
- Limited data and/or literature (2)

Confidence in human contribution to the observed change

- ●●● High
- ●● Medium
- ● Low due to limited agreement
- ○ Low due to limited evidence



Type of observed change since the 1950s

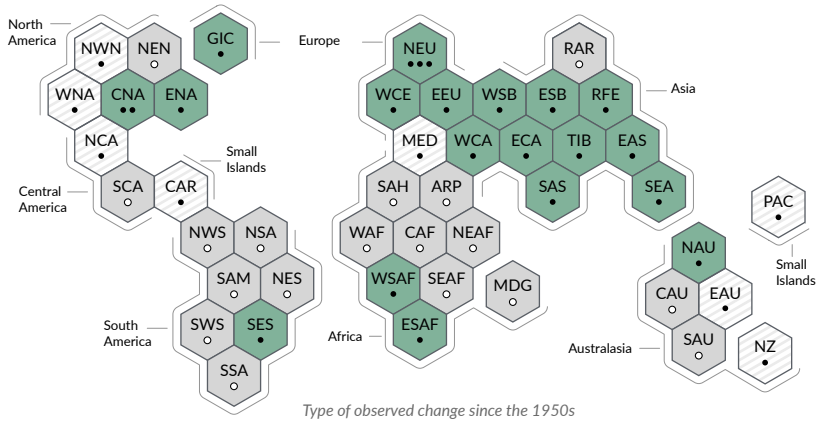
b) Synthesis of assessment of observed change in **heavy precipitation** and confidence in human contribution to the observed changes in the world's regions

Type of observed change in heavy precipitation

- Increase (19)
- Decrease (0)
- Low agreement in the type of change (8)
- Limited data and/or literature (18)

Confidence in human contribution to the observed change

- ●●● High
- ●● Medium
- ● Low due to limited agreement
- ○ Low due to limited evidence



Type of observed change since the 1950s

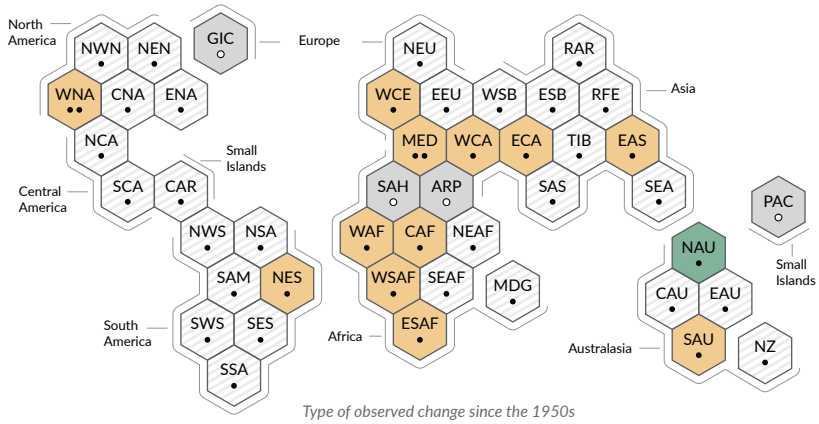
c) Synthesis of assessment of observed change in **agricultural and ecological drought** and confidence in human contribution to the observed changes in the world's regions

Type of observed change in agricultural and ecological drought

- Increase (12)
- Decrease (1)
- Low agreement in the type of change (28)
- Limited data and/or literature (4)

Confidence in human contribution to the observed change

- ●●● High
- ●● Medium
- ● Low due to limited agreement
- ○ Low due to limited evidence



Type of observed change since the 1950s

Each hexagon corresponds to one of the IPCC AR6 WGI reference regions

NWN *North-Western North America*

IPCC AR6 WGI reference regions: **North America:** ***NWN*** *(North-Western North America),* ***NEN*** *(North-Eastern North America),* ***WNA*** *(Western North America),* ***CNA*** *(Central North America),* ***ENA*** *(Eastern North America),* **Central America:** ***NCA*** *(Northern Central America),* ***SCA*** *(Southern Central America),* ***CAR*** *(Caribbean),* **South America:** ***NWS*** *(North-Western South America),* ***NSA*** *(Northern South America),* ***NES*** *(North-Eastern South America),* ***SAM*** *(South American Monsoon),* ***SWS*** *(South-Western South America),* ***SES*** *(South-Eastern South America),* ***SSA*** *(Southern South America),* **Europe:** ***GIC*** *(Greenland/Iceland),* ***NEU*** *(Northern Europe),* ***WCE*** *(Western and Central Europe),* ***EEU*** *(Eastern Europe),* ***MED*** *(Mediterranean),* **Africa:** ***MED*** *(Mediterranean),* ***SAH*** *(Sahara),* ***WAF*** *(Western Africa),* ***CAF*** *(Central Africa),* ***NEAF*** *(North Eastern Africa),* ***SEAF*** *(South Eastern Africa),* ***WSAF*** *(West Southern Africa),* ***ESAF*** *(East Southern Africa),* ***MDG*** *(Madagascar),* **Asia:** ***RAR*** *(Russian Arctic),* ***WSB*** *(West Siberia),* ***ESB*** *(East Siberia),* ***RFE*** *(Russian Far East),* ***WCA*** *(West Central Asia),* ***ECA*** *(East Central Asia),* ***TIB*** *(Tibetan Plateau),* ***EAS*** *(East Asia),* ***ARP*** *(Arabian Peninsula),* ***SAS*** *(South Asia),* ***SEA*** *(South East Asia),* **Australasia:** ***NAU*** *(Northern Australia),* ***CAU*** *(Central Australia),* ***EAU*** *(Eastern Australia),* ***SAU*** *(Southern Australia),* ***NZ*** *(New Zealand),* **Small Islands:** ***CAR*** *(Caribbean),* ***PAC*** *(Pacific Small Islands)*

Figure SPM.3: Synthesis of assessed observed and attributable regional changes.

The IPCC AR6 WGI inhabited regions are displayed as **hexagons** with identical size in their approximate geographical location (see legend for regional acronyms). All assessments are made for each region as a whole and for the 1950s to the present. Assessments made on different time scales or more local spatial scales might differ from what is shown in the figure. The **colours** in each panel represent the four outcomes of the assessment on observed changes. White and light grey striped hexagons are used where there is *low agreement* in the type of change for the region as a whole, and grey hexagons are used when there is limited data and/or literature that prevents an assessment of the region as a whole. Other colours indicate at least *medium confidence* in the observed change. The **confidence level** for the human influence on these observed changes is based on assessing trend detection and attribution and event attribution literature, and it is indicated by the number of dots: three dots for *high confidence,* two dots for *medium confidence* and one dot for *low confidence* (filled: limited agreement; empty: limited evidence).

Panel a) For hot extremes, the evidence is mostly drawn from changes in metrics based on daily maximum temperatures; regional studies using other indices (heatwave duration, frequency and intensity) are used in addition. Red hexagons indicate regions where there is at least *medium confidence* in an observed increase in hot extremes.

Panel b) For heavy precipitation, the evidence is mostly drawn from changes in indices based on one-day or five-day precipitation amounts using global and regional studies. Green hexagons indicate regions where there is at least *medium confidence* in an observed increase in heavy precipitation.

Panel c) Agricultural and ecological droughts are assessed based on observed and simulated changes in total column soil moisture, complemented by evidence on changes in surface soil moisture, water balance (precipitation minus evapotranspiration) and indices driven by precipitation and atmospheric evaporative demand. Yellow hexagons indicate regions where there is at least *medium confidence* in an observed increase in this type of drought and green hexagons indicate regions where there is at least *medium confidence* in an observed decrease in agricultural and ecological drought.

For all regions, table TS.5 shows a broader range of observed changes besides the ones shown in this figure. Note that SSA is the only region that does not display observed changes in the metrics shown in this figure, but is affected by observed increases in mean temperature, decreases in frost, and increases in marine heatwaves.

{11.9, Table TS.5, Box TS.10, Figure 1, Atlas 1.3.3, Figure Atlas.2}

A.4 Improved knowledge of climate processes, paleoclimate evidence and the response of the climate system to increasing radiative forcing gives a best estimate of equilibrium climate sensitivity of 3°C with a narrower range compared to AR5. {2.2, 7.3, 7.4, 7.5, Box 7.2, Cross-Chapter Box 9.1, 9.4, 9.5, 9.6}

A.4.1 Human-caused radiative forcing of 2.72 [1.96 to 3.48] W m^{-2} in 2019 relative to 1750 has warmed the climate system. This warming is mainly due to increased GHG concentrations, partly reduced by cooling due to increased aerosol concentrations. The radiative forcing has increased by 0.43 W m^{-2} (19%) relative to AR5, of which 0.34 W m^{-2} is due to the increase in GHG concentrations since 2011. The remainder is due to improved scientific understanding and changes in the assessment of aerosol forcing, which include decreases in concentration and improvement in its calculation (*high confidence*).
{2.2, 7.3, TS.2.2, TS.3.1}

A.4.2 Human-caused net positive radiative forcing causes an accumulation of additional energy (heating) in the climate system, partly reduced by increased energy loss to space in response to surface warming. The observed average rate of heating of the climate system increased from 0.50 [0.32 to 0.69] W m^{-2} for the period 1971–2006[19], to 0.79 [0.52 to 1.06] W m^{-2} for the period 2006–2018[20] (*high confidence*). Ocean warming accounted for 91% of the heating in the climate system, with land warming, ice loss and atmospheric warming accounting for about 5%, 3% and 1%, respectively (*high confidence*).
{7.2, Box 7.2, TS.3.1}

A.4.3 Heating of the climate system has caused global mean sea level rise through ice loss on land and thermal expansion from ocean warming. Thermal expansion explained 50% of sea level rise during 1971–2018, while ice loss from glaciers contributed 22%, ice sheets 20% and changes in land water storage 8%. The rate of ice sheet loss increased by a factor of four between 1992–1999 and 2010–2019. Together, ice sheet and glacier mass loss were the dominant contributors to global mean sea level rise during 2006-2018. (*high confidence*)
{Cross-Chapter Box 9.1, 9.4, 9.5, 9.6}

A.4.4 The equilibrium climate sensitivity is an important quantity used to estimate how the climate responds to radiative forcing. Based on multiple lines of evidence[21], the *very likely* range of equilibrium climate sensitivity is between 2°C (*high confidence*) and 5°C (*medium confidence*). The AR6 assessed best estimate is 3°C with a *likely* range of 2.5°C to 4°C (*high confidence*), compared to 1.5°C to 4.5°C in AR5, which did not provide a best estimate.
{7.4, 7.5, TS.3.2}

[19] cumulative energy increase of 282 [177 to 387] ZJ over 1971–2006 (1 ZJ = 10^{21} J).

[20] cumulative energy increase of 152 [100 to 205] ZJ over 2006–2018.

[21] Understanding of climate processes, the instrumental record, paleoclimates and model-based emergent constraints (see glossary).

B. Possible Climate Futures

A set of five new illustrative emissions scenarios is considered consistently across this report to explore the climate response to a broader range of greenhouse gas (GHG), land use and air pollutant futures than assessed in AR5. This set of scenarios drives climate model projections of changes in the climate system. These projections account for solar activity and background forcing from volcanoes. Results over the 21st century are provided for the near-term (2021–2040), mid-term (2041–2060) and long-term (2081–2100) relative to 1850–1900, unless otherwise stated.

Box SPM.1: Scenarios, Climate Models and Projections

Box SPM.1.1: This report assesses the climate response to five illustrative scenarios that cover the range of possible future development of anthropogenic drivers of climate change found in the literature. They start in 2015, and include scenarios[22] with high and very high GHG emissions (SSP3-7.0 and SSP5-8.5) and CO_2 emissions that roughly double from current levels by 2100 and 2050, respectively, scenarios with intermediate GHG emissions (SSP2-4.5) and CO_2 emissions remaining around current levels until the middle of the century, and scenarios with very low and low GHG emissions and CO_2 emissions declining to net zero around or after 2050, followed by varying levels of net negative CO_2 emissions[23] (SSP1-1.9 and SSP1-2.6) as illustrated in Figure SPM.4. Emissions vary between scenarios depending on socio-economic assumptions, levels of climate change mitigation and, for aerosols and non-methane ozone precursors, air pollution controls. Alternative assumptions may result in similar emissions and climate responses, but the socio-economic assumptions and the feasibility or likelihood of individual scenarios is not part of the assessment.
{TS.1.3, 1.6, Cross-Chapter Box 1.4} **(Figure SPM.4)**

Box SPM.1.2: This report assesses results from climate models participating in the Coupled Model Intercomparison Project Phase 6 (CMIP6) of the World Climate Research Programme. These models include new and better representation of physical, chemical and biological processes, as well as higher resolution, compared to climate models considered in previous IPCC assessment reports. This has improved the simulation of the recent mean state of most large-scale indicators of climate change and many other aspects across the climate system. Some differences from observations remain, for example in regional precipitation patterns. The CMIP6 historical simulations assessed in this report have an ensemble mean global surface temperature change within 0.2°C of the observations over most of the historical period, and observed warming is within the *very likely* range of the CMIP6 ensemble. However, some CMIP6 models simulate a warming that is either above or below the assessed *very likely* range of observed warming.
{1.5, Cross-Chapter Box 2.2, 3.3, 3.8, TS.1.2, Cross-Section Box TS.1} (Figure SPM.1 b, Figure SPM.2)

Box SPM.1.3: The CMIP6 models considered in this Report have a wider range of climate sensitivity than in CMIP5 models and the AR6 assessed *very likely* range, which is based on multiple lines of evidence. These CMIP6 models also show a higher average climate sensitivity than CMIP5 and the AR6 assessed best estimate. The higher CMIP6 climate sensitivity values compared to CMIP5 can be traced to an amplifying cloud feedback that is larger in CMIP6 by about 20%.
{Box 7.1, 7.3, 7.4, 7.5, TS.3.2}

Box SPM.1.4: For the first time in an IPCC report, assessed future changes in global surface temperature, ocean warming and sea level are constructed by combining multi-model projections with observational constraints based on past simulated warming, as well as the AR6 assessment of climate sensitivity. For other quantities, such robust methods do not yet exist to constrain the projections. Nevertheless, robust projected

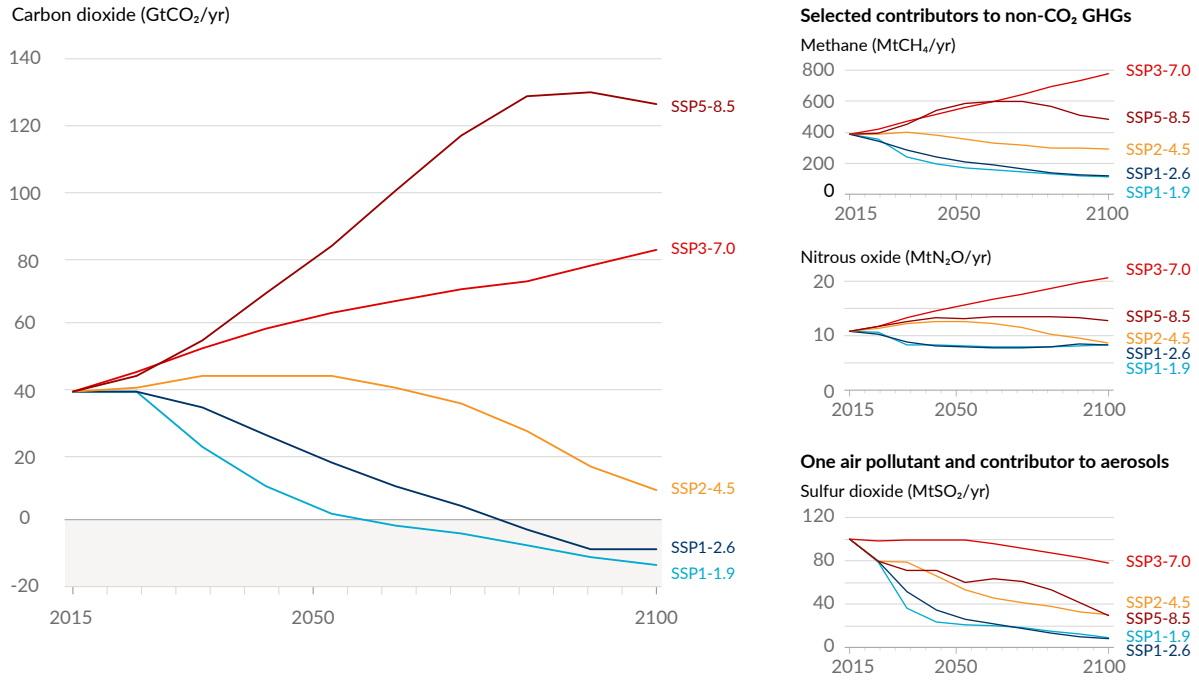
[22] Throughout this report, the five illustrative scenarios are referred to as SSPx-y, where 'SSPx' refers to the Shared Socio-economic Pathway or 'SSP' describing the socio-economic trends underlying the scenario, and 'y' refers to the approximate level of radiative forcing (in W m^{-2}) resulting from the scenario in the year 2100. A detailed comparison to scenarios used in earlier IPCC reports is provided in Section TS1.3 and 1.6 and 4.6. The SSPs that underlie the specific forcing scenarios used to drive climate models are not assessed by WGI. Rather, the SSPx-y labelling ensures traceability to the underlying literature in which specific forcing pathways are used as input to the climate models. IPCC is neutral with regard to the assumptions underlying the SSPs, which do not cover all possible scenarios. Alternative scenarios may be considered or developed.

[23] Net negative CO_2 emissions are reached when anthropogenic removals of CO_2 exceed anthropogenic emissions. {Glossary}

geographical patterns of many variables can be identified at a given level of global warming, common to all scenarios considered and independent of timing when the global warming level is reached.
{1.6, Box 4.1, 4.3, 4.6, 7.5, 9.2, 9.6, Cross-Chapter Box 11.1, Cross-Section Box TS.1}

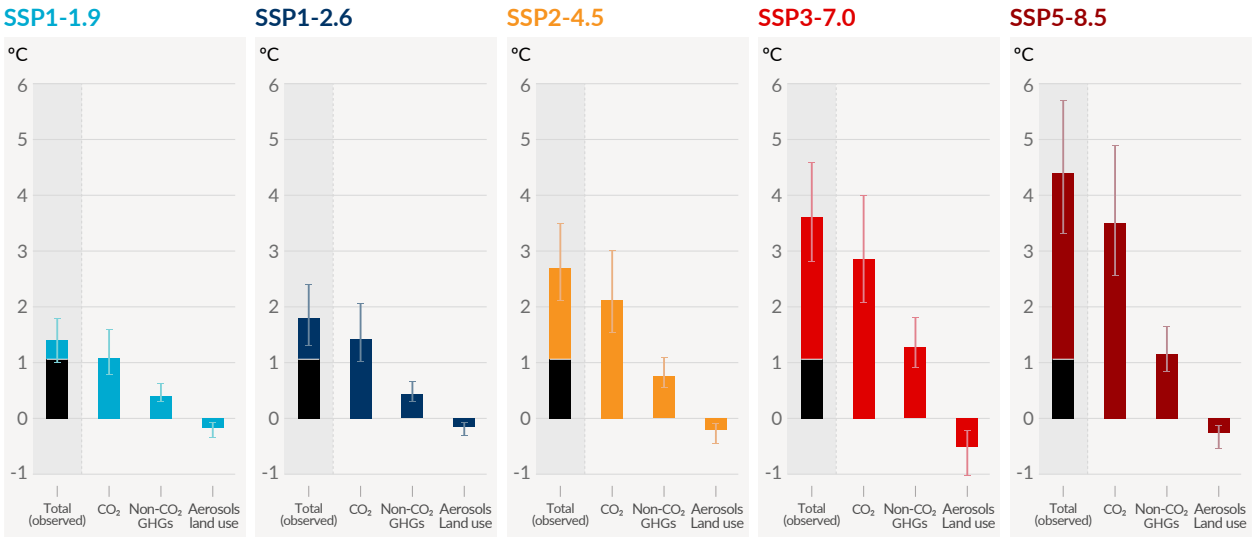
Future emissions cause future additional warming, with total warming dominated by past and future CO_2 emissions

a) Future annual emissions of CO_2 (left) and of a subset of key non-CO_2 drivers (right), across five illustrative scenarios



b) Contribution to global surface temperature increase from different emissions, with a dominant role of CO_2 emissions

Change in global surface temperature in 2081-2100 relative to 1850-1900 (°C)



Total warming (observed warming to date in darker shade), warming from CO_2, warming from non-CO_2 GHGs and cooling from changes in aerosols and land use

Figure SPM.4: Future anthropogenic emissions of key drivers of climate change and warming contributions by groups of drivers for the five illustrative scenarios used in this report.

The five scenarios are SSP1-1.9, SSP1-2.6, SSP2-4.5, SSP3-7.0 and SSP5-8.5.

Panel a) Annual anthropogenic (human-caused) emissions over the 2015–2100 period. Shown are emissions trajectories for carbon dioxide (CO_2) from all sectors ($GtCO_2$/yr) (left graph) and for a subset of three key non-CO_2 drivers considered in the scenarios: methane (CH_4, $MtCH_4$/yr, top-right graph), nitrous oxide (N_2O, MtN_2O/yr, middle-right graph) and sulfur dioxide (SO_2, $MtSO_2$/yr, bottom-right graph, contributing to anthropogenic aerosols in panel b).

Panel b) Warming contributions by groups of anthropogenic drivers and by scenario are shown as change in global surface temperature (°C) in 2081–2100 relative to 1850–1900, with indication of the observed warming to date. Bars and whiskers represent median values and the *very likely* range, respectively. Within each scenario bar plot, the bars represent total global warming (°C; total bar) (see Table SPM.1) and warming contributions (°C) from changes in CO_2 (CO_2 bar), from non-CO_2 greenhouse gases (non-CO_2 GHGs bar; comprising well-mixed greenhouse gases and ozone) and net cooling from other anthropogenic drivers (aerosols and land-use bar; anthropogenic aerosols, changes in reflectance due to land-use and irrigation changes, and contrails from aviation; see Figure SPM.2, panel c, for the warming contributions to date for individual drivers). The best estimate for observed warming in 2010–2019 relative to 1850–1900 (see Figure SPM.2, panel a) is indicated in the darker column in the total bar. Warming contributions in panel b are calculated as explained in Table SPM.1 for the total bar. For the other bars the contribution by groups of drivers are calculated with a physical climate emulator of global surface temperature which relies on climate sensitivity and radiative forcing assessments.

{Cross-Chapter Box 1.4, 4.6, Figure 4.35, 6.7, Figure 6.18, 6.22 and 6.24, Cross-Chapter Box 7.1, 7.3, Figure 7.7, Box TS.7, Figures TS.4 and TS.15}

B.1 Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in CO_2 and other greenhouse gas emissions occur in the coming decades.

{2.3, Cross-Chapter Box 2.3, Cross-Chapter Box 2.4, 4.3, 4.4, 4.5} **(Figure SPM.1, Figure SPM.4, Figure SPM.8, Table SPM.1, Box SPM.1)**

B.1.1 Compared to 1850–1900, global surface temperature averaged over 2081–2100 is *very likely* to be higher by 1.0°C to 1.8°C under the very low GHG emissions scenario considered (SSP1-1.9), by 2.1°C to 3.5°C in the intermediate scenario (SSP2-4.5) and by 3.3°C to 5.7°C under the very high GHG emissions scenario (SSP5-8.5)[24]. The last time global surface temperature was sustained at or above 2.5°C higher than 1850–1900 was over 3 million years ago (*medium confidence*).
{2.3, Cross-Chapter Box 2.4, 4.3, 4.5, Box TS.2, Box TS.4, Cross-Section Box TS.1} **(Table SPM.1)**

Table SPM.1: Changes in global surface temperature, which are assessed based on multiple lines of evidence, for selected 20-year time periods and the five illustrative emissions scenarios considered. Temperature differences relative to the average global surface temperature of the period 1850–1900 are reported in °C. This includes the revised assessment of observed historical warming for the AR5 reference period 1986–2005, which in AR6 is higher by 0.08 [–0.01 to 0.12] °C than in the AR5 (see footnote 10). Changes relative to the recent reference period 1995–2014 may be calculated approximately by subtracting 0.85°C, the best estimate of the observed warming from 1850–1900 to 1995–2014.
{Cross-Chapter Box 2.3, 4.3, 4.4, Cross-Section Box TS.1}

[24] Changes in global surface temperature are reported as running 20-year averages, unless stated otherwise.

	Near term, 2021–2040		Mid-term, 2041–2060		Long term, 2081–2100	
Scenario	Best estimate (°C)	*Very likely* range (°C)	Best estimate (°C)	*Very likely* range (°C)	Best estimate (°C)	*Very likely* range (°C)
SSP1-1.9	1.5	1.2 to 1.7	1.6	1.2 to 2.0	1.4	1.0 to 1.8
SSP1-2.6	1.5	1.2 to 1.8	1.7	1.3 to 2.2	1.8	1.3 to 2.4
SSP2-4.5	1.5	1.2 to 1.8	2.0	1.6 to 2.5	2.7	2.1 to 3.5
SSP3-7.0	1.5	1.2 to 1.8	2.1	1.7 to 2.6	3.6	2.8 to 4.6
SSP5-8.5	1.6	1.3 to 1.9	2.4	1.9 to 3.0	4.4	3.3 to 5.7

B.1.2 Based on the assessment of multiple lines of evidence, global warming of 2°C, relative to 1850–1900, would be exceeded during the 21st century under the high and very high GHG emissions scenarios considered in this report (SSP3-7.0 and SSP5-8.5, respectively). Global warming of 2°C would *extremely likely* be exceeded in the intermediate scenario (SSP2-4.5). Under the very low and low GHG emissions scenarios, global warming of 2°C is *extremely unlikely* to be exceeded (SSP1-1.9), or *unlikely* to be exceeded (SSP1-2.6)[25]. Crossing the 2°C global warming level in the mid-term period (2041–2060) is *very likely* to occur under the very high GHG emissions scenario (SSP5-8.5), *likely* to occur under the high GHG emissions scenario (SSP3-7.0), and *more likely than not* to occur in the intermediate GHG emissions scenario (SSP2-4.5)[26].
{4.3, Cross-Section Box TS.1} **(Table SPM.1, Figure SPM.4, Box SPM.1)**

B.1.3 Global warming of 1.5°C relative to 1850-1900 would be exceeded during the 21st century under the intermediate, high and very high scenarios considered in this report (SSP2-4.5, SSP3-7.0 and SSP5-8.5, respectively). Under the five illustrative scenarios, in the near term (2021-2040), the 1.5°C global warming level is *very likely* to be exceeded under the very high GHG emissions scenario (SSP5-8.5), *likely* to be exceeded under the intermediate and high GHG emissions scenarios (SSP2-4.5 and SSP3-7.0), *more likely than not* to be exceeded under the low GHG emissions scenario (SSP1-2.6) and *more likely than not* to be reached under the very low GHG emissions scenario (SSP1-1.9)[27]. Furthermore, for the very low GHG emissions scenario (SSP1-1.9), it is *more likely than not* that global surface temperature would decline back to below 1.5°C toward the end of the 21st century, with a temporary overshoot of no more than 0.1°C above 1.5°C global warming.
{4.3, Cross-Section Box TS.1} **(Table SPM.1, Figure SPM.4)**

[25] SSP1-1.9 and SSP1-2.6 are scenarios that start in 2015 and have very low and low GHG emissions and CO_2 emissions declining to net zero around or after 2050, followed by varying levels of net negative CO_2 emissions.

[26] Crossing is defined here as having the assessed global surface temperature change, averaged over a 20-year period, exceed a particular global warming level.

[27] The AR6 assessment of when a given global warming level is first exceeded benefits from the consideration of the illustrative scenarios, the multiple lines of evidence entering the assessment of future global surface temperature response to radiative forcing, and the improved estimate of historical warming. The AR6 assessment is thus not directly comparable to the SR1.5 SPM, which reported likely reaching 1.5°C global warming between 2030 and 2052, from a simple linear extrapolation of warming rates of the recent past. When considering scenarios similar to SSP1-1.9 instead of linear extrapolation, the SR1.5 estimate of when 1.5°C global

B.1.4 Global surface temperature in any single year can vary above or below the long-term human-induced trend, due to substantial natural variability[28]. The occurrence of individual years with global surface temperature change above a certain level, for example 1.5°C or 2ºC, relative to 1850–1900 does not imply that this global warming level has been reached[29].
{Cross-Chapter Box 2.3, 4.3, 4.4, Box 4.1, Cross-Section Box TS.1} **(Table SPM.1, Figure SPM.1, Figure SPM.8)**

B.2 Many changes in the climate system become larger in direct relation to increasing global warming. They include increases in the frequency and intensity of hot extremes, marine heatwaves, and heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic sea ice, snow cover and permafrost. {4.3, 4.5, 4.6, 7.4, 8.2, 8.4, Box 8.2, 9.3, 9.5, Box 9.2, 11.1, 11.2, 11.3, 11.4, 11.6, 11.7, 11.9, Cross-Chapter Box 11.1, 12.4, 12.5, Cross-Chapter Box 12.1, Atlas.4, Atlas.5, Atlas.6, Atlas.7, Atlas.8, Atlas.9, Atlas.10, Atlas.11} **(Figure SPM.5, Figure SPM.6, Figure SPM.8)**

B.2.1 It is *virtually certain* that the land surface will continue to warm more than the ocean surface (*likely* 1.4 to 1.7 times more). It is *virtually certain* that the Arctic will continue to warm more than global surface temperature, with *high confidence* above two times the rate of global warming.
{2.3, 4.3, 4.5, 4.6, 7.4, 11.1, 11.3, 11.9, 12.4, 12.5, Cross-Chapter Box 12.1, Atlas.4, Atlas.5, Atlas.6, Atlas.7, Atlas.8, Atlas.9, Atlas.10, Atlas.11, Cross-Section Box TS.1, TS.2.6} **(Figure SPM.5)**

B.2.2 With every additional increment of global warming, changes in extremes continue to become larger. For example, every additional 0.5°C of global warming causes clearly discernible increases in the intensity and frequency of hot extremes, including heatwaves (*very likely*), and heavy precipitation (*high confidence*), as well as agricultural and ecological droughts[30] in some regions (*high confidence*). Discernible changes in intensity and frequency of meteorological droughts, with more regions showing increases than decreases, are seen in some regions for every additional 0.5°C of global warming (*medium confidence*). Increases in frequency and intensity of hydrological droughts become larger with increasing global warming in some regions (*medium confidence*). There will be an increasing occurrence of some extreme events unprecedented in the observational record with additional global warming, even at 1.5°C of global warming. Projected percentage changes in frequency are higher for rarer events (*high confidence*).
{8.2, 11.2, 11.3, 11.4, 11.6, 11.9, Cross-Chapter Box 11.1, Cross-Chapter Box 12.1, TS.2.6} **(Figure SPM.5, Figure SPM.6)**

warming is first exceeded is close to the best estimate reported here.

[28] Natural variability refers to climatic fluctuations that occur without any human influence, that is, internal variability combined with the response to external natural factors such as volcanic eruptions, changes in solar activity and, on longer time scales, orbital effects and plate tectonics.

[29] The internal variability in any single year is estimated to be ± 0.25°C (5–95% range, *high confidence*).

[30] Projected changes in agricultural and ecological droughts are primarily assessed based on total column soil moisture. See footnote 15 for definition and relation to precipitation and evapotranspiration.

B.2.3 Some mid-latitude and semi-arid regions, and the South American Monsoon region, are projected to see the highest increase in the temperature of the hottest days, at about 1.5 to 2 times the rate of global warming (*high confidence*). The Arctic is projected to experience the highest increase in the temperature of the coldest days, at about 3 times the rate of global warming (*high confidence*). With additional global warming, the frequency of marine heatwaves will continue to increase (*high confidence*), particularly in the tropical ocean and the Arctic *(medium confidence).*
{Box 9.2, 11.1, 11.3, 11.9, Cross-Chapter Box 11.1, Cross-Chapter Box 12.1, 12.4, TS.2.4, TS.2.6} **(Figure SPM.6)**

B.2.4 It is *very likely* that heavy precipitation events will intensify and become more frequent in most regions with additional global warming. At the global scale, extreme daily precipitation events are projected to intensify by about 7% for each 1°C of global warming (*high confidence*). The proportion of intense tropical cyclones (categories 4-5) and peak wind speeds of the most intense tropical cyclones are projected to increase at the global scale with increasing global warming (*high confidence*).
{8.2, 11.4, 11.7, 11.9, Cross-Chapter Box 11.1, Box TS.6, TS.4.3.1} **(Figure SPM.5, Figure SPM.6)**

B.2.5 Additional warming is projected to further amplify permafrost thawing, and loss of seasonal snow cover, of land ice and of Arctic sea ice (*high confidence*). The Arctic is *likely* to be practically sea ice free in September[31] at least once before 2050 under the five illustrative scenarios considered in this report, with more frequent occurrences for higher warming levels. There is *low confidence* in the projected decrease of Antarctic sea ice.
{4.3, 4.5, 7.4, 8.2, 8.4, Box 8.2, 9.3, 9.5, 12.4, Cross-Chapter Box 12.1, Atlas.5, Atlas.6, Atlas.8, Atlas.9, Atlas.11, TS.2.5} **(Figure SPM.8)**

[31] monthly average sea ice area of less than 1 million km^2 which is about 15% of the average September sea ice area observed in 1979-1988

With every increment of global warming, changes get larger in regional mean temperature, precipitation and soil moisture

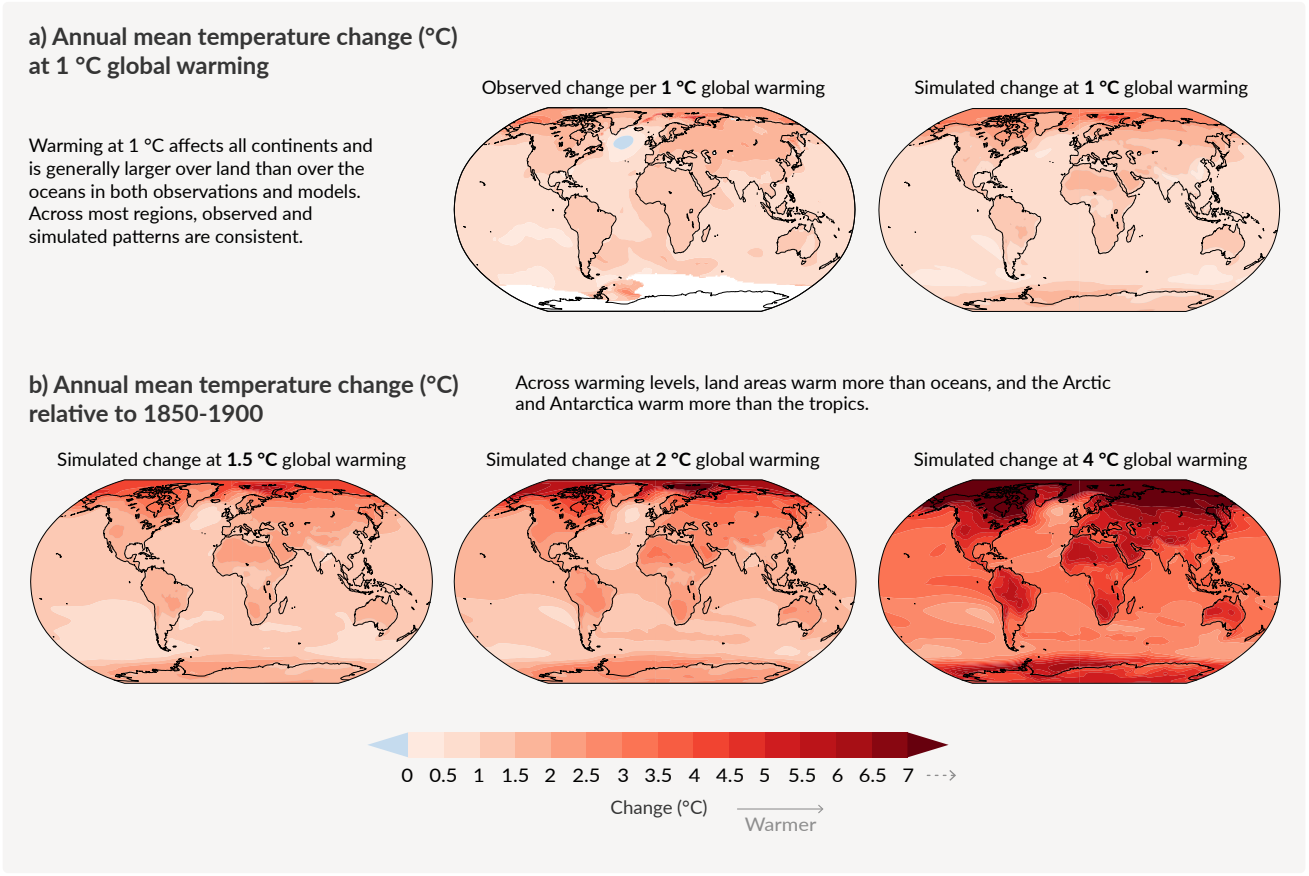
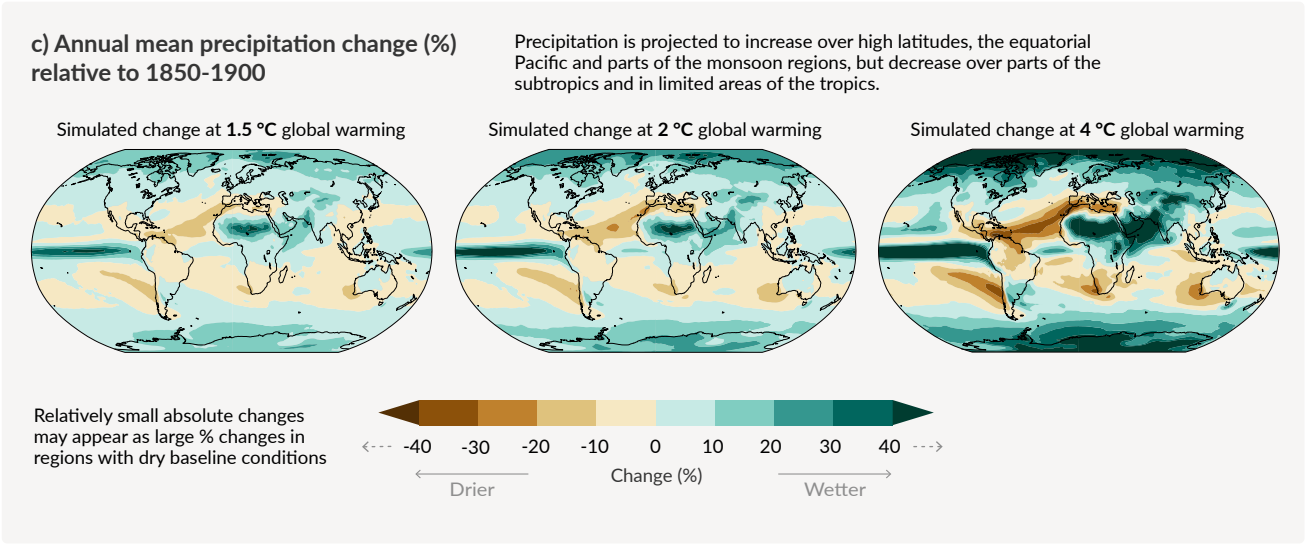
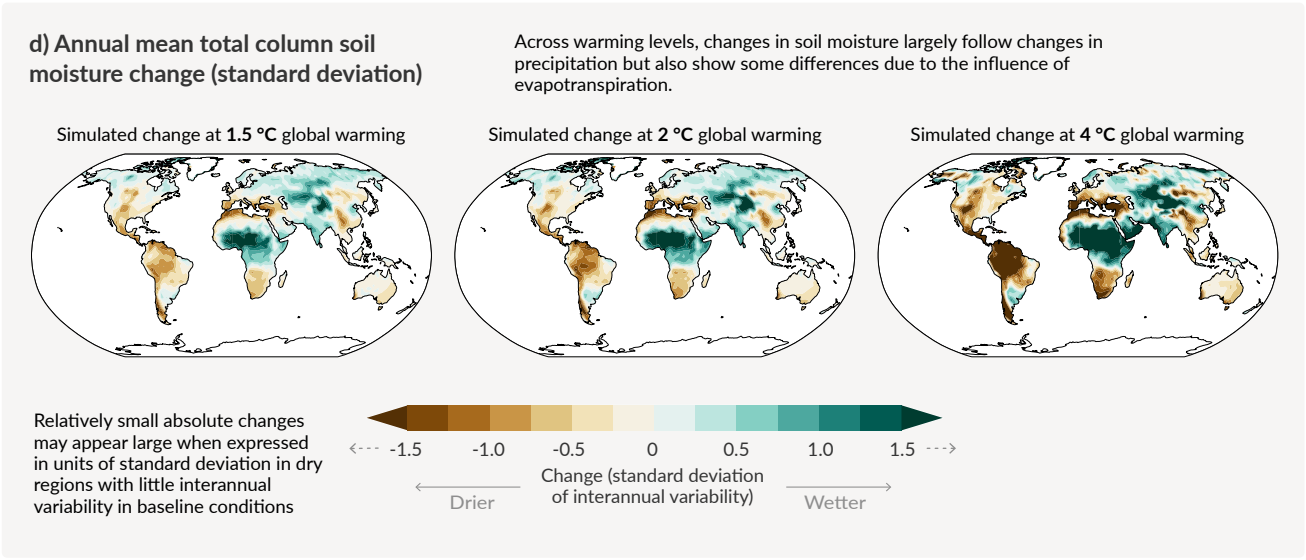


Figure SPM.5: Changes in annual mean surface temperature, precipitation, and soil moisture.

Panel a) Comparison of observed and simulated annual mean surface temperature change. The **left map** shows the observed changes in annual mean surface temperature in the period of 1850–2020 per °C of global warming (°C). The local (i.e., grid point) observed annual mean surface temperature changes are linearly regressed against the global surface temperature in the period 1850–2020. Observed temperature data are from Berkeley Earth, the dataset with the largest coverage and highest horizontal resolution. Linear regression is applied to all years for which data at the corresponding grid point is available. The regression method was used to take into account the complete observational time series and thereby reduce the role of internal variability at the grid point level. White indicates areas where time coverage was 100 years or less and thereby too short to calculate a reliable linear regression. The **right map** is based on model simulations and shows change in annual multi-model mean simulated temperatures at a global warming level of 1°C (20-year mean global surface temperature change relative to 1850–1900). The triangles at each end of the color bar indicate out-of-bound values, that is, values above or below the given limits.

Panel b) Simulated annual mean temperature change (°C), panel c) precipitation change (%), and panel d) total column soil moisture change (standard deviation of interannual variability) at global warming levels of 1.5°C, 2°C and 4°C (20-yr mean global surface temperature change relative to 1850–1900). Simulated changes correspond to CMIP6 multi-model mean change (median change for soil moisture) at the corresponding global warming level, i.e. the same method as for the right map in panel a).





In **panel c),** high positive percentage changes in dry regions may correspond to small absolute changes. In **panel d),** the unit is the standard deviation of interannual variability in soil moisture during 1850–1900. Standard deviation is a widely used metric in characterizing drought severity. A projected reduction in mean soil moisture by one standard deviation corresponds to soil moisture conditions typical of droughts that occurred about once every six years during 1850–1900. In panel d), large changes in dry regions with little interannual variability in the baseline conditions can correspond to small absolute change. The triangles at each end of the color bars indicate out-of-bound values, that is, values above or below the given limits. Results from all models reaching the corresponding warming level in any of the five illustrative scenarios (SSP1-1.9, SSP1-2.6, SSP2-4.5, SSP3-7.0 and SSP5-8.5) are averaged. Maps of annual mean temperature and precipitation changes at a global warming level of 3°C are available in Figure 4.31 and Figure 4.32 in Section 4.6.

Corresponding maps of panels b), c) and d) including hatching to indicate the level of model agreement at grid-cell level are found in Figures 4.31, 4.32 and 11.19, respectively; as highlighted in CC-box Atlas.1, grid-cell level hatching is not informative for larger spatial scales (e.g., over AR6 reference regions) where the aggregated signals are less affected by small-scale variability leading to an increase in robustness.

{TS.1.3.2, Figure TS.3, Figure TS.5, Figure 1.14, 4.6.1, Cross-Chapter Box 11.1, Cross-Chapter Box Atlas.1}

Projected changes in extremes are larger in frequency and intensity with every additional increment of global warming

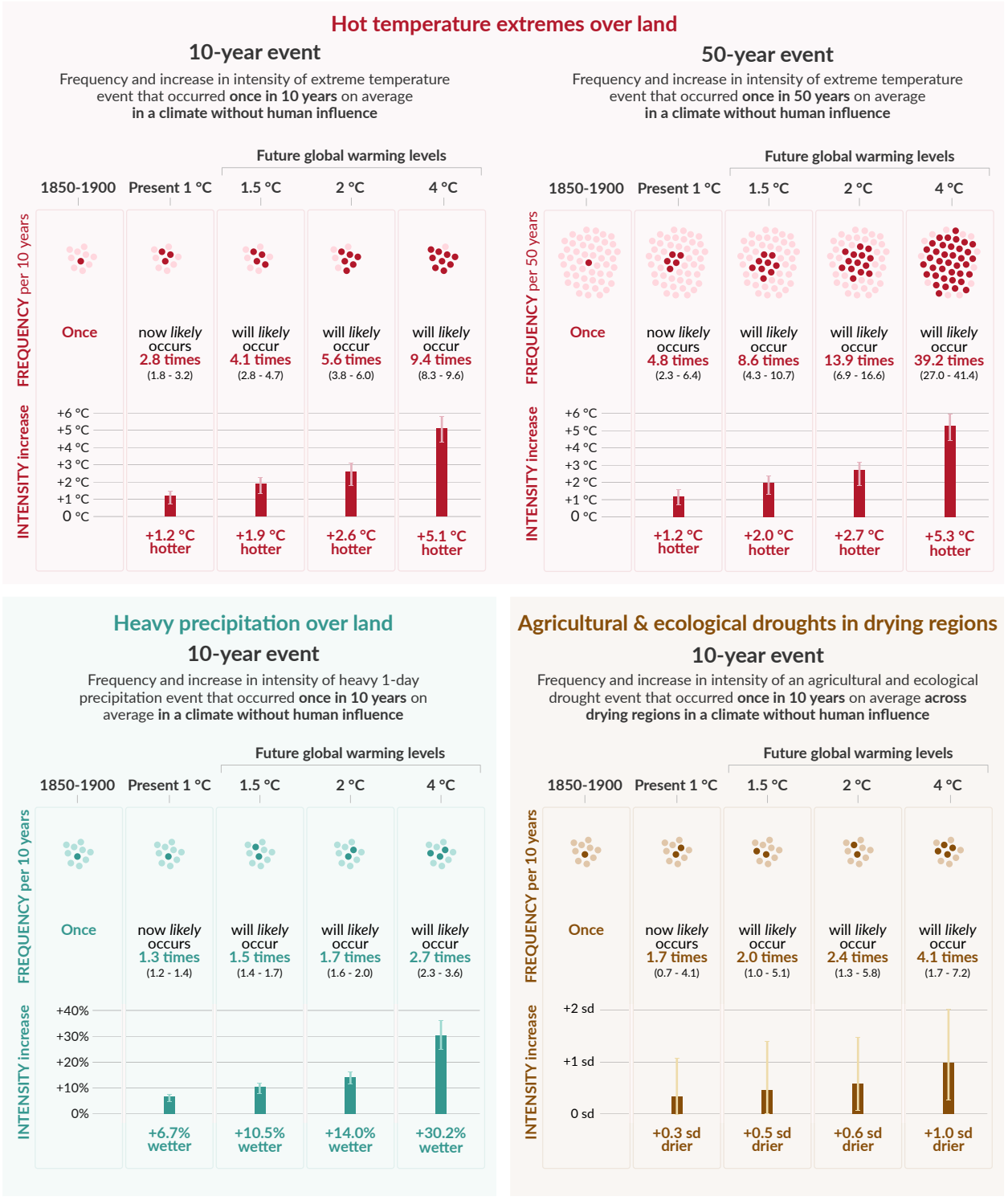


Figure SPM.6: Projected changes in the intensity and frequency of hot temperature extremes over land, extreme precipitation over land, and agricultural and ecological droughts in drying regions.

Projected changes are shown at global warming levels of 1°C, 1.5°C, 2°C, and 4°C and are relative to 1850-1900[9] representing a climate without human influence. The figure depicts frequencies and increases in intensity of 10- or 50-year extreme events from the base period (1850-1900) under different global warming levels.

Hot temperature extremes are defined as the daily maximum temperatures over land that were exceeded on average once in a decade (10-year event) or once in 50 years (50-year event) during the 1850–1900 reference period. **Extreme precipitation events** are defined as the daily precipitation amount over land that was exceeded on average once in a decade during the 1850–1900 reference period. **Agricultural and ecological drought events** are defined as the annual average of total column soil moisture below the 10th percentile of the 1850–1900 base period. These extremes are defined on model grid box scale. For hot temperature extremes and extreme precipitation, results are shown for the global land. For agricultural and ecological drought, results are shown for drying regions only, which correspond to the AR6 regions in which there is at least *medium confidence* in a projected increase in agricultural/ecological drought at the 2°C warming level compared to the 1850–1900 base period in CMIP6. These regions include W. North-America, C. North-America, N. Central-America, S. Central-America, Caribbean, N. South-America, N.E. South-America, South-American-Monsoon, S.W. South-America, S. South-America, West & Central-Europe, Mediterranean, W. Southern-Africa, E. Southern-Africa, Madagascar, E. Australia, S. Australia (Caribbean is not included in the calculation of the figure because of the too small number of full land grid cells). The non-drying regions do not show an overall increase or decrease in drought severity. Projections of changes in agricultural and ecological droughts in the CMIP5 multi-model ensemble differ from those in CMIP6 in some regions, including in part of Africa and Asia. Assessments on projected changes in meteorological and hydrological droughts are provided in Chapter 11. {11.6, 11.9}

In the **'frequency' section,** each year is represented by a dot. The dark dots indicate years in which the extreme threshold is exceeded, while light dots are years when the threshold is not exceeded. Values correspond to the medians (in bold) and their respective 5–95% range based on the multi-model ensemble from simulations of CMIP6 under different SSP scenarios. For consistency, the number of dark dots is based on the rounded-up median. In the **'intensity' section,** medians and their 5–95% range, also based on the multi-model ensemble from simulations of CMIP6, are displayed as dark and light bars, respectively. Changes in the intensity of hot temperature extremes and extreme precipitations are expressed as degree Celsius and percentage. As for agricultural and ecological drought, intensity changes are expressed as fractions of standard deviation of annual soil moisture.

{11.1, 11.3, 11.4, 11.6, Figure 11.12, Figure 11.15, Figure 11.6, Figure 11.7, Figure 11.18}

B.3 Continued global warming is projected to further intensify the global water cycle, including its variability, global monsoon precipitation and the severity of wet and dry events.

{4.3, 4.4, 4.5, 4.6, 8.2, 8.3, 8.4, 8.5, Box 8.2, 11.4, 11.6, 11.9, 12.4, Atlas.3} **(Figure SPM.5, Figure SPM.6)**

B.3.1 There is strengthened evidence since AR5 that the global water cycle will continue to intensify as global temperatures rise (*high confidence*), with precipitation and surface water flows projected to become more variable over most land regions within seasons (*high confidence*) and from year to year (*medium confidence*). The average annual global land precipitation is projected to increase by 0–5% under the very low GHG emissions scenario (SSP1-1.9), 1.5-8% for the intermediate GHG emissions scenario (SSP2-4.5) and 1–13% under the very high GHG emissions scenario (SSP5-8.5) by 2081–2100 relative to 1995-2014 (*likely* ranges). Precipitation is projected to increase over high latitudes, the equatorial Pacific and parts of the monsoon regions, but decrease over parts of the subtropics and limited areas in the tropics in SSP2-4.5, SSP3-7.0 and SSP5-8.5 (*very likely*). The portion of the global land experiencing detectable increases or decreases in seasonal mean precipitation is projected to increase (*medium confidence*). There is *high confidence* in an earlier onset of spring snowmelt, with higher peak flows at the expense of summer flows in snow-dominated regions globally.
{4.3, 4.5, 4.6, 8.2, 8.4, Atlas.3, TS.2.6, Box TS.6, TS.4.3} **(Figure SPM.5)**

B.3.2 A warmer climate will intensify very wet and very dry weather and climate events and seasons, with implications for flooding or drought (*high confidence*), but the location and frequency of these events depend on projected changes in regional atmospheric circulation, including monsoons and mid-latitude storm tracks. It is *very likely* that rainfall variability related to the El Niño–Southern Oscillation is projected to be amplified by the second half of the 21st century in the SSP2-4.5, SSP3-7.0 and SSP5-8.5 scenarios.
{4.3, 4.5, 4.6, 8.2, 8.4, 8.5, 11.4, 11.6, 11.9, 12.4, TS.2.6, TS.4.2, Box TS.6} **(Figure SPM.5, Figure SPM.6)**

B.3.3 Monsoon precipitation is projected to increase in the mid- to long term at global scale, particularly over South and Southeast Asia, East Asia and West Africa apart from the far west Sahel (*high confidence*). The monsoon season is projected to have a delayed onset over North and South America and West Africa (*high confidence*) and a delayed retreat over West Africa (*medium confidence*).
{4.4, 4.5, 8.2, 8.3, 8.4, Box 8.2, Box TS.13}

B.3.4 A projected southward shift and intensification of Southern Hemisphere summer mid-latitude storm tracks and associated precipitation is *likely* in the long term under high GHG emissions scenarios (SSP3-7.0, SSP5-8.5), but in the near term the effect of stratospheric ozone recovery counteracts these changes (*high confidence*). There is *medium confidence* in a continued poleward shift of storms and their precipitation in the North Pacific, while there is *low confidence* in projected changes in the North Atlantic storm tracks.
{TS.4.2, 4.4, 4.5, 8.4, TS.2.3}

B.4 Under scenarios with increasing CO_2 emissions, the ocean and land carbon sinks are projected to be less effective at slowing the accumulation of CO_2 in the atmosphere.

{4.3, 5.2, 5.4, 5.5, 5.6} **(Figure SPM.7)**

B.4.1 While natural land and ocean carbon sinks are projected to take up, in absolute terms, a progressively larger amount of CO_2 under higher compared to lower CO_2 emissions scenarios, they become less effective, that is, the proportion of emissions taken up by land and ocean decrease with increasing cumulative CO_2 emissions. This is projected to result in a higher proportion of emitted CO_2 remaining in the atmosphere (*high confidence*).
{5.2, 5.4, Box TS.5} **(Figure SPM.7)**

B.4.2 Based on model projections, under the intermediate scenario that stabilizes atmospheric CO_2 concentrations this century (SSP2-4.5), the rates of CO_2 taken up by the land and oceans are projected to decrease in the second half of the 21st century (*high confidence*). Under the very low and low GHG emissions scenarios (SSP1-1.9, SSP1-2.6), where CO_2 concentrations peak and decline during the 21st century, land and oceans begin to take up less carbon in response to declining atmospheric CO_2 concentrations (*high confidence*) and turn into a weak net source by 2100 under SSP1-1.9 (*medium confidence*). It is *very unlikely* that the combined global land and ocean sink will turn into a source by 2100 under scenarios without net negative emissions[32] (SSP2-4.5, SSP3-7.0, SSP5-8.5).
{4.3, 5.4, 5.5, 5.6, Box TS.5, TS.3.3}

B.4.3 The magnitude of feedbacks between climate change and the carbon cycle becomes larger but also more uncertain in high CO_2 emissions scenarios (*very high confidence*). However, climate model projections show that the uncertainties in atmospheric CO_2 concentrations by 2100 are dominated by the differences between emissions scenarios (*high confidence*). Additional ecosystem responses to warming not yet fully included in climate models, such as CO_2 and CH_4 fluxes from wetlands, permafrost thaw and wildfires, would further increase concentrations of these gases in the atmosphere (*high confidence*).
{5.4, Box TS.5, TS.3.2}

[32] These projected adjustments of carbon sinks to stabilization or decline of atmospheric CO_2 are accounted for in calculations of remaining carbon budgets.

The proportion of CO_2 emissions taken up by land and ocean carbon sinks is smaller in scenarios with higher cumulative CO_2 emissions

Total cumulative CO_2 emissions **taken up by land and oceans** (colours) and remaining in the atmosphere (grey) under the five illustrative scenarios from 1850 to 2100

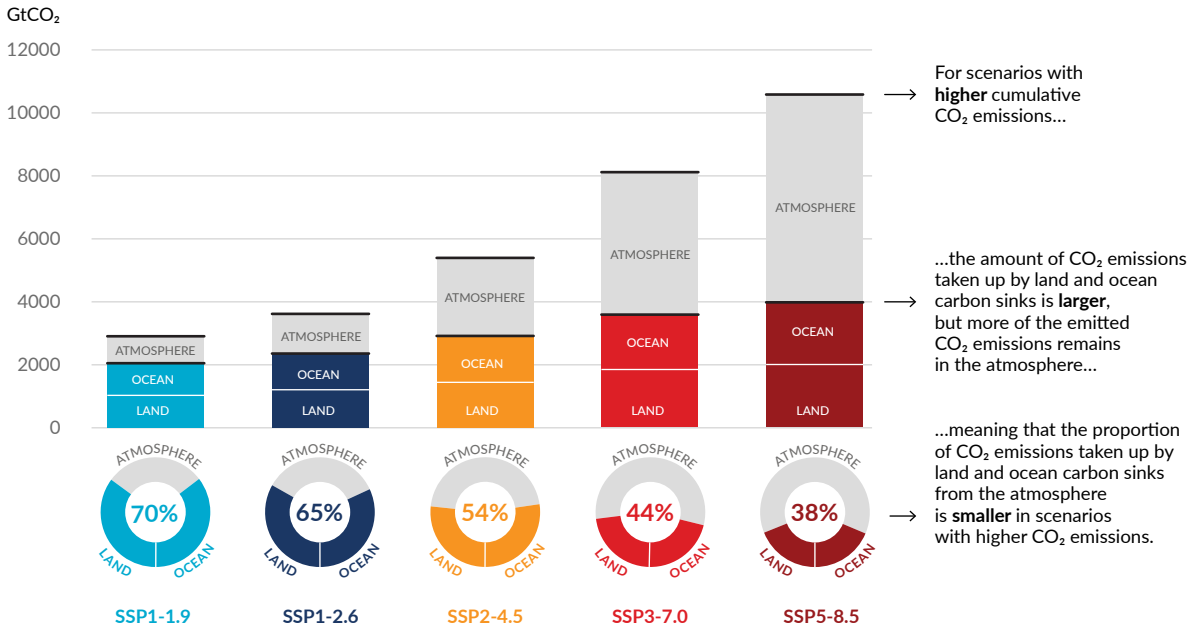


Figure SPM.7: Cumulative anthropogenic CO_2 emissions taken up by land and ocean sinks by 2100 under the five illustrative scenarios.

The cumulative anthropogenic (human-caused) carbon dioxide (CO_2) emissions taken up by the land and ocean sinks under the five illustrative scenarios (SSP1-1.9, SSP1-2.6, SSP2-4.5, SSP3-7.0 and SSP5-8.5) are simulated from 1850 to 2100 by CMIP6 climate models in the concentration-driven simulations. Land and ocean carbon sinks respond to past, current and future emissions, therefore cumulative sinks from 1850 to 2100 are presented here. During the historical period (1850-2019) the observed land and ocean sink took up 1430 $GtCO_2$ (59% of the emissions).

The **bar chart** illustrates the projected amount of cumulative anthropogenic CO_2 emissions ($GtCO_2$) between 1850 and 2100 remaining in the atmosphere (grey part) and taken up by the land and ocean (coloured part) in the year 2100. The **doughnut chart** illustrates the proportion of the cumulative anthropogenic CO_2 emissions taken up by the land and ocean sinks and remaining in the atmosphere in the year 2100. Values in % indicate the proportion of the cumulative anthropogenic CO_2 emissions taken up by the combined land and ocean sinks in the year 2100. The overall anthropogenic carbon emissions are calculated by adding the net global land use emissions from CMIP6 scenario database to the other sectoral emissions calculated from climate model runs with prescribed CO_2 concentrations[33]. Land and ocean CO_2 uptake since 1850 is calculated from the net biome productivity on land, corrected for CO_2 losses due to land-use change by adding the land-use change emissions, and net ocean CO_2 flux.

{Box TS.5, Box TS.5, Figure 1, 5.2.1, Table 5.1, 5.4.5, Figure 5.25}

[33] The other sectoral emissions are calculated as the residual of the net land and ocean CO_2 uptake and the prescribed atmospheric CO_2 concentration changes in the CMIP6 simulations. These calculated emissions are net emissions and do not separate gross anthropogenic emissions from removals, which are included implicitly.

B.5 Many changes due to past and future greenhouse gas emissions are irreversible for centuries to millennia, especially changes in the ocean, ice sheets and global sea level. {Cross-Chapter Box 2.4, 2.3, 4.3, 4.5, 4.7, 5.3, 9.2, 9.4, 9.5, 9.6, Box 9.4} **(Figure SPM.8)**

B.5.1 Past GHG emissions since 1750 have committed the global ocean to future warming (*high confidence*). Over the rest of the 21st century, *likely* ocean warming ranges from 2–4 (SSP1-2.6) to 4–8 times (SSP5-8.5) the 1971–2018 change. Based on multiple lines of evidence, upper ocean stratification (*virtually certain*), ocean acidification (*virtually certain*) and ocean deoxygenation (*high confidence*) will continue to increase in the 21st century, at rates dependent on future emissions. Changes are irreversible on centennial to millennial time scales in global ocean temperature (*very high confidence*), deep ocean acidification (*very high confidence*) and deoxygenation (*medium confidence*).
{4.3, 4.5, 4.7, 5.3, 9.2, TS.2.4} **(Figure SPM.8)**

B.5.2 Mountain and polar glaciers are committed to continue melting for decades or centuries (*very high confidence*). Loss of permafrost carbon following permafrost thaw is irreversible at centennial timescales (*high confidence*). Continued ice loss over the 21st century is *virtually certain* for the Greenland Ice Sheet and *likely* for the Antarctic Ice Sheet. There is *high confidence* that total ice loss from the Greenland Ice Sheet will increase with cumulative emissions. There is *limited evidence* for low-likelihood, high-impact outcomes (resulting from ice sheet instability processes characterized by deep uncertainty and in some cases involving tipping points) that would strongly increase ice loss from the Antarctic Ice Sheet for centuries under high GHG emissions scenarios[34]. {4.3, 4.7, 5.4, 9.4, 9.5, Box 9.4, Box TS.1, TS.2.5}

B.5.3 It is *virtually certain* that global mean sea level will continue to rise over the 21st century. Relative to 1995-2014, the *likely* global mean sea level rise by 2100 is 0.28-0.55 m under the very low GHG emissions scenario (SSP1-1.9), 0.32-0.62 m under the low GHG emissions scenario (SSP1-2.6), 0.44-0.76 m under the intermediate GHG emissions scenario (SSP2-4.5), and 0.63-1.01 m under the very high GHG emissions scenario (SSP5-8.5), and by 2150 is 0.37-0.86 m under the very low scenario (SSP1-1.9), 0.46-0.99 m under the low scenario (SSP1-2.6), 0.66-1.33 m under the intermediate scenario (SSP2-4.5), and 0.98-1.88 m under the very high scenario (SSP5-8.5) (*medium confidence*)[35]. Global mean sea level rise above the *likely* range – approaching 2 m by 2100 and 5 m by 2150 under a very high GHG emissions scenario (SSP5-8.5) (*low confidence*) – cannot be ruled out due to deep uncertainty in ice sheet processes.
{4.3, 9.6, Box 9.4, Box TS.4} **(Figure SPM.8)**

B.5.4 In the longer term, sea level is committed to rise for centuries to millennia due to continuing deep ocean warming and ice sheet melt, and will remain elevated for thousands of years (*high confidence*). Over the next 2000 years, global mean sea level will rise by about 2 to 3 m if warming is limited to 1.5°C, 2 to 6 m if limited to 2°C and 19 to 22 m with 5°C of warming, and it will continue to rise over subsequent millennia (*low confidence*). Projections of multi-millennial global mean sea level rise are consistent with reconstructed levels during past warm climate periods: *likely* 5–10 m higher than today around 125,000 years ago, when global temperatures were *very likely* 0.5°C–1.5°C higher than 1850–1900; and *very likely* 5–25 m higher roughly 3 million years ago, when global temperatures were 2.5°C–4°C higher (*medium confidence*).
{2.3, Cross-Chapter Box 2.4, 9.6, Box TS.2, Box TS.4, Box TS.9}

[34] Low-likelihood, high-impact outcomes are those whose probability of occurrence is low or not well known (as in the context of deep uncertainty) but whose potential impacts on society and ecosystems could be high. A tipping point is a critical threshold beyond which a system reorganizes, often abruptly and/or irreversibly. {Cross-Chapter Box 1.3, 1.4, 4.7}

[35] To compare to the 1986–2005 baseline period used in AR5 and SROCC, add 0.03 m to the global mean sea level rise estimates. To compare to the 1900 baseline period used in Figure SPM.8, add 0.16 m.

Human activities affect all the major climate system components, with some responding over decades and others over centuries

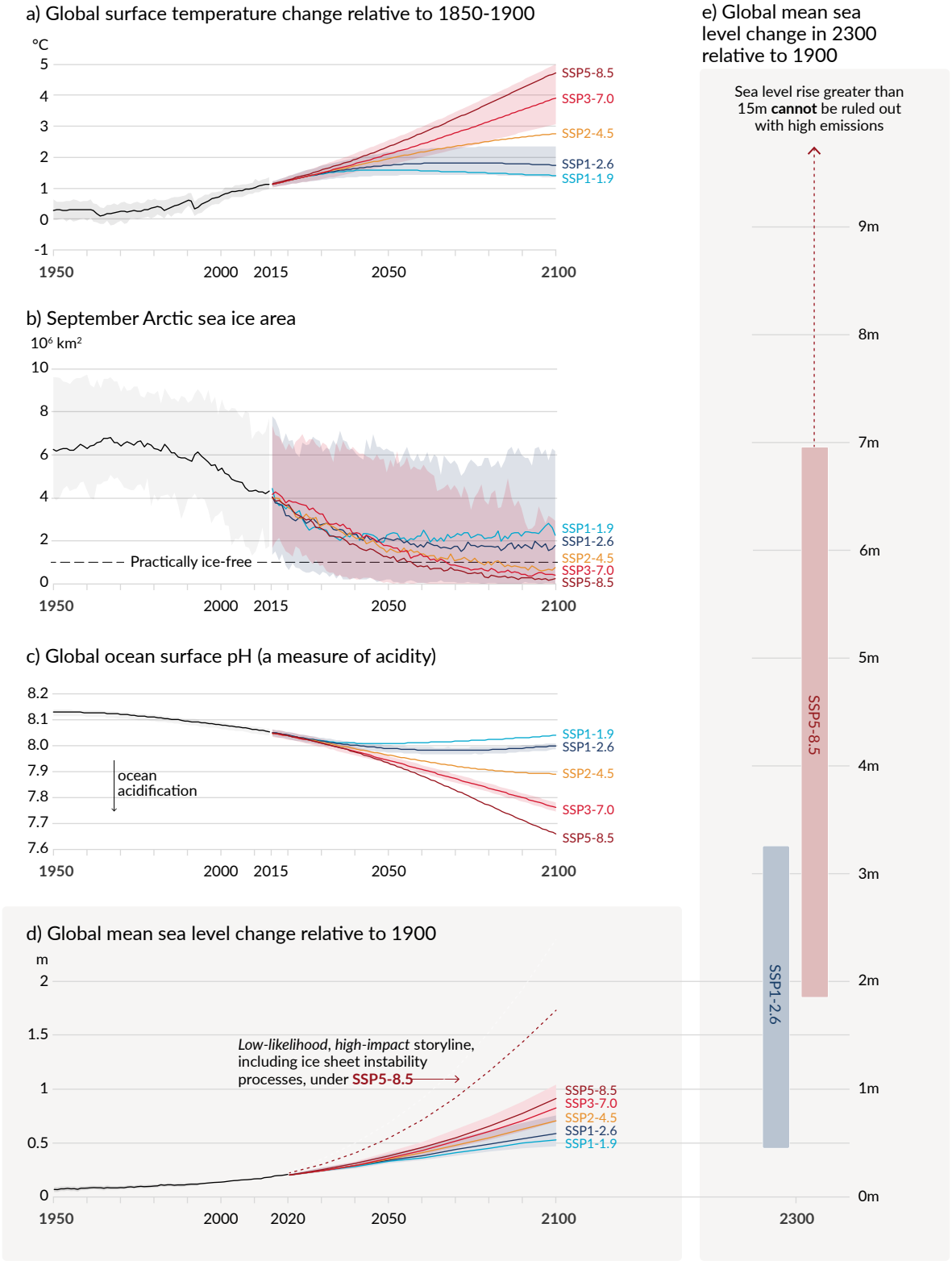


Figure SPM.8: Selected indicators of global climate change under the five illustrative scenarios used in this report.

The projections for each of the five scenarios are shown in colour. Shades represent uncertainty ranges – more detail is provided for each panel below. The black curves represent the historical simulations (panels a, b, c) or the observations (panel d). Historical values are included in all graphs to provide context for the projected future changes.

Panel a) Global surface temperature changes in °C relative to 1850–1900. These changes were obtained by combining CMIP6 model simulations with observational constraints based on past simulated warming, as well as an updated assessment of equilibrium climate sensitivity (see Box SPM.1). Changes relative to 1850–1900 based on 20-year averaging periods are calculated by adding 0.85°C (the observed global surface temperature increase from 1850–1900 to 1995–2014) to simulated changes relative to 1995–2014. *Very likely* ranges are shown for SSP1-2.6 and SSP3-7.0.

Panel b) September Arctic sea ice area in 10^6 km^2 based on CMIP6 model simulations. *Very likely* ranges are shown for SSP1-2.6 and SSP3-7.0. The Arctic is projected to be practically ice-free near mid-century under mid- and high GHG emissions scenarios.

Panel c) Global ocean surface pH (a measure of acidity) based on CMIP6 model simulations. *Very likely* ranges are shown for SSP1-2.6 and SSP3-7.0.

Panel d) Global mean sea level change in meters relative to 1900. The historical changes are observed (from tide gauges before 1992 and altimeters afterwards), and the future changes are assessed consistently with observational constraints based on emulation of CMIP, ice sheet, and glacier models. *Likely* ranges are shown for SSP1-2.6 and SSP3-7.0. Only *likely* ranges are assessed for sea level changes due to difficulties in estimating the distribution of deeply uncertain processes. The dashed curve indicates the potential impact of these deeply uncertain processes. It shows the 83rd percentile of SSP5-8.5 projections that include low-likelihood, high-impact ice sheet processes that cannot be ruled out; because of *low confidence* in projections of these processes, this curve does not constitute part of a *likely* range. Changes relative to 1900 are calculated by adding 0.158 m (observed global mean sea level rise from 1900 to 1995–2014) to simulated and observed changes relative to 1995–2014.

Panel e): Global mean sea level change at 2300 in meters relative to 1900. Only SSP1-2.6 and SSP5-8.5 are projected at 2300, as simulations that extend beyond 2100 for the other scenarios are too few for robust results. The 17th–83rd percentile ranges are shaded. The dashed arrow illustrates the 83rd percentile of SSP5-8.5 projections that include low-likelihood, high-impact ice sheet processes that cannot be ruled out.

Panels b) and c) are based on single simulations from each model, and so include a component of internal variability. Panels a), d) and e) are based on long-term averages, and hence the contributions from internal variability are small.

{Figure TS.8, Figure TS.11, Box TS.4 Figure 1, Box TS.4 Figure 1, 4.3, 9.6, Figure 4.2, Figure 4.8, Figure 4.11, Figure 9.27}

C. Climate Information for Risk Assessment and Regional Adaptation

Physical climate information addresses how the climate system responds to the interplay between human influence, natural drivers and internal variability. Knowledge of the climate response and the range of possible outcomes, including low-likelihood, high impact outcomes, informs climate services – the assessment of climate-related risks and adaptation planning. Physical climate information at global, regional and local scales is developed from multiple lines of evidence, including observational products, climate model outputs and tailored diagnostics.

C.1 Natural drivers and internal variability will modulate human-caused changes, especially at regional scales and in the near term, with little effect on centennial global warming. These modulations are important to consider in planning for the full range of possible changes.

{1.4, 2.2, 3.3, Cross-Chapter Box 3.1, 4.4, 4.6, Cross-Chapter Box 4.1, 4.4, Box 7.2, 8.3, 8.5, 9.2, 10.3, 10.4, 10.6, 11.3, 12.5, Atlas.4, Atlas.5, Atlas.8, Atlas.9, Atlas.10, Cross-Chapter Box Atlas.2, Atlas.11}

C.1.1 The historical global surface temperature record highlights that decadal variability has enhanced and masked underlying human-caused long-term changes, and this variability will continue into the future (*very high confidence*). For example, internal decadal variability and variations in solar and volcanic drivers partially masked human-caused surface global warming during 1998–2012, with pronounced regional and seasonal signatures (*high confidence*). Nonetheless, the heating of the climate system continued during this period, as reflected in both the continued warming of the global ocean (*very high confidence*) and in the continued rise of hot extremes over land (*medium confidence*).
{1.4, 3.3, Cross-Chapter Box 3.1, 4.4, Box 7.2, 9.2, 11.3, Cross-Section Box TS.1} **(Figure SPM.1)**

C.1.2 Projected human caused changes in mean climate and climatic impact-drivers (CIDs)[36], including extremes, will be either amplified or attenuated by internal variability[37] (*high confidence*). Near-term cooling at any particular location with respect to present climate could occur and would be consistent with the global surface temperature increase due to human influence (*high confidence*).
{1.4, 4.4, 4.6, 10.4, 11.3, 12.5, Atlas.5, Atlas.10, Atlas.11, TS.4.2}

C.1.3 Internal variability has largely been responsible for the amplification and attenuation of the observed human-caused decadal-to-multi-decadal mean precipitation changes in many land regions *(high confidence)*. At global and regional scales, near-term changes in monsoons will be dominated by the effects of internal variability (*medium confidence*). In addition to internal variability influence, near-term projected changes in precipitation at global and regional scales are uncertain because of model uncertainty and uncertainty in forcings from natural and anthropogenic aerosols (*medium confidence*).
{1.4, 4.4, 8.3, 8.5, 10.3, 10.4, 10.5, 10.6, Atlas.4, Atlas.8, Atlas.9, Atlas.10, Cross-Chapter Box Atlas.2, Atlas.11, TS.4.2, Box TS.6, Box TS.13}

[36] Climatic impact-drivers (CIDs) are physical climate system conditions (e.g., means, events, extremes) that affect an element of society or ecosystems. Depending on system tolerance, CIDs and their changes can be detrimental, beneficial, neutral, or a mixture of each across interacting system elements and regions. CID types include heat and cold, wet and dry, wind, snow and ice, coastal and open ocean.

[37] The main internal variability phenomena include El Niño–Southern Oscillation, Pacific Decadal variability and Atlantic Multi-decadal variability through their regional influence.

C.1.4 Based on paleoclimate and historical evidence, it is *likely* that at least one large explosive volcanic eruption would occur during the 21st century[38]. Such an eruption would reduce global surface temperature and precipitation, especially over land, for one to three years, alter the global monsoon circulation, modify extreme precipitation and change many CIDs (*medium confidence*). If such an eruption occurs, this would therefore temporarily and partially mask human-caused climate change.
{4.4, Cross-Chapter Box 4.1, 2.2, 8.5, TS.2.1}

C.2 With further global warming, every region is projected to increasingly experience concurrent and multiple changes in climatic impact-drivers. Changes in several climatic impact-drivers would be more widespread at 2°C compared to 1.5°C global warming and even more widespread and/or pronounced for higher warming levels.

{8.2, 9.3, 9.5, 9.6, Box 10.3, Box 11.3, Box 11.4, 11.3, 11.4, 11.5, 11.6, 11.7, 11.9, 12.2, 12.3, 12.4, 12.5, Atlas.4, Atlas.5, Atlas.6, Atlas.7, Atlas.8, Atlas.9, Atlas.10, Atlas.11, Cross-Chapter Box 11.1, Cross-Chapter Box 12.1} **(Table SPM.1, Figure SPM.9)**

C.2.1 All regions[39] are projected to experience further increases in hot climatic impact-drivers (CIDs) and decreases in cold CIDs (*high confidence*). Further decreases are projected in permafrost, snow, glaciers and ice sheets, lake and Arctic sea ice (*medium* to *high confidence*)[40]. These changes would be larger at 2°C global warming or above than at 1.5°C (*high confidence*). For example, extreme heat thresholds relevant to agriculture and health are projected to be exceeded more frequently at higher global warming levels (*high confidence*).
{9.3, 9.5, 11.3, 11.9, 12.3, 12.4, 12.5, Atlas.4, Atlas.5, Atlas.6, Atlas.7, Atlas.8, Atlas.9, Atlas.10, Atlas.11, TS.4.3, Cross-Chapter Box 11.1, Cross-Chapter Box 12.1} **(Table SPM.1, Figure SPM.9)**

C.2.2 At 1.5°C global warming, heavy precipitation and associated flooding are projected to intensify and be more frequent in most regions in Africa and Asia (*high confidence*), North America (*medium* to *high confidence*)[40] and Europe (*medium confidence*). Also**,** more frequent and/or severe agricultural and ecological droughts are projected in a few regions in all continents except Asia compared to 1850–1900 (*medium confidence*); increases in meteorological droughts are also projected in a few regions (*medium confidence*). A small number of regions are projected to experience increases or decreases in mean precipitation (*medium confidence*).
{11.4, 11.5, 11.6, 11.9, Atlas.4, Atlas.5, Atlas.7, Atlas.8, Atlas.9, Atlas.10, Atlas.11, TS.4.3} **(Table SPM.1)**

[38] Based on 2,500 year reconstructions, eruptions more negative than –1 W m^{-2} occur on average twice per century.

[39] Regions here refer to the AR6 WGI reference regions used in this Report to summarize information in sub-continental and oceanic regions. Changes are compared to averages over the last 20–40 years unless otherwise specified. {1.4, 12.4, Atlas.1, Interactive Atlas}.

[40] The specific level of confidence or likelihood depends on the region considered. Details can be found in the Technical Summary and the underlying Report.

C.2.3 At 2°C global warming and above, the level of confidence in and the magnitude of the change in droughts and heavy and mean precipitation increase compared to those at 1.5°C. Heavy precipitation and associated flooding events are projected to become more intense and frequent in the Pacific Islands and across many regions of North America and Europe (*medium* to *high confidence*)[40]. These changes are also seen in some regions in Australasia and Central and South America (*medium confidence*). Several regions in Africa, South America and Europe are projected to experience an increase in frequency and/or severity of agricultural and ecological droughts with *medium* to *high confidence*[40]; increases are also projected in Australasia, Central and North America, and the Caribbean with *medium confidence*. A small number of regions in Africa, Australasia, Europe and North America are also projected to be affected by increases in hydrological droughts, and several regions are projected to be affected by increases or decreases in meteorological droughts with more regions displaying an increase (*medium confidence*). Mean precipitation is projected to increase in all polar, northern European and northern North American regions, most Asian regions and two regions of South America (*high confidence*).
{11.4, 11.6, 11.9, 12.4, 12.5, Atlas.5, Atlas.7, Atlas.8, Atlas.9, Atlas.11, TS.4.3, Cross-Chapter Box 11.1, Cross-Chapter Box 12.1} **(Table SPM.1, Figure SPM.5, Figure SPM.6, Figure SPM.9)**

C.2.4 More CIDs across more regions are projected to change at 2°C and above compared to 1.5°C global warming (*high confidence*). Region-specific changes include intensification of tropical cyclones and/or extratropical storms (*medium confidence*), increases in river floods (*medium* to *high confidence*)[40], reductions in mean precipitation and increases in aridity (*medium* to *high confidence*)[40], and increases in fire weather (*medium* to *high confidence*)[40]. There is *low confidence* in most regions in potential future changes in other CIDs, such as hail, ice storms, severe storms, dust storms, heavy snowfall, and landslides.
{11.7, 11.9, 12.4, 12.5, Atlas.4, Atlas.6, Atlas.7, Atlas.8, Atlas.10, TS.4.3.1, TS.4.3.2, TS.5, Cross-Chapter Box, 11.1, Cross-Chapter Box 12.1} **(Table SPM.1, Figure SPM.9)**

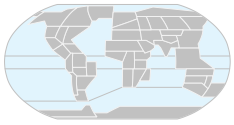
C.2.5 It is *very likely* to *virtually certain*[40] that regional mean relative sea level rise will continue throughout the 21st century, except in a few regions with substantial geologic land uplift rates. Approximately two-thirds of the global coastline has a projected regional relative sea level rise within ±20% of the global mean increase (*medium confidence*). Due to relative sea level rise, extreme sea level events that occurred once per century in the recent past are projected to occur at least annually at more than half of all tide gauge locations by 2100 (*high confidence*). Relative sea level rise contributes to increases in the frequency and severity of coastal flooding in low-lying areas and to coastal erosion along most sandy coasts (*high confidence*).
{9.6, 12.4, 12.5, Box TS.4, TS.4.3, Cross-Chapter Box 12.1} **(Figure SPM.9)**

C.2.6 Cities intensify human-induced warming locally, and further urbanization together with more frequent hot extremes will increase the severity of heatwaves (*very high confidence*). Urbanization also increases mean and heavy precipitation over and/or downwind of cities (*medium confidence*) and resulting runoff intensity (*high confidence*). In coastal cities, the combination of more frequent extreme sea level events (due to sea level rise and storm surge) and extreme rainfall/riverflow events will make flooding more probable (*high confidence*).
{8.2, Box 10.3, 11.3, 12.4, Box TS.14}

C.2.7 Many regions are projected to experience an increase in the probability of compound events with higher global warming (*high confidence*). In particular, concurrent heatwaves and droughts are *likely* to become more frequent. Concurrent extremes at multiple locations become more frequent, including in crop-producing areas, at 2°C and above compared to 1.5°C global warming (*high confidence*).
{11.8, Box 11.3, Box 11.4, 12.3, 12.4, TS.4.3, Cross-Chapter Box 12.1} **(Table SPM.1)**

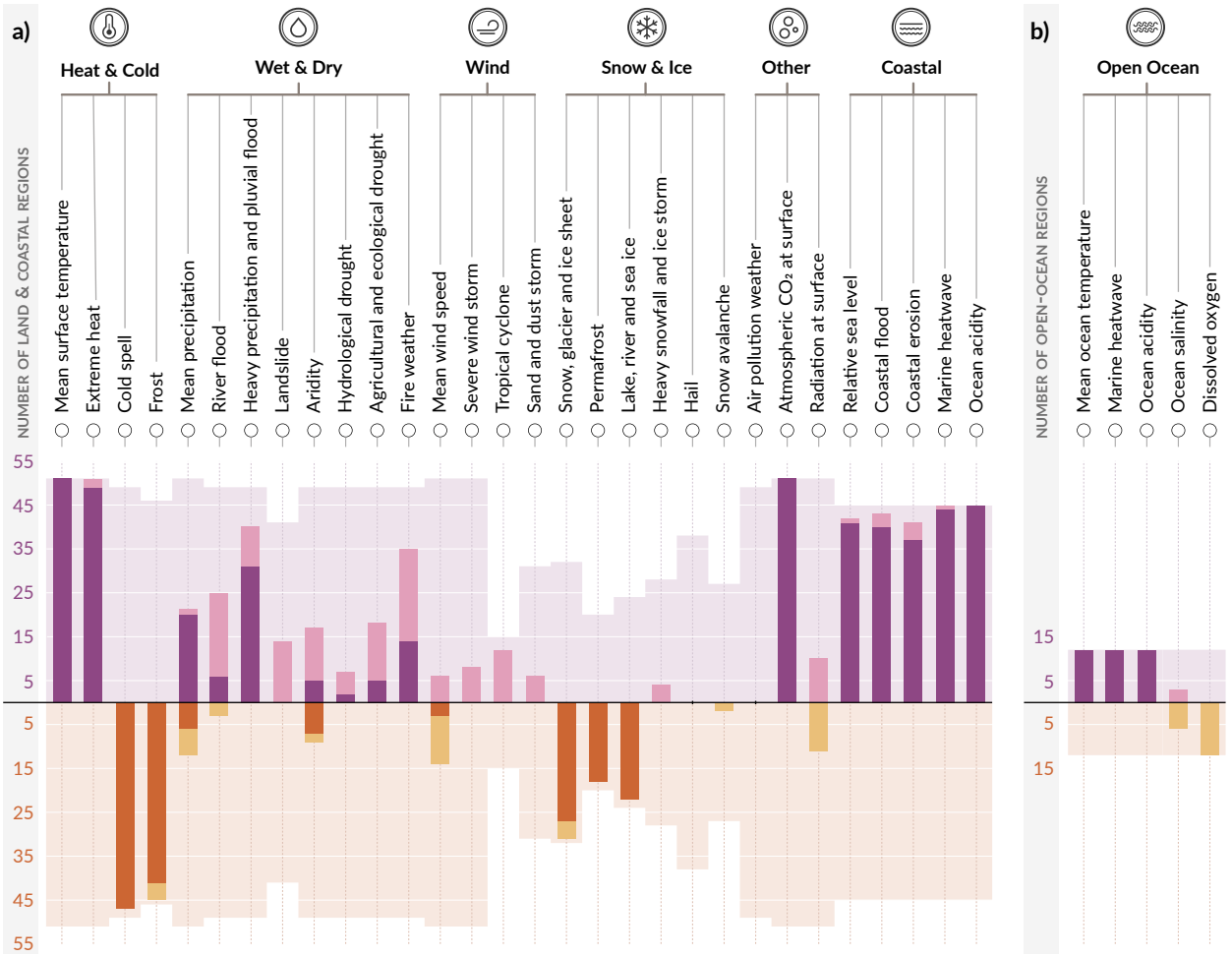
Multiple climatic impact-drivers are projected to change in all regions of the world

Climatic impact-drivers (CIDs) are physical climate system conditions (e.g., means, events, extremes) that affect an element of society or ecosystems. Depending on system tolerance, CIDs and their changes can be detrimental, beneficial, neutral, or a mixture of each across interacting system elements and regions. The CIDs are grouped into seven types, which are summarized under the icons in the figure. All regions are projected to experience changes in at least 5 CIDs. Almost all (96%) are projected to experience changes in at least 10 CIDs and half in at least 15 CIDs. For many CIDs there is wide geographical variation in where they change and so each region are projected to experience a specific set of CID changes. Each bar in the chart represents a specific geographical set of changes that can be explored in the WGI Interactive Atlas.



interactive-atlas.ipcc.ch

Number of land & coastal regions (a) and **open-ocean regions** (b) where each **climatic impact-driver** (CID) is projected to **increase** or **decrease** with ***high*** *confidence* (dark shade) or ***medium*** *confidence* (light shade)



BAR CHART LEGEND

- Regions with ***high*** *confidence* increase
- Regions with ***medium*** *confidence* increase
- Regions with ***high*** *confidence* decrease
- Regions with ***medium*** *confidence* decrease

LIGHTER-SHADED 'ENVELOPE' LEGEND

The height of the lighter shaded 'envelope' behind each bar represents the maximum number of regions for which each CID is relevant. The envelope is symmetrical about the x-axis showing the maximum possible number of relevant regions for CID increase (upper part) or decrease (lower part).

ASSESSED FUTURE CHANGES

Changes refer to a 20–30 year period centred around 2050 and/or consistent with 2°C global warming compared to a similar period within 1960-2014 or 1850-1900.

Figure SPM.9: Synthesis of the number of AR6 WGI reference regions where climatic impact-drivers are projected to change.

A total of 35 climatic impact-drivers (CIDs) grouped into seven types are shown: heat and cold, wet and dry, wind, snow and ice, coastal, open ocean and other. For each CID, the bar in the graph below displays the number of AR6 WGI reference regions where it is projected to change. The **colours** represent the direction of change and the level of confidence in the change: purple indicates an increase while brown indicates a decrease; darker and lighter shades refer to *high* and *medium confidence*, respectively. Lighter background colours represent the maximum number of regions for which each CID is broadly relevant.

Panel a) shows the 30 CIDs relevant to the **land and coastal regions** while **panel b)** shows the 5 CIDs relevant to the **open ocean regions.** Marine heatwaves and ocean acidity are assessed for coastal ocean regions in panel a) and for open ocean regions in panel b). Changes refer to a 20–30 year period centred around 2050 and/or consistent with 2°C global warming compared to a similar period within 1960-2014, except for hydrological drought and agricultural and ecological drought which is compared to 1850-1900. Definitions of the regions are provided in Atlas.1 and the Interactive Atlas (see *interactive-atlas.ipcc.ch*).

{Table TS.5, Figure TS.22, Figure TS.25, 11.9, 12.2, 12.4, Atlas.1} **(Table SPM.1)**

C.3 Low-likelihood outcomes, such as ice sheet collapse, abrupt ocean circulation changes, some compound extreme events and warming substantially larger than the assessed *very likely* range of future warming cannot be ruled out and are part of risk assessment.

{1.4, Cross-Chapter Box 1.3, Cross-Chapter Box 4.1, 4.3, 4.4, 4.8, 8.6, 9.2, Box 9.4, Box 11.2, 11.8, Cross-Chapter Box 12.1} **(Table SPM.1)**

C.3.1 If global warming exceeds the assessed *very likely* range for a given GHG emissions scenario, including low GHG emissions scenarios, global and regional changes in many aspects of the climate system, such as regional precipitation and other CIDs, would also exceed their assessed *very likely* ranges (*high confidence*). Such low-likelihood high-warming outcomes are associated with potentially very large impacts, such as through more intense and more frequent heatwaves and heavy precipitation, and high risks for human and ecological systems particularly for high GHG emissions scenarios.
{Cross-Chapter Box 1.3, 4.3, 4.4, 4.8, Box 9.4, Box 11.2, Cross-Chapter Box 12.1, TS.1.4, Box TS.3, Box TS.4} **(Table SPM.1)**

C.3.2 Low-likelihood, high-impact outcomes[34] could occur at global and regional scales even for global warming within the *very likely* range for a given GHG emissions scenario. The probability of low-likelihood, high impact outcomes increases with higher global warming levels (*high confidence*). Abrupt responses and tipping points of the climate system, such as strongly increased Antarctic ice sheet melt and forest dieback, cannot be ruled out (*high confidence*).
{1.4, 4.3, 4.4, 4.8, 5.4, 8.6, Box 9.4, Cross-Chapter Box 12.1, TS.1.4, TS.2.5, Box TS.3, Box TS.4, Box TS.9} **(Table SPM.1)**

C.3.3 If global warming increases, some compound extreme events[18] with low likelihood in past and current climate will become more frequent, and there will be a higher likelihood that events with increased intensities, durations and/or spatial extents unprecedented in the observational record will occur (*high confidence*).
{11.8, Box 11.2, Cross-Chapter Box 12.1, Box TS.3, Box TS.9}

C.3.4 The Atlantic Meridional Overturning Circulation is *very likely* to weaken over the 21st century for all emission scenarios. While there is *high confidence* in the 21st century decline, there is only *low confidence* in the magnitude of the trend. There is *medium confidence* that there will not be an abrupt collapse before 2100. If such a collapse were to occur, it would *very likely* cause abrupt shifts in regional weather patterns and water cycle, such as a southward shift in the tropical rain belt, weakening of the African and Asian monsoons and strengthening of Southern Hemisphere monsoons, and drying in Europe. {4.3, 8.6, 9.2, TS2.4, Box TS.3}

C.3.5 Unpredictable and rare natural events not related to human influence on climate may lead to low-likelihood, high impact outcomes. For example, a sequence of large explosive volcanic eruptions within decades has occurred in the past, causing substantial global and regional climate perturbations over several decades. Such events cannot be ruled out in the future, but due to their inherent unpredictability they are not included in the illustrative set of scenarios referred to in this Report. {2.2, Cross-Chapter Box 4.1, Box TS.3} **(Box SPM.1)**

D. Limiting Future Climate Change

Since AR5, estimates of remaining carbon budgets have been improved by a new methodology first presented in SR1.5, updated evidence, and the integration of results from multiple lines of evidence. A comprehensive range of possible future air pollution controls in scenarios is used to consistently assess the effects of various assumptions on projections of climate and air pollution. A novel development is the ability to ascertain when climate responses to emissions reductions would become discernible above natural climate variability, including internal variability and responses to natural drivers.

D.1 From a physical science perspective, limiting human-induced global warming to a specific level requires limiting cumulative CO_2 emissions, reaching at least net zero CO_2 emissions, along with strong reductions in other greenhouse gas emissions. Strong, rapid and sustained reductions in CH_4 emissions would also limit the warming effect resulting from declining aerosol pollution and would improve air quality.

{3.3, 4.6, 5.1, 5.2, 5.4, 5.5, 5.6, Box 5.2, Cross-Chapter Box 5.1, 6.7, 7.6, 9.6} **(Figure SPM.10, Table SPM.2)**

D.1.1 This Report reaffirms with *high confidence* the AR5 finding that there is a near-linear relationship between cumulative anthropogenic CO_2 emissions and the global warming they cause. Each 1000 $GtCO_2$ of cumulative CO_2 emissions is assessed to *likely* cause a 0.27°C to 0.63°C increase in global surface temperature with a best estimate of 0.45°C[41]. This is a narrower range compared to AR5 and SR1.5. This quantity is referred to as the transient climate response to cumulative CO_2 emissions (TCRE). This relationship implies that reaching net zero[42] anthropogenic CO_2 emissions is a requirement to stabilize human-induced global temperature increase at any level, but that limiting global temperature increase to a specific level would imply limiting cumulative CO_2 emissions to within a carbon budget[43]. {5.4, 5.5, TS.1.3, TS.3.3, Box TS.5} **(Figure SPM.10)**

[41] In the literature, units of °C per 1000 PgC are used, and the AR6 reports the TCRE *likely* range as 1.0°C to 2.3°C per 1000 PgC in the underlying report, with a best estimate of 1.65°C.

[42] condition in which anthropogenic carbon dioxide (CO_2) emissions are balanced by anthropogenic CO_2 removals over a specified period.

[43] The term carbon budget refers to the maximum amount of cumulative net global anthropogenic CO_2 emissions that would result in limiting global warming to a given level with a given probability, taking into account the effect of other anthropogenic climate forcers. This is referred to as the total carbon budget when expressed starting from the pre-industrial period, and as the remaining carbon budget when expressed from a recent specified date (see Glossary). Historical cumulative CO_2 emissions determine to a large degree warming to date, while future emissions cause future additional warming. The remaining carbon budget indicates how much CO_2 could still be emitted while keeping warming below a specific temperature level.

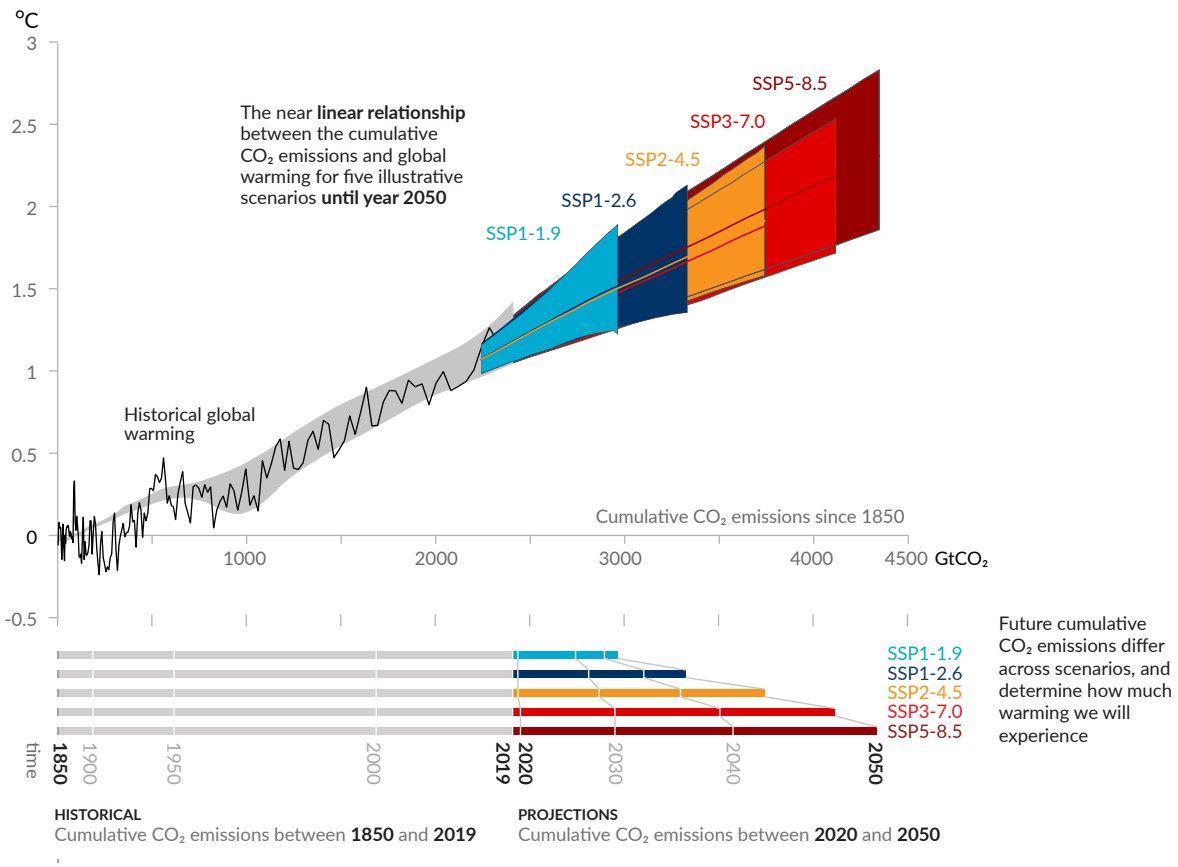


Figure SPM.10: Near-linear relationship between cumulative CO2 emissions and the increase in global surface temperature.

Top panel: Historical data (thin black line) shows observed global surface temperature increase in °C since 1850–1900 as a function of historical cumulative carbon dioxide (CO_2) emissions in $GtCO_2$ from 1850 to 2019. The grey range with its central line shows a corresponding estimate of the historical human-caused surface warming (see Figure SPM.2). Coloured areas show the assessed *very likely* range of global surface temperature projections, and thick coloured central lines show the median estimate as a function of cumulative CO_2 emissions from 2020 until year 2050 for the set of illustrative scenarios (SSP1-1.9, SSP1-2.6, SSP2-4.5, SSP3-7.0, and SSP5-8.5, see Figure SPM.4). Projections use the cumulative CO_2 emissions of each respective scenario, and the projected global warming includes the contribution from all anthropogenic forcers. The relationship is illustrated over the domain of cumulative CO_2 emissions for which there is *high confidence* that the transient climate response to cumulative CO_2 emissions (TCRE) remains constant, and for the time period from 1850 to 2050 over which global CO_2 emissions remain net positive under all illustrative scenarios as there is *limited evidence* supporting the quantitative application of TCRE to estimate temperature evolution under net negative CO_2 emissions.

Bottom panel: Historical and projected cumulative CO_2 emissions in $GtCO_2$ for the respective scenarios.

{Figure TS.18, Figure 5.31, Section 5.5}

D.1.2 Over the period 1850–2019, a total of 2390 ± 240 (*likely* range) $GtCO_2$ of anthropogenic CO_2 was emitted. Remaining carbon budgets have been estimated for several global temperature limits and various levels of probability, based on the estimated value of TCRE and its uncertainty, estimates of historical warming, variations in projected warming from non-CO_2 emissions, climate system feedbacks such as emissions from thawing permafrost, and the global surface temperature change after global anthropogenic CO_2 emissions reach net zero.
{5.1, 5.5, Box 5.2, TS.3.3} **(Table SPM.2)**

Table SPM.2: Estimates of historical CO_2 emissions and remaining carbon budgets. Estimated remaining carbon budgets are calculated from the beginning of 2020 and extend until global net zero CO_2 emissions are reached. They refer to CO_2 emissions, while accounting for the global warming effect of non-CO_2 emissions. Global warming in this table refers to human-induced global surface temperature increase, which excludes the impact of natural variability on global temperatures in individual years. {Table TS.3, Table 3.1, Table 5.1, Table 5.7, Table 5.8, 5.5.1, 5.5.2, Box 5.2}

Global warming between 1850–1900 and 2010–2019 *(°C)*	Historical cumulative CO_2 emissions from 1850 to 2019 *($GtCO_2$)*
1.07 (0.8–1.3; *likely* range)	2390 (± 240; *likely* range)

Approximate global warming relative to 1850–1900 until temperature limit *(°C)**(1)	Additional global warming relative to 2010–2019 until temperature limit *(°C)*	Estimated remaining carbon budgets from the beginning of 2020 *($GtCO_2$)*					Variations in reductions in non-CO_2 emissions*(3)
		Likelihood of limiting global warming to temperature limit(2)*					
		17%	*33%*	*50%*	*67%*	*83%*	
1.5	0.43	900	650	500	400	300	Higher or lower reductions in accompanying non-CO_2 emissions can increase or decrease the values on the left by 220 $GtCO_2$ or more
1.7	0.63	1450	1050	850	700	550	
2.0	0.93	2300	1700	1350	1150	900	

*(1) Values at each 0.1°C increment of warming are available in Tables TS.3 and 5.8.
*(2) This likelihood is based on the uncertainty in transient climate response to cumulative CO_2 emissions (TCRE) and additional Earth system feedbacks, and provides the probability that global warming will not exceed the temperature levels provided in the two left columns. Uncertainties related to historical warming (±550 $GtCO_2$) and non-CO_2 forcing and response (±220 $GtCO_2$) are partially addressed by the assessed uncertainty in TCRE, but uncertainties in recent emissions since 2015 (±20 $GtCO_2$) and the climate response after net zero CO_2 emissions are reached (±420 $GtCO_2$) are separate.
*(3) Remaining carbon budget estimates consider the warming from non-CO_2 drivers as implied by the scenarios assessed in SR1.5. The Working Group III Contribution to AR6 will assess mitigation of non-CO_2 emissions.

D.1.3 Several factors that determine estimates of the remaining carbon budget have been re-assessed, and updates to these factors since SR1.5 are small. When adjusted for emissions since previous reports, estimates of remaining carbon budgets are therefore of similar magnitude compared to SR1.5 but larger compared to AR5 due to methodological improvements[44].
{5.5, Box 5.2, TS.3.3} **(Table SPM.2)**

D.1.4 Anthropogenic CO_2 removal (CDR) has the potential to remove CO_2 from the atmosphere and durably store it in reservoirs (*high confidence*). CDR aims to compensate for residual emissions to reach net zero CO_2 or net zero GHG emissions or, if implemented at a scale where anthropogenic removals exceed anthropogenic emissions, to lower surface temperature. CDR methods can have potentially wide-ranging effects on biogeochemical cycles and climate, which can either weaken or strengthen the potential of these methods to remove CO_2 and reduce warming, and can also influence water availability and quality, food production and biodiversity[45] (*high confidence*).
{5.6, Cross-Chapter Box 5.1, TS.3.3}

D.1.5 Anthropogenic CO_2 removal (CDR) leading to global net negative emissions would lower the atmospheric CO_2 concentration and reverse surface ocean acidification (*high confidence*). Anthropogenic CO_2 removals and emissions are partially compensated by CO_2 release and uptake respectively, from or to land and ocean carbon pools (*very high confidence*). CDR would lower atmospheric CO_2 by an amount approximately equal to the increase from an anthropogenic emission of the same magnitude (*high confidence*). The atmospheric CO_2 decrease from anthropogenic CO_2 removals could be up to 10% less than the atmospheric CO_2 increase from an equal amount of CO_2 emissions, depending on the total amount of CDR (*medium confidence*). {5.3, 5.6, TS.3.3}

D.1.6 If global net negative CO_2 emissions were to be achieved and be sustained, the global CO_2-induced surface temperature increase would be gradually reversed but other climate changes would continue in their current direction for decades to millennia (*high confidence*). For instance, it would take several centuries to millennia for global mean sea level to reverse course even under large net negative CO_2 emissions (*high confidence*).
{4.6, 9.6, TS.3.3}

D.1.7 In the five illustrative scenarios, simultaneous changes in CH_4, aerosol and ozone precursor emissions, that also contribute to air pollution, lead to a net global surface warming in the near and long-term (*high confidence*). In the long term, this net warming is lower in scenarios assuming air pollution controls combined with strong and sustained CH_4 emission reductions (*high confidence*). In the low and very low GHG emissions scenarios, assumed reductions in anthropogenic aerosol emissions lead to a net warming, while reductions in CH_4 and other ozone precursor emissions lead to a net cooling. Because of the short lifetime of both CH_4 and aerosols, these climate effects partially counterbalance each other and reductions in CH_4 emissions also contribute to improved air quality by reducing global surface ozone (*high confidence*).
{6.7, Box TS.7} **(Figure SPM.2, Box SPM.1)**

[44] Compared to AR5, and when taking into account emissions since AR5, estimates in AR6 are about 300–350 $GtCO_2$ larger for the remaining carbon budget consistent with limiting warming to 1.5°C; for 2°C, the difference is about 400–500 $GtCO_2$.

[45] Potential negative and positive effects of CDR for biodiversity, water and food production are methods-specific, and are often highly dependent on local context, management, prior land use, and scale. IPCC Working Groups II and III assess the CDR potential, and ecological and socio-economic effects of CDR methods in their AR6 contributions.

D.1.8 Achieving global net zero CO_2 emissions is a requirement for stabilizing CO_2-induced global surface temperature increase, with anthropogenic CO_2 emissions balanced by anthropogenic removals of CO_2. This is different from achieving net zero GHG emissions, where metric-weighted anthropogenic GHG emissions equal metric-weighted anthropogenic GHG removals. For a given GHG emission pathway, the pathways of individual greenhouse gases determine the resulting climate response[46], whereas the choice of emissions metric[47] used to calculate aggregated emissions and removals of different GHGs affects what point in time the aggregated greenhouse gases are calculated to be net zero. Emissions pathways that reach and sustain net zero GHG emissions defined by the 100-year global warming potential are projected to result in a decline in surface temperature after an earlier peak (*high confidence*).
{4.6, 7.6, Box 7.3, TS.3.3}

D.2 Scenarios with very low or low GHG emissions (SSP1-1.9 and SSP1-2.6) lead within years to discernible effects on greenhouse gas and aerosol concentrations, and air quality, relative to high and very high GHG emissions scenarios (SSP3-7.0 or SSP5-8.5). Under these contrasting scenarios, discernible differences in trends of global surface temperature would begin to emerge from natural variability within around 20 years, and over longer time periods for many other climatic impact-drivers (*high confidence*).

{4.6, Cross-Chapter Box 6.1, 6.6, 6.7, 9.6, Cross-Chapter Box 11.1, 11.2, 11.4, 11.5, 11.6, 12.4, 12.5} **(Figure SPM.8, Figure SPM.10)**

D.2.1 Emissions reductions in 2020 associated with measures to reduce the spread of COVID-19 led to temporary but detectible effects on air pollution (*high confidence*), and an associated small, temporary increase in total radiative forcing, primarily due to reductions in cooling caused by aerosols arising from human activities (*medium confidence*). Global and regional climate responses to this temporary forcing are, however, undetectable above natural variability (*high confidence*). Atmospheric CO_2 concentrations continued to rise in 2020, with no detectable decrease in the observed CO_2 growth rate (*medium confidence*)[48].
{Cross-Chapter Box 6.1, TS.3.3}

D.2.2 Reductions in GHG emissions also lead to air quality improvements. However, in the near term[49], even in scenarios with strong reduction of GHGs, as in the low and very low GHG emission scenarios (SSP1-2.6 and SSP1-1.9), these improvements are not sufficient in many polluted regions to achieve air quality guidelines specified by the World Health Organization (*high confidence*). Scenarios with targeted reductions of air pollutant emissions lead to more rapid improvements in air quality within years compared to reductions in GHG emissions only, but from 2040, further improvements are projected in scenarios that combine efforts to reduce air pollutants as well as GHG emissions with the magnitude of the benefit varying between regions (*high confidence*). {6.6, 6.7, Box TS.7}.

[46] A general term for how the climate system responds to a radiative forcing (see Glossary).

[47] The choice of emissions metric depends on the purposes for which gases or forcing agents are being compared. This report contains updated emission metric values and assesses new approaches to aggregating gases.

[48] For other GHGs, there was insufficient literature available at the time of the assessment to assess detectable changes in their atmospheric growth rate during 2020.

[49] Near term: (2021–2040)

D.2.3 Scenarios with very low or low GHG emissions (SSP1-1.9 and SSP1-2.6) would have rapid and sustained effects to limit human-caused climate change, compared with scenarios with high or very high GHG emissions (SSP3-7.0 or SSP5-8.5), but early responses of the climate system can be masked by natural variability. For global surface temperature, differences in 20-year trends would *likely* emerge during the near term under a very low GHG emission scenario (SSP1-1.9), relative to a high or very high GHG emission scenario (SSP3-7.0 or SSP5-8.5). The response of many other climate variables would emerge from natural variability at different times later in the 21st century (*high confidence*).
{4.6, Cross-Section Box TS.1} **(Figure SPM.8, Figure SPM.10)**

D.2.4 Scenarios with very low and low GHG emissions (SSP1-1.9 and SSP1-2.6) would lead to substantially smaller changes in a range of CIDs[36] beyond 2040 than under high and very high GHG emissions scenarios (SSP3-7.0 and SSP5-8.5). By the end of the century, scenarios with very low and low GHG emissions would strongly limit the change of several CIDs, such as the increase in the frequency of extreme sea level events, heavy precipitation and pluvial flooding, and exceedance of dangerous heat thresholds, while limiting the number of regions where such exceedances occur, relative to higher GHG emissions scenarios (*high confidence*). Changes would also be smaller in very low compared to low emissions scenarios, as well as for intermediate (SSP2-4.5) compared to high or very high emissions scenarios (*high confidence*). {9.6, Cross-Chapter Box 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.9, 12.4, 12.5, TS.4.3}

Headline Statements from the Summary for Policymakers

9 August 2021 (subject to final copy-editing)

A. The Current State of the Climate

A.1 It is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred.

A.2 The scale of recent changes across the climate system as a whole and the present state of many aspects of the climate system are unprecedented over many centuries to many thousands of years.

A.3 Human-induced climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, and, in particular, their attribution to human influence, has strengthened since the Fifth Assessment Report (AR5).

A.4 Improved knowledge of climate processes, paleoclimate evidence and the response of the climate system to increasing radiative forcing gives a best estimate of equilibrium climate sensitivity of 3°C, with a narrower range compared to AR5.

B. Possible Climate Futures

B.1 Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in carbon dioxide (CO_2) and other greenhouse gas emissions occur in the coming decades.

B.2 Many changes in the climate system become larger in direct relation to increasing global warming. They include increases in the frequency and intensity of hot extremes, marine heatwaves, and heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic sea ice, snow cover and permafrost.

B.3 Continued global warming is projected to further intensify the global water cycle, including its variability, global monsoon precipitation and the severity of wet and dry events.

B.4 Under scenarios with increasing CO_2 emissions, the ocean and land carbon sinks are projected to be less effective at slowing the accumulation of CO_2 in the atmosphere.

B.5 Many changes due to past and future greenhouse gas emissions are irreversible for centuries to millennia, especially changes in the ocean, ice sheets and global sea level.

C. Climate Information for Risk Assessment and Regional Adaptation

C.1 Natural drivers and internal variability will modulate human-caused changes, especially at regional scales and in the near term, with little effect on centennial global warming. These modulations are important to consider in planning for the full range of possible changes.

C.2 With further global warming, every region is projected to increasingly experience concurrent and multiple changes in climatic impact-drivers. Changes in several climatic impact-drivers would be more widespread at 2°C compared to 1.5°C global warming and even more widespread and/or pronounced for higher warming levels.

C.3 Low-likelihood outcomes, such as ice sheet collapse, abrupt ocean circulation changes, some compound extreme events and warming substantially larger than the assessed *very likely* range of future warming cannot be ruled out and are part of risk assessment.

D. Limiting Future Climate Change

D.1 From a physical science perspective, limiting human-induced global warming to a specific level requires limiting cumulative CO_2 emissions, reaching at least net zero CO_2 emissions, along with strong reductions in other greenhouse gas emissions. Strong, rapid and sustained reductions in CH_4 emissions would also limit the warming effect resulting from declining aerosol pollution and would improve air quality.

D.2 Scenarios with low or very low greenhouse gas (GHG) emissions (SSP1-1.9 and SSP1-2.6) lead within years to discernible effects on greenhouse gas and aerosol concentrations, and air quality, relative to high and very high GHG emissions scenarios (SSP3-7.0 or SSP5-8.5). Under these contrasting scenarios, discernible differences in trends of global surface temperature would begin to emerge from natural variability within around 20 years, and over longer time periods for many other climatic impact-drivers (*high confidence*).

From: Gail Cafferata
To: Cannabis
Subject: Water use
Date: Wednesday, August 11, 2021 12:00:12 PM

Existing baseline conditions should be examined to include all cannabis permits already issued, all people growing without a permit in the Penalty Relief Program, and all pending and reasonably foreseeable future permits. Other residential, police protection, fire protection and agricultural users in the unincorporated areas would be identified and their present and future needs assessed. It must also include evaluation of all constraints on our water supply by all users in the County, including everyone the Sonoma County Water Agency (SCWA) sells water to. It should be noted here that the SCWA also sells water to Marin.

In addition, all users with any water rights should be listed so they can be evaluated as a draw on our overall water "system". In this process the EIR can more accurately reach a conclusion about how much total water is available and how much can be used for new users in the unincorporated areas. New permits must rely on the best accounting of assumed water supply. Climate change and drought may have altered these assumptions and an analysis of the existing usages and cumulative impacts needs to be a part of the EIR.

Analyses of drought year water availability should be conducted and areas to be considered for cultivation should be based on dry years, not average year conditions. In the past, the county and the consultants always used an historical average, but, due to climate change even historical average is now likely inappropriate. This drought year benchmark analysis is an important factor combined with projections of current and future water needs for all users county-wide.

The ultimate goal for the EIR and a successful ordinance should be future sustainability in compliance with the Sustainable Groundwater Management Act. The County needs to be proactive and transparent so that the public knows and understands the process and timeline and will be able to provide meaningful input.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: WATER
Date: Wednesday, August 11, 2021 12:01:16 PM

What we are confronting here in Sonoma County with the threat of commercial marijuana cultivation is the tragedy of the commons. The tragedy of the commons refers to a situation in which individuals with access to a shared resource (also called a common) act in their own interest and, in doing so, ultimately deplete the resource.

This economic theory was first conceptualized in 1833 by British writer William Forster Lloyd. In 1968, the term "tragedy of the commons" was used for the first time by Garret Hardin in Science Magazine.

This theory explains individuals' tendency to make the best decisions for their personal situation, regardless of the negative impact they may have on others. An individual's belief that others won't act in the best interest of the group can lead them to justify their selfish behavior. When facing the use or potential overuse of a common or public good, individuals may act with their short-term best interest in mind, for instance, using an unsustainable product, and disregard the harm it could cause to the environment or general public.

In the United States, groundwater is the source of drinking water for about half the population, and roughly 50 billion gallons are used each day for agriculture. Because of the tragedy of the commons, groundwater supply is decreasing faster than it can be replenished. In drought-prone areas, the risk for water shortage is high and restrictions are often put in place to mitigate it.

The tragedy of the commons shows us how, without some sort of regulation or public transparency of choices and actions associated with public goods, there's no incentive for individuals to hold themselves back from taking too much. In fact, individuals may even have a "use it or lose it" mentality; if they're aware of the inevitability that the good itself will be depleted, they may think, "I better get my share while I still can."

Sonoma County must do a new EIR in compliance with CEQA or the county water supply here will ultimately become unsustainable for everyone who depends on it, especially ranchers and farmers who are responsible for our county's thriving historical agriculture.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gina Parmeter
To: Cannabis
Cc: Randy Parmeter
Subject: Safe Cannabis growing
Date: Wednesday, August 11, 2021 8:37:43 AM

To whom it may concern,

Where <u>NOT</u> to grow cannabis

1. Not in water zones 3, 4, impaired watersheds or riparian corridors or where water must be trucked in, or where any catchment ponds will hamper groundwater replenishment
2. For outdoor grows the odor must stop at the property line. Setbacks from residential communities and hamlets or to adjacent Rural Residential or Agricultural Residential parcels in unincorporated areas must be increased to preserve the integrity of the community.
3. For indoor and greenhouse, setbacks from residential communities and hamlets must not produce odor or visually impair the integrity of the community. Adequate power supply and wastewater disposal capacity for the operations must be demonstrated.
4. Not on dead-end substandard roads over 1 mile long, or on roads less than 20 ft wide
5. Not on roads with existing evacuation issues or that would cause evacuation issues for the existing residents
6. Not in Rural and Residential Development zones
7. Not in voter approved Community Separators
8. Not on slopes over 15%
9. Not in forested areas or Oak-woodlands or anywhere where the operation will require removal of native trees
10. Not in high or very high fire zones
11. Not in areas with sheriff response time is inadequate
12. Not where visible from scenic roads, parks or public rights-of-way or any other identified scenic resource
13. Not in areas where overconcentration would be the result unless the area is designated as an inclusion zone
14. Not within community agreed Exclusion Zones

Where <u>TO</u> grow cannabis

1. All 3 ag zones: LEA, LIA, DA, on parcels 10 acres or greater
2. Industrial and commercial zones with adequate power and wastewater disposal capacity
3. Industrial/Commercial zones only for indoor and greenhouse (mixed light) with adequate power and wastewater disposal capacity
4. For outdoor, on large parcels where setbacks are sufficient for odor, adjacency and community integrity issues
5. For all, with confirmed water availability in conjunction with all other present and

projected users (residential, commercial and industrial needs county wide) for the next 20 years
6. Within Cannabis Inclusion Zones

Where to process cannabis(drying, trimming)

1. Industrial and commercial zones only with adequate power and wastewater disposal capacity

Where to extract THC oil

1. Industrial zones only with adequate power and wastewater disposal capacity

Where to sell cannabis

1. Commercial zones only with adequate power and wastewater disposal capacity

Where to sample and have cannabis events

1. Commercial zones only .– No consumption allowed on site. No events at grow sites

Sincerely,

Gina Parmeter

707-431-1645

429 Healdsburg Ave

Healdsburg, CA 95448 shopginasboutique.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gina Parmeter
To: Cannabis
Subject: Cannabis
Date: Wednesday, August 11, 2021 8:42:25 AM

To whom it may concern,

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Regards,

Gina Parmeter

707-431-1645

429 Healdsburg Ave

Healdsburg, CA 95448 shopginasboutique.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jamie Ballachino
To: Cannabis; Sam De La Paz
Subject: Water crisis solution
Date: Wednesday, August 11, 2021 6:15:21 PM

Rip out half (32,500 acres) of vines and replace them with 1000 acres of cannabis . Bring in more tax revenue, save 75% of the water. This is the only solution. Do this or we become a desert.

Jamie Ballachino
President
Hands in the Earth, Inc.
License #:
CCL18-0000131
1415 Fulton Rd.
Santa Rosa, Ca
Suite 205-238
Email:
Jamie@HandsInTheEarth.com
MEMBER HESSEL GRANGE!

Confidentiality notice:
This e-mail message, including any attachments, may contain legally privileged and/or confidential information. If the reader of this e-mail message is not the intended recipient, you are hereby notified that any dissemination, or distribution, reading, or copying of this e-mail message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail, return this e-mail message to the sender, and delete the original e-mail message from your computer.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jamie Ballachino
To: Cannabis; Sam De La Paz
Subject: Water crisis
Date: Wednesday, August 11, 2021 6:29:45 PM

We must think mathematically when talking about conservation. Pull out half the vines (stop using emotions to decide), replace them with 1,000 acres of cannabis. Save water.

Jamie Ballachino
President
Hands in the Earth, Inc.
License #:
CCL18-0000131
1415 Fulton Rd.
Santa Rosa, Ca
Suite 205-238
Email:
Jamie@HandsInTheEarth.com

Confidentiality notice:
This e-mail message, including any attachments, may contain legally privileged and/or confidential information. If the reader of this e-mail message is not the intended recipient, you are hereby notified that any dissemination, or distribution, reading, or copying of this e-mail message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail, return this e-mail message to the sender, and delete the original e-mail message from your computer.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: kkyates
To: Cannabis
Subject: Petaluma Valley Groundwater study
Date: Wednesday, August 11, 2021 12:59:10 PM

Hi,
For starters, here is an article in the Argus Courier from 2018 on the issue of groundwater in the Petaluma Valley basin I texted about. I will follow up with tracking down the study.

https://www.petaluma360.com/article/news/agency-finds-petaluma-groundwater-clean-cheap/?sba=AAS

Sincerely,
Katherine Yates

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mary Plimpton
To: Cannabis
Subject: Water Session presentation
Date: Wednesday, August 11, 2021 6:08:36 PM

EXTERNAL

Is it possible to get copies of Mia's presentation?
Very useful and well presented.
Thank you

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mercy Sidbury
To: Cannabis
Subject: cannabis envisioning sessions --water
Date: Wednesday, August 11, 2021 6:55:26 PM

Being in the middle of an open-ended concern for our water resources, we are all aware that any increased demand is too much. With communities being asked to cut back 40% of their use, farmers losing all access to water for their crops and vineyards, tourists being shunned because they need to be catered to so as not to lose their business, we need to be aware that our present is our future. There is no guarantee ever that our water supplies will be sufficiently renewed annually. We must act as if these restrictions will be necessary from here on.

From this standpoint, any extra demand, especially with the high usage that cannabis cultivation requires, is too much from my standpoint. We need a moratorium on any project, including cannabis production, that will require ongoing intensive demand on our water resources until government can come up with a way to prepare for dire circumstances such as we find ourselves in.

The ordinance should not allow operations to import water from other areas. It must be sustainable on every level: pesticide use, water demand, labor practices.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Maya Uresti
To:	Cannabis
Cc:	Cindy Schellenberg
Subject:	Cannabis Vision
Date:	Wednesday, August 11, 2021 3:58:54 PM

Dear Sonoma County:

First Priority:

Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Otherwise water will continue to go to cannabis without regulation!!!

I can witness this first hand, as the outdoor commercial grow next door to me has harvested multiple crops without the application being reviewed for ***more than one and a half year****s! Meanwhile we are saving the water from our showers, we have pulled out almost all living plants on our property and we have spent thousands of dollars to "firescape" our property due to the continued drought and fire season danger. On the flip side, they leave on the water to run* ***for hours*** *on their cannabis crops! Their well is above us and directly impacts ours (Zone 3).*

*They have NO regard for the residents in the area and all the steps that we are going through to conserve as much water as possible during this drought and fire season. If and when the fires come through this area, we will have NO water to fight them with!!! We have livestock that need to have water, long term residents should be able to have water for their household and animals B****EFORE*** *a property owner operating without a permit who doesn't live on the property! They don't live here, but we do!*

We are in an unprecedented drought year so this is incredibly arrogant and foolish.
Approving more permits puts commercial interests clearly way above the public interests and ability of people to enjoy their homes.

Second priority:

- **Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances, or safety hazards for residents, and**
  - **are not in public view,**
  - **are not in impaired watersheds or water scarce zones 3 and 4,**
  - **are accessed by legal fire safe roads and**
  - **do not impact public safety.**

- **No permitting at all in high fire risk zones or on remote roads with evacuation challenges.**
- **Permit cannabis processing only on designated commercial and industrial zoned land.**
- **A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.**

Please listen to those of us who have been objecting for years and placated by empty promises and platitudes. Our quality of life is suffering, I can't breathe, I am allergic to the pollen of the cannabis. I can't open the windows of my home in the hottest part of the year, I have migraines, I feel nauseous, my throat hurts, my chest hurts, I can't seem to catch my breath, I can't sleep, basically I can't be outside without an adverse physical reaction. WE MOVED HERE ALMOST 30 YEARS AGO TO BE OUTSIDE WITH OUR FAMILY AND OUR ANIMALS! I have made all of these concerns known before in previous emails, I have called anyone and everyone that I have at my disposal to get some resolution and NOTHING has changed! It's NOT right that as longtime residents our cares and concerns don't seem to matter and the concerns of a controversial industry matter more. WE are the residents of this county, **WE MATTER!!** What we have today is not my Sonoma County vision, nor was I allowed any real choice or options. I am really quite tired of being disenfranchised in favor of this wealthy industry whose only concern is for profit. Please do the right thing.

Sincerely,

Maya Uresti
8147 Davis Lane
Penngrove, CA 94951

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: Water Worries
Date: Wednesday, August 11, 2021 11:32:49 AM

I am writing in from Franz Valley where residents continue to worry about today's water resources -- and have made sacrifices in many instances due to those dwindling resources. So, the specter of the potential arrival of acres of a water-ravenous plant is ominous . . and unbelievable.

The recent state Water Board communications -- in June and July -- emphasize the obligation of cannabis growers not to divert surface water; to get prior approval for all bulk water hauling; and to strictly document any hauled water. Nevertheless, violations continue to occur, as the State's reporting "hotline" for violations continues to be overwhelmed.

In the end: Sonoma County should be a state leader in recognizing the mega-drought emergency. There are NO new "codes" that would protect an irreplaceable resource in aquifers and in streams and rivers throughout Franz Valley and all of Sonoma COunty if cannabis operations are permitted. Cannabis permitting should be halted.

~~Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: The sacrifice of water . . . .
Date: Wednesday, August 11, 2021 12:53:07 PM

Writing in from Franz Valley:

The siren song of cannabis profits makes moot any true concern about curbing the water-rapacious cannabis operations. The guided sessions to get to "what will a successful cannabis program look like" for water, riparian corridors, safety . . anything . . . seem to be Kabuki theater.

~~~Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.
~~~

From: Raymond Krauss
To: Cannabis
Subject: Water
Date: Wednesday, August 11, 2021 6:18:37 PM

Water impacts of cannabis production are quite different in upland aquifers than in groundwater basins. Water use in the groundwater basins is subject to the requirements of the Sustainable Groundwater Management Act. Groundwater basins are alluvial and store significant amounts of water available for use year round. The SGNA is intended to allocate water among users so that cumulative withdrawals from the basin do not exceed seasonal recharge. Streamflow impacts are managed by assuring that the basin is not overdrawn. Water use impacts of cannabis production in ground water basins should be adequately mitigated by compliance with the requirements of the SGMA.

Upland aquifers are not subject to SGMA and are generally fractured rock aquifers with highly variable storage and yields from area to area depending upon the underlying geology. Upland fractured rock aquifers store accumulated winter rain which is gradually released into streams thus maintaining the year round streamflow necessary to sustain the migration and reproduction of rare and endangered salmon. Monitoring and modeling hydrology studies have shown that upland waters are already over allocated and the stream flows are marginal at best for salmon survival.

Five upland watersheds in Sonoma County are designated as “impaired” for stream flow and have been targeted by the State Department of Fish and Wildlife and the State Water Resources Control Board for improved protections and management in order to maintain and restore salmon habitat.

The State has invested significant amounts of public funds to study and to manage and restore these watersheds. Most recently, the State Wildlife Conservation Board funded the Sonoma RCD to assist private landowners in the Mark West Watershed to build rain water capture and storage systems in order to reduce late season ground use and help maintain stream flow. To date, nearly 500,000 gallons of capture and storage has been built at a public cost of half a million dollars.

Monitoring and modeling studies on the Mark West and Green Valley watersheds demonstrate that current flows are critically low in the fall of the year can be adversely impacted by the extraction of additional ground water in the amounts required for cannabis production. Cannabis production, based on actual measurements, consumes between 1.5 and 3 million gallons of water per year per acre with the heaviest using coming late in the year when stream flows are at their lowest. Even one such operation would more than offset the water savings accomplished to date and reduce late season stream flows below critical levels.

It is strongly recommended that no cannabis production operations be allowed in upland watersheds (County Water Availability Zones 3 and 4) and in particular watersheds already designated as impaired.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Roger Lundberg
To: Cannabis
Subject: Cannabis growers rules
Date: Wednesday, August 11, 2021 3:40:53 PM

Hello!

I live next to a cannabis operation in Sebastopol.
It does not belong in a residential area at all.

(1) It is a 24 hour operation. Trucks and workers all night long.
(2) Heavy equipment used. The grower operating next to me has a bulldozer and a water truck. When he was putting in a road along the fence line, my whole house shook from his bulldozer.
(3) Everybody in my neighborhood relies on water from wells. He has the biggest tanks of anyone. His pump near my house has been running continuously.
(4) The smell of cannabis is strong. I fear that I have to be a "cannabis user" just because I breathe the air coming from his drying sheds.
(5) There is an element of lawlessness in such a grow. Does anyone doubt that he has guns and round the clock guards? I can assure you otherwise.
(6) He and his many workers can be heard talking loudly and often cursing.

I am available to talk to anyone who wants a first hand account of how disturbing a cannabis operation is:
Roger Luindberg
707 479 5161
rlundbergbuilder@gmail.com

None of these problems exist with the many vineyards in my neighborhood. They do spray and run equipment in the middle of the night, but nothing like the cannabis grower.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Richard R. Rudnansky
To: Cannabis
Cc: Susan Gorin
Subject: VISIONING SESSION – AUGUST 11, 2021 – WATER
Date: Wednesday, August 11, 2021 11:52:34 AM

VISIONING SESSION – AUGUST 11, 2021 – WATER

Here are my comments for the August 11, 2021 Visioning Session regarding Cannabis Ordinance.

RESPONSES TO QUESTIONS ASKED IN THE AUGUT 11, 2021 VISIONING SESSION.

IN GENERAL: Given the current and what appears will be the future water shortages, there should be no further expansion of any type of commercial cannabis operations in the County. It is incredible to me that the County is even considering expanding cannabis operations both in number and size given our current water crises and climate change. How does this make any sense? Serious question. There should be an immediate moratorium on accepting and processing and approving any further applications for cannabis operations.

What do you think are the most important water resources that we need to protect as we develop the guidelines for the cannabis program? Given the current drought and what now appears will be regular future droughts due to climate change, commercial cannabis cultivation should be one of the lowest priorities after uses for housing, traditional agriculture, and wildlife habitat. Existing aquifers and wells, ground and surface water and water from rivers and streams that are currently being used by existing individual residences and neighborhoods should not be depleted or reduced.

What would a successful cannabis operation look like that protects our water resources? All operations should be required to have grey water systems and storage systems installed. All cultivation should be done by drip systems or by hand watering. Given the current and what appears will be the future water shortages, only operations that use onsite water supplies that do not impact any water supplies outside of the cannabis related properties should be allowed if at all. Limit the number of permits issues and permit only small so called “mom and pop” operations. When residential and others are types of uses are asked or mandated to reduce water usage this should also apply to cannabis operations. No special favors for cannabis operations.

What would successfully protecting natural habitats and species look like when it comes to cannabis cultivation? Prohibit any commercial cannabis operations from using water from the Russian River and its tributaries. Require greywater systems. Operations should only use on site water that does not impact sources of water for other properties. Require significant setbacks to streams and rivers and control and recirculate runoff.

What would successfully protecting riparian corridors look like when it comes to cannabis cultivation? Do not allow any commercial cannabis cultivation in riparian corridors or in areas that would have an impact on riparian corridors. Require setbacks that would not allow runoff to get into riparian corridors and recirculate runoff.

What would successful water conservation efforts for cannabis cultivation look like in normal years? Newsflash: this year may now be the new normal. Therefore there should not be any further expansion or new approvals of cannabis operations period.

What would a successful approach to a drought look like for cannabis cultivation in the county? Put in place an immediate moratorium on accepting, processing, and approving any applications for cannabis cultivation and impose new requirements on existing commercial operations such as grey water systems and rainwater storage

ACOUNTABILITY

What does successful accountability look like when it comes to water and cannabis?

What would it mean to hold cannabis growers accountable?

Any violations of any water regulations, conditions of permits, and water conservation measure requirements should be immediately and aggressively investigated (without advance notice to the operators as to on site investigations) and if substantiated should be immediately abated and fines levied. Any cannabis operator violating water requirements should be required to pay all costs of investigation and abatement. There should be zero tolerance. If the operator is in violation of water requirements and regulations more than twice, their permit should be revoked and operation closed down. In addition all permits should be reviewed on an annual basis and if operators are found to be out of compliance, abatement proceedings should be commenced and pursued to conclusion with operator paying all costs.

Operators should not be given any special exemptions from County ordinances or regulations regarding water usage. Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines. There should be ownership and residency requirements placed operators to limit out of county operators.

ADDITIONAL THOUGHTS

What additional thoughts do you have about the water aspects of a successful cannabis program?

All these visioning sessions and the questions being asked seem to assume that there will expansion of cannabis operations. Rather, it seems to me that the Board of Supervisors should revisit whether there should be any cannabis cultivation or other operations permitted in the County at all rather than how to expand the industry. Given climate change, the current drought, and the continued demand on water from housing development, any new ordinance should not provide for any additional cannabis operations that are not at this time already permitted. There should immediately put in place a moratorium on accepting, processing, or approving any applications for cannabis operations. Include and analysis in the EIR a “no project” alternative (i.e. no further expansion of cannabis industry) for consideration by the public and the Board. Do not exempt existing operations from any water regulations or conservation measures imposed on or asked of the general public.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rich Wolf
To: Cannabis
Subject: Cannabis policy
Date: Wednesday, August 11, 2021 9:34:06 AM

EXTERNAL

To whom it concerns,
Regarding your scheduled meetings this week on the counties future cannabis policy:
please prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Thank you.

Richard Wolf
Graton resident

Sent from my iPad

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rachel Zierdt
To: Cannabis
Subject: water usage ideas
Date: Wednesday, August 11, 2021 7:35:47 PM

There should be a moratorium on any kind of growing while the county is trying to get a handle on the baseline for the EIR.
Once the EIR is written, there should be two considerations added for cannabis growing.

1.Permits only lasting a year so that each year water usage could be accurately evaluated.
2. There should be a limit on the number of crops a grower is allowed yearly and the number of plants that a grower can produce depending on the availability of water.

That provides flexibility to the county in years of drought or years of excess water…also the grower knows what the parameters would be.
Water is a shared resource and shouldn't just be used because one party or entity is going to increase their revenue.

Rachel Zierdt

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Toby Levy
To: Cannabis
Subject: Water Resources - Visioning session
Date: Wednesday, August 11, 2021 6:54:32 AM

To whom this may concern;

In thinking about Water and Commercial Cannabis I urge the county to consider the impact on water resources.

I have had a small non-commercial applie orchard in the rural community of Bloomfield for over 20 years. During that time I have witness our old brick (30' deep) well going dry by the end of August in dry years, but currently it is dry in late June. This a direct evidence of the drop of ground water level. Several years ago we drilled a new deeper well so we don't have to rely on the typical one for years 20 years ago.

Another evidence of reduction of ground water is that this year our apples are significantly smaller, as a result of being a second year of this super dry season. We water minimally, relying on close surface water for the early season. Obviously this second year of the drought has been a super challenge.

I am concerned that unfettered, unregulated and unmonitored use of groundwater, will significantly degrade water for all. The current use of lands surrounding Bloomfield for grazing, presently mild stresses on water resources, and our farm is still vulnerable. So allowing thirsty commercial crops whether wine or cannabis without studying its impact on groundwater seems fool-hearty.

Therefore I request the following.

Request the Board of Supervisors impose a moratorium on groundwater wells for cannabis cultivation in Groundwater Availability Zones 3 and 4 for ministerial and CUP discretionary approval. Groundwater wells in any areas in the County designated as Groundwater Availability Zones 3 or 4. These are areas where groundwater supplies are limited and uncertain; thus, vulnerable to groundwater overdraft and reduced groundwater recharge.

Require comprehensive Water Availability Analysis: Determine all current and projected water usage needs in the County across all uses - residential, agricultural, commercial and industrial- and based on this information, determine available water for new cannabis operations under drought conditions as well as historical averages.

Recommend the County pre-test the adequacy or reliability of net-zero water plans – (rainwater catchment basins, etc.) and whether they interfere substantially with groundwater recharge. These analyses are crucial in light of the drought that has gripped this State for the past several years.

Demand an adequate analysis of Environmental Setting- by watershed: The County must gather data and complete analyses on:

- the number of existing legal and illegal cultivation sites, including renewals
- then estimate the number of eligible sites (based on siting criteria) that may apply for permits,
- accurately estimate the amount of water supply needed for those sites,
- evaluate the potential impacts on surface and groundwater resources,
- proactively evaluate whether net-zero catchment plans produce needed water supplies and impacts on groundwater replenishment for neighboring well.

Define Exclusion Zones:

- prohibit or limit the number of cannabis facilities (cap set by watershed) within Groundwater Availability Zones 3 or 4

- exclude commercial cannabis facilities from impaired watersheds

- Use Geo-spatial analysis to map at parcel scale, then exclude parcels with certain sensitive habitats, per CDFW.

I really want to support reasonable and sustainable crops, but not blindly or unregulated. The County nor the State has the resources to follow up on uses, so I urge you to proceed with as much knowledge and intelligence as possible.

Toby S. Levy, FAIA
Founding Principal

Levy Design Partners
90 South Park San Francisco CA 94107
415.777.0561 ldparchitecture.com

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Victoria De Crescenzo
To: Cannabis
Subject: Water usage meeting 8-11-21
Date: Wednesday, August 11, 2021 6:58:56 PM

Dear Folks,

I sat through the zoom meeting and was surprised.

I'm still not understanding why you are asking for "ideas" on how to help you craft notes to the board of supervisors to address how "we want cannabis to look" in Sonoma County.

I participated in the online Q/A, so you have my thoughts, but I will reiterate it here:

We need to enact a moratorium on ALL development. Our governor asked us to reduce water by 15%. It seems logical that **ALL** development would be stopped in order to comply.

How can you continue to ignore the drought that is before us?

Sincerely,
Victoria DeCrescenxo

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Veva Edelson
To:	Cannabis
Subject:	Cannabis visioning is not just about coming up with creative ideas for the impossible to be possible it"s about listening and seeing what this ordinance is doing to our county
Date:	Wednesday, August 11, 2021 11:06:03 AM

Dear County Staff,

We need to protect our groundwater!

I have been farming for 6 years in Bloomfield. This year, I chose not to plant any commercial crops that need to be watered, due to the drought. I put cover crop down on my 2-acre cultivation area in the hopes that it would get watered by winter rains.

The 80 acres next door was purchased with the intent to grow cannabis. If the ministerial permit had been granted and phase 2 of the ordinance had passed, our neighbors would have been able to cover 10% of 2 of their parcels, for a total of 7 acres of commercial cannabis. I seriously doubt that our neighbors, with their 2 dozen LLCs, would have decided to conserve water by abstaining from growing a crop, this year.

Our community of 400 are all on wells. In fact, it would have been possible for our neighbors to grow up to 3 crops in a single season, tripling the already-high demand on our community's shared water resources. I am sure that there are cannabis farmers out there who have great regenerative practices, and are ethical community members able to put people and community over profits.

It is very important that everyone in the business of growing and distributing cannabis is highly conscious of the impacts on the surrounding community, and on our shared resources. This needs to be the foundation of the ordinance we create.

Many cannabis growers seem blinded by their quest for a rush of green buds that translate into far more cash than any other crop being grown in our county. From what I have witnessed here in these visioning sessions, many growers have very little understanding of or empathy for the residents of this county, who are being negatively impacted by this business of cannabis cultivation.

All these legacy growers are coming out of a time when what they were doing was illegal. They were all willing to break the law to make money growing cannabis. This is a group of people that does not give a lot of authority to government, law enforcement, nor even the environment, in many cases.

Many of the small-time legacy growers are unable meet the requirements of the current permitting process. The permitting process is creating larger grows and multiple crops per year, bringing in investors from out of the county to take advantage of any and all loopholes in our cannabis ordinance in order to make a profit.

What does this give to our communities, but a lot of extra stress, work, and expense to try to protect our peace and the integrity of our environment.

I urge you to adopt a Moratorium until Sonoma County prepares an EIR to determine

environmental conditions, and an Ordinance that sets standards for the industry. Under the current ordinance, we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental site document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use!

Sincerely, Veva Edelson

Carbon Farmer/ Artist
Piano Farm
Bloomfield CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	AnnaRae Grabstein
To:	Cannabis
Cc:	Susan Gorin; David Rabbitt; district3; James Gore; Lynda Hopkins; Amber Morris; Douglas Cortina; Jigar Patel
Subject:	NorCal Cannabis Comments- Sonoma County Comprehensive Cannabis Program Update
Date:	Thursday, August 12, 2021 4:54:12 PM
Attachments:	NorCal Cannabis Comments- Sonoma County Comprehensive Cannabis Program.pdf

County Staff and Supervisors- Please see attached input addressing Sonoma County's comprehensive cannabis program update. We look forward to continued conversation on ways to improve the cannabis program and welcome any questions and/or feedback regarding the attached comments.

Kindly,

--

ANNARAE GRABSTEIN | Chief Compliance Officer
831-234-3745 | annarae@norcalcann.com
NorCal Cannabis Company

This message and any files transmitted with it may contain information that is confidential or privileged. If you are not the intended recipient, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy thereof.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Osiris Ventures, Inc.
dba NorCal Cannabis Company

Santa Rosa, Ca 95403

August 12, 2021

Via Email: cannabis@sonoma-county.org

To whom it may concern,

Thank you for the opportunity to provide input on the comprehensive update to Sonoma County's commercial cannabis program.

Generally, from the perspective of a business who has experienced State and local rollout of this newly regulated industry, evolution of policy is a natural step and needed to create efficiencies for industry, regulators and the public. For that reason we applaud your efforts and encourage the government and policy process to attempt to be nimble and timely in this evolution.

With this, we urge the County to revisit the published timeline to determine if there are milestones that can be achieved sooner than what has been estimated. By reducing the timeline, the County will avoid such things as continued cannabis activities conducted outside of the legal market in the interim, and the likelihood that the updated Program will be out of step with federal and state cannabis programs before it's even launched. When developing updated language for the cannabis program, we recommend the County use the following concepts as key drivers to streamline the effort:

- Keep a narrow focus on land use
- Avoid duplicative efforts with State licensing in areas like security and resource/water management where State requirements are robust and sufficient
- Treat cannabis businesses like other businesses
- Build in flexibility to evolve the program to remain consistent with State and Federal changes

The County has already put substantial effort into initial crafting and subsequent honing of the program. It is our opinion that the County should not start anew based on the loud voices of a few, but instead lean on the Spring 2021 efforts as the starting point for the comprehensive update which thoughtfully considered efficiencies for applicants, operators, regulators and land use compatibility with the community. Assuming these efforts are the starting point, we offer the following suggestions for program improvements.

Tax Reduction

The County has stated the broad intent of a comprehensive update to the cannabis program which should include consideration of current cannabis specific tax rates. As permitted by County Code Sec. 35-5(a)(3) "the board of supervisors may, in its discretion, at any time by ordinance, implement a lower tax rate for all persons engaged in commercial cannabis cultivation in the unincorporated area of the county." Compounding federal business tax deduction limitations, with high state and local taxes specifically applied to cannabis businesses are unsustainable for long term business success. Ultimately,

businesses are forced to pass a high tax burden onto the consumer, inflating the cost of legal cannabis. In Sonoma County, all other businesses are not required to have a business license/tax certificate making it reasonable for Sonoma County to lower taxes to better align with other types of businesses operating in the County. An example tax rate by business type, which aligns with Sonoma County's legislative ability to consider, are the rates set by the City of Santa Rosa who has purposely kept rates lower in an effort to establish a sustainable economic driver with legal cannabis businesses.

Cultivation

1. **Allow full utilization of industrial buildings by removing 22,000 square foot parcel cultivation area limit for indoor cannabis cultivation in industrial zones when project will occur within a building (MP, M1, M2, M3)**
   All local businesses operating in an industrial zone should have the ability to occupy the entire building, including cannabis businesses. By expanding opportunities for indoor cultivation in industrial zones, the County will spur activity where it is best suited (away from concerned residents) and discourage future expansion of indoor cultivation in ag and resource zones which are the more contentious areas from an environmental and community perspective. Avoid indoor cultivation caps per parcel in industrial zoning such as policy outlined in Sec. 26-88-254(f) of the current ordinance.
2. **Maintain consistency between State and local methods for measuring "cultivation area" (areas that will contain mature plants)**
   To enable seamless dual licensing and ease of compliance, the County should not deviate from State methods of calculating mature plant area as defined by the State as "canopy." Also see terminology comment #2 under general suggestions below.
3. **Align with State requirements and do not limit vegetative & propagative areas**
   The State does not limit the area that will only contain immature plants at a licensed premises. As defined by the State, immature plants cannot have cannabis flowers which greatly reduces the need to strictly regulate their production. Limiting the area to an arbitrary percentage of canopy is unnecessary, overly burdensome and in conflict with State allowances. We are not aware of any other local jurisdiction that limits areas that will only contain immature plants.
4. **Apply relevant requirements to indoor cultivation in industrial zones**
   When crafting new language, ensure that indoor cultivation in industrial zones is considered separately from requirements applied to cultivation in ag and resource zoning. Examples that should be avoided for indoor cultivation in industrial zones are minimum parcel size, basing allowable cultivation square footage as a percentage of total parcel size, and property line setbacks.
5. **Consider Nurseries separately from other cultivation types and do not aggregate square footage**
   Nurseries co-located with other indoor cultivation types should be considered separately and should not be folded into any established indoor parcel cultivation square footage limitations. As described in #3 above, by State and local definition, nurseries are only approved to contain immature plants and do not contain the product of regulatory concern (flowering plants or harvested flowers). The State does not cap or separately license square footage of nurseries and we see no justification for nurseries to be held to, or looped into, the same restrictive standards as full blown cultivation.

General

1. **Do not limit ownership to one (1) acre of canopy**
   There is no basis in the underlying intention of cannabis regulation (protection of public safety, public health and the environment) for the County to limit ownership to one (1) acre of canopy. The State currently places specific limitations on ownership including 1.) owners and financial interest holders in testing labs cannot have ownership or financial interest in other license types (Business and Professions Code section 26053), and 2.) a "person" is limited to one (1) Medium Outdoor, or one (1) Medium Indoor, or one (1) Medium Mixed-Light A-License or M-License (4 CCR section 16209). Avoid ownership limitations such as policy outlined in Sec. 26-88-254(e) of the current ordinance.
2. **Align terminology and defini ons with the State**
   Cannabis regulation is inherently complex and the use of different terminology and definitions at the State and local level leads to confusion amongst industry and regulators alike, and adds complexity with compliance. Examples include cultivation area (State) vs. canopy area (Sonoma County), immature plant area (State) vs. vegetative and propagative area (Sonoma County).
3. **Allow ownership transfers**
   Creating a pathway for ownership transfers without business interruption will expand opportunities and options for cannabis business owners. Like any business, cannabis business owners should have options for exiting their businesses by selling to another willing and able party. At the local and state level an enormous amount of effort is expended to get the moment of permit and license issuance. Creating a regulatory pathway for transfer of ownership protects the efforts expended to get the initial permit in place. Example language to consider is Santa Rosa CIty Code 20-46.050 subsection F.
4. **Improve cannabis land use tables**
   The current cannabis land use tables (Table 1A, 1B and 1C) outlining allowances by zoning should be edited to align with program realities. It is our understanding that Sonoma County does not issue cultivation permits using the specified categories (Co age, Specialty, Small, etc.) but instead specifies the square footage that is approved under the permit (i.e. a permit could allow 22,000 sqft but does is not termed as a Medium cultivation permit). Additionally, the language for nurseries "as expressed above" is unclear, should be specified, and should not in any way be tied to the size of a cultivation area on the same parcel (also see Cultivation comment #5 above).
5. **Leverage the work of State requirements, avoid duplica ve efforts**
   Legal operators are held to a myriad of existing State requirements implemented by a handful of State departments. During this effort it is critical that the County cross reference their efforts with State requirements and avoid mirroring existing State requirements in local laws. State laws and regulations for areas such as ownership, security, water source and discharge, track and trace, testing, pesticide use, etc. have all been thoroughly ve□ed and are enforced by the State. By avoiding duplication with State laws and regulations, the County will prevent conflict when State laws and regulations inevitably change. An example of existing language to consider incorporating to hold local operators accountable to State requirements is Santa Rosa City Code 20-46.020, subsection B. This language was wri□en broadly enough to fold in future changes at the State level.

CEQA

1. **Include exis ng unpermi ed operators in the baseline for CEQA analysis**
   When establishing the baseline for CEQA analysis, the County must include all cannabis operations in unincorporated areas of the County, including permi□ed and unpermi□ed, to

accurately analyze how the "project," or County cannabis program, will impact the environment. If the County's program is successful with creating reasonable pathways for illegal operators to come into the legal program, it is very likely the environmental analysis will show the County cannabis program will benefit the environment.

2. **Consider known changes that will occur at the State during the project timeline**
   Based on the extended timeline to complete this project, the County must consider changes that are scheduled to occur at the State level. Examples include the introduction of large cultivation licenses in 2023 (Business and Professions Code section 26061) and the removal of ownership limitations for medium cultivation licenses (4 CCR section 16209) at the end of 2022. The County should contact state regulators for a complete list of upcoming, legislatively mandated changes.
3. **Work closely with the State to develop EIR scope and er off State level CEQA documents**
   The State has completed CEQA analysis for all state licensing activities. We urge the County to leverage those documents and tier when possible. Prior to State annual license issuance, the State verifies that certain areas of environmental analysis that are site specific have been covered by the locals. It is critical that the County works closely with the State to determine scope and to ensure the EIR will cover all areas the State expects locals to cover.

Feedback on process for public par cipa on

The County is in a tough position; navigating public participation in the comprehensive cannabis program update process with community members having polarized ideas of what the outcome should look like. We participated in each visioning session, and from our perspective the format did not lend itself to productivity but rather provided a platform for dissemination of misinformation and finger pointing between opposing viewpoints, in short Twi er-esque banter. For this reason, we reserved most of our comments for this document. Our comments are based on actual experience and policy challenges yet most of them did not fit neatly into the subjects covered in visioning sessions nor was the structure of the session an effective forum to share substance. It is our hope that the report from Staff to the Supervisors includes a more comprehensive analysis of topics than those that were predetermined for the visioning sessions (Siting & Land Use, Safety, Water Resources, Visual) and that staff carefully weigh the quality of the comments received during the visioning session and not give undue voice to misinformation about the legal cannabis industry or fear based reefer madness.

In closing, as a compliant and licensed cannabis company, community member, and future operator in this program we hope you consider our input, based on real experience operating in the legal cannabis industry, to be useful. We look forward to helping in whatever way we can and following this process to its conclusion. Please contact us directly if you would like to discuss any of the comments in more detail.

Sincerely,

[redacted]

AnnaRae Grabstein, Chief Compliance Officer
NorCal Cannabis Company
annarae.grabstein@norcalcann.com

[redacted]

Amber Morris, Director of Government Affairs
NorCal Cannabis Company
amber.morris@norcalcann.com

cc: Susan Gorin, District 1 (Susan.Gorin@sonoma-county.org), David Rabbi , District 2 (David.Rabbi @sonoma-county.org) Chris Coursey, District 3 (district3@sonoma-county.org), James Gore, District 4 (James.Gore@sonoma-county.org), Lynda Hopkins, District 5 (lynda.hopkins@sonoma-county.org)

From: Britta Schoemer
To: Cannabis
Subject: input cannabis ordinance
Date: Thursday, August 12, 2021 9:20:02 AM

At this point in our drought I am concerned about any new permits in areas, where wells for our neighbors are already drying up.
Also please consider the following guidelines:
Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Britta Schoemer,
Forestville

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: China Dusk
To: Cannabis
Subject: visual resources
Date: Thursday, August 12, 2021 4:29:53 PM

Adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the industry. Under the current Ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. STOP accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates current water use.

We moved to Sonoma County 49 years ago awed by the sheer physical beauty of its rivers, lakes, parks, old growth redwoods, vineyards, small farms, coastline and forests. If you drive over the Marshall Petaluma Road or the Joy Ridge Coleman Valley road you are floored by the varied macro and micro climates, the vistas and the magnificence of the landscape. This is why Sonoma County is a tourist destination and why the occupancy taxes collected from hotels, motels and inns are sufficient to fund several organizations in Sonoma County promoting tourism by their activities but if you superimpose an aerial photo of a county that has allowed the proliferation of cannabis cultivation in row after row of hoop houses onto Sonoma County you would see a very different picture. Sonoma County has many acres in grapes. Grapes are sprayed. Cannabis has to be untainted to be usable for food grade or medicinal products, thus the necessity for hoop houses. If we permit a similar poorly thought out, planned and enforced cannabis cultivation such as the aforementioned, the scenic beauty of Sonoma County will be grossly affected. Will tourists continue to flock here? Doubtful. Who wants to stare at environmental devastation? Therefore, we urge the County to prohibit cannabis cultivation and processing in rural and residential development zones, slopes over 15%, in voter approves community separators or where visible from scenic roads, parks, public right-of-ways or any identified scenic resource. Prohibit cannabis cultivation/processing in our dwindling oak woodlands or anywhere where the operation will necessitate the felling of native trees.

What responsibility does the County have to the residents who live here and have for many years? We are attempting to operate as residents in good faith but the difficulty trusting the county is a stumbling block. The enforcement arm of the county has broken the trust of residents by failing to live up to their promise to protect our health and safety. Broad staff discretion isn't going to make us feel the county is operating in good faith. For example consider Mr. Orr, whose broad staff discretion didn't see the need for a year round educational camp to be marked as a sensitive area on the County map even though the church sponsoring it delineated it as a 24/7 educational facility. Or the attempt to walk back from the park setbacks they originally agreed to, or it taking the threat of a suit to prevent the County Board of Supervisors from railroading a Cannabis Ordinance through despite the many expressed concerns of residents and organizations. The county will have to earn back our trust.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: craigspencerharrison@gmail.com
To: Cannabis
Subject: Vision Issues
Date: Thursday, August 12, 2021 3:40:16 PM
Attachments: Poll Press Release.pdf

The attached Press Release went out over three years ago and so far has been ignored by county leaders.

It was undertaken at considerable expense, and asked what we thought then we the germane questions of our community. Perhaps you can take some of the generous grant money from the state ask some of these questions yourselves. Knowing what residents and voters want seems an important first step in fashioning an appropriate vision of any cannabis program in Sonoma County.

A few highlights:

- Over half of Sonoma County residents (52%) are not comfortable living within a mile of a commercial marijuana grow, and the overwhelming majority (62%) want grows at least one-half mile (2,640 feet) from their homes. There is little difference among the supervisorial districts, or between rural and urban voters.

The poll found overwhelming agreement (2-1 or 3-1) with these statements:

- Individual communities should be granted the power to create exclusion zones banning marijuana cultivation.
- All parts of marijuana cultivation operations should be screened from public roadways, including the plants themselves and accessory structures.

These are the same issues you are looking at today. They are not going to go away.

Craig S. Harrison
4953 Sonoma Mountain Road
Santa Rosa, CA 95404
707-573-9990

https://www.craigsharrison.net/

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

SAVE OUR SONOMA NEIGHBORHOODS
CITIZENS ADVISORY GROUP

July 16, 2018

PRESS RELEASE

Contact: info@sosneighborhoods.com; (707) 559-8563

Poll Results on Marijuana Cultivation

Save Our Sonoma Neighborhoods commissioned The Wickers Group to conduct telephone interviews with a statistically chosen sample of Sonoma County residents who voted in the November 2016 election. They were surveyed from June 15-19, 2018, and the results have a margin of error of 5.7%.

Here are the responses to this question: "In what proximity to your own home would you feel comfortable having one of these cannabis growers?"

		Cumulative
• Adjacent	19%	
• At least ¼ mile	13%	75%
• At least ½ mile	10%	62%
• At least 1 mile	16%	52%
• At least 5 miles	16%	36%
• No distance is OK	20%	20%

Over half of Sonoma County residents (52%) are not comfortable living within a mile of a commercial marijuana grow, and the overwhelming majority (62%) want grows at least one-half mile (2,640 feet) from their homes. There is little difference among the supervisorial districts, or between rural and urban voters. For example, in West County (supervisorial district 5), slightly more are uncomfortable with living any distance from a grow (no distance is OK 24%), but slightly fewer (67%) want to live at least one-quarter mile away.

SAVE OUR SONOMA NEIGHBORHOODS
CITIZENS ADVISORY GROUP

The poll found overwhelming agreement (2-1 or 3-1) with these statements:

- Individual communities should be granted the power to create exclusion zones banning marijuana cultivation.

- All parts of marijuana cultivation operations should be screened from public roadways, including the plants themselves and accessory structures.

- Commercial marijuana cultivation's potential water and soil pollution due to fertilizer and chemical runoff is a significant environmental concern.

- Code enforcement of marijuana businesses should be a joint effort between PRMD and the Sonoma County Sheriff.

- The Cannabis Advisory Group should be composed of no more than 50% of its members from the cannabis industry.

The poll found majority agreement with these statements:

- Permits for marijuana cultivation should be restricted to people who have lived in Sonoma County for five years or more.

- Marijuana growers should not be allowed 24 hours notice prior to inspections of their facilities for compliance checks.

SAVE OUR SONOMA NEIGHBORHOODS
CITIZENS ADVISORY GROUP

Save Our Sonoma Neighborhoods urges the supervisors to listen to Sonoma County residents who are not part of the vocal one percent who grow marijuana.

We respectfully request the following at their meeting on August 7:

- 1,000-foot setbacks from homes so families don't have to live near commercial marijuana businesses.
- 20-acre minimum lot sizes for all zoning categories.
- A simple and speedy (less than six months) mechanism for communities to exclude commercial pot production from their neighborhoods.

SOSN is a coalition of neighborhood residents advocating common sense cultivation of commercial marijuana in Sonoma County. Learn more at www.sosneighborhoods.com/ and facebook.com/SaveOurSonomaNeighborhoods/

###

From: Cindy Schellenberg
To: Cannabis
Cc: Nancy & Brantly Richardson; David Rabbitt
Subject: Visual Impact of Commercial Grow at 8105 Davis Lane ,Penngrove
Date: Thursday, August 12, 2021 6:58:24 PM

Dear Sonoma County,

Let's set the record straight.. I now understand why there was such a frenzied planting of trees and plants at the entrance to the 8105 Davis Lane site last weekend - it was so the grower could brag about how much she had just improved the site. Clearly her idea of beauty differs from the norm. Maybe she should landscape all our parks.

I do acknowledge that she planted redwood trees along the SE fence line last year. Perhaps in 10 yrs or so they will provide a nice screen for one of the county's ugliest fences.

Here is today's photos of part of that "lovely" fence (it's very long so doesn't fit into a single picture frame) and 1 of the recent plants, showing her disregard for drought season. These new plantings are just to the left of the fence corner and will not obscure anything from surrounding neighbors' views and Visual Impact as they as all at the entrance off the easement road near the NW corner of my property. I am underimpressed to say the least.

Cindy Schellenberg

8147 Davis Lane
Penngrove, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Dick and Vi Strain
To: Cannabis
Subject: Comments for Visual Resources Session by Vi Strain
Date: Thursday, August 12, 2021 5:48:42 PM

Siting Criteria – Aesthetics

1. Sonoma County's tourist industry is largely based on its rural character, bucolic countryside vistas and rolling green hills dotting with grazing animals. To protect this valuable industry, Sonoma County must identify existing and eligible cannabis cultivation sites that may apply for a cannabis cultivation permit and provide an analysis of view sheds and simulations of views from public viewpoints such as trails, roadways, parks and scenic vistas to determine the best siting to mitigate visual impacts.

2. Consider commercial cannabis cultivation visual impacts on all of Sonoma County's natural environment. Cannabis is NOT like other agricultural uses. The necessary security fencing, lighting, etc., creates an industrial setting and should not be part of our otherwise bucolic landscape.

3. Commercial cannabis cultivation operations must not be visible in designated scenic Corridors or scenic landscape units. Siting of operations and/or screening must not degrade the existing visual character or quality of public views and its surroundings and/or have a substantial adverse effect on a scenic vista.

4. Visual impacts of cannabis operations will affect both public and private views, will affect voter protected Community Separator lands, scenic landscape units, Greenbelts, Greenways and expanded Greenbelts, in addition to Scenic Corridors.

5. Provide a provision that would protect Open Space District and other land trust organization lands. Should cannabis become federally legal, those lands would all potentially be available for cannabis operation.

6. Prohibit cannabis hoop house use in any location that can be seen from a Scenic Corridor, a public park or a public right of way, classify hoop houses as outdoor cultivation with no electrical, plumbing or mechanical, limit the siting of hoop houses and require that no flapping plastic exists or contaminates the environment

7. Prohibit commercial cannabis cultivation in any scenic vistas or residential area where light or glare would impact a day or nighttime view in an area. (B)

8. Prohibit all cannabis cultivation in voter-passed Community Separator parcels. (DL)

9. Consider Community Separator provisions for rural residential neighborhoods and

unincorporated towns. Protection would be provided for these residential enclaves throughout the County and would provide the same protection as community Separators closest to cities and towns by further protecting rural character and holding back sprawl and further parcelization of agricultural lands for residential uses.

Comments - Aesthetics:

10. Specifically require the provisions of the County's Open Space & Resource Conservation Elements are applicable to Commercial Cannabis Cultivation.

11. Require posting of $50,000 mitigation bond upon issuance of each permit to remove structures, fencing and trash if the operator abandons a grow site, as well as to pay for enforcement of violations on a permitted site. (DL)

12. Require that no light escape structures from dusk to dawn, and that security lights are aimed downward (DAE)

13. Security requirements for commercial cannabis cultivation and processing requiring night lightning are a new source of substantial light when allowed close to rural residences, parks or other wildlife habitats. The night lighting adversely affects the character of residential neighborhoods *and individual residences (DAE)* creating a nuisance and inserting a commercial/industrial type character into a residential enclave. It further erodes the enjoyment of night skies and significantly negatively impacts wildlife. (B)

14. Indoor cannabis cultivation is industrial in nature and not in keeping visually with the rural character of Sonoma County. Industrial-scale, commercial developments in rural residential neighborhoods, permanently alters the rural character, creates significant visual impacts and degrades the existing visual character of rural communities. This must not be allowed in the interests of recreational cannabis use and financial gains. (SMW)

15. For an expanded cannabis cultivation program, the EIR must study the increase in public costs for landfill and wastewater treatment plant capacity, water pipelines, and additional code enforcement, police and fire services. Some counties, such as Napa and Santa Barbara found that the additional public costs significantly diminished tax revenue projections from commercial cannabis.

16. Through the EIR determine the extent of plastic sheeting that would be used based on alternative modeling and include analysis of the potential ultimate use of temporary plastic sheeting over the time period of the EIR. From this modeling determine the timing and potential proliferation of plastic sheeting which must be disposed of properly and determine if the Sonoma County landfill is able to recycle or process the waste material that is anticipated. Determine the limits that must be set by the County to accommodate this additional refuse material. As part of the County review of the environmental impacts of these findings, determine if the results are in keeping with climate change provisions to lessen impact on the planet.

17. Study through the EIR, the effect and impact of plastics used in outdoor cannabis cultivation. Consider how plastic piping for irrigation and plastic monofilament netting as scaffolding to support plants and the polyethylene plastic over a PVC arch frame impact animals and the environment and determine mitigation measures. "Refer to CFW's Potential impacts of plastic from cannabis cultivation on fish and wildlife resource"

18. If the use of plastic sheeting is allowed by Sonoma County require cannabis applicants to develop a Recycling and Plastic Management Plan to cleanup cultivation sites and to prevent pollution of natural resources, danger to wildlife and aquatic animals, prevent plastic debris drift on adjacent properties and public rights of way and reduce aesthetic blight

Vi Strain

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Dennis Cuyler
To: Cannabis
Subject: Concerns and fears about a new ordinance
Date: Thursday, August 12, 2021 1:29:44 PM

RE: Sonoma County Cannabis Program

What does a successful cannabis ordinance look like?

Thus far the "Cannabis Ordinance" appears to be a loose choice of Ag land for marijuana production, as if someone is applying to plant a corn patch. Public opinion is suspicious of the lobbying tactics behind the purposed ordinance.

The vote for legalization of marijuana was a long time coming, but citizens of Sonoma County, especially in my village of Graton did NOT vote for an endorsement to, "Plant in my backyard."

News reports stating the rush to grow marijuana is reaching its peak. What are your plans for surplus cannabis farms that might bankrupt leaving a property littered with debris and chemicals?"

Unless you adopt strict regulations, be prepared for a strong public backlash and lengthy public meetings. *Times have changed since legalization, we are in the face of a climate disaster, and water shortages. Sprinkling marijuana farms around the county bring concerns of crime and public safety.* Sonoma County will NOT become "The Prince" of marijuana farms.

Dennis Cuyler
A concerned citizen

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Diane
To:	Cannabis
Subject:	Comments for Thursday session: Visual Considerations of Cannabis Grows
Date:	Thursday, August 12, 2021 8:23:17 AM

Good morning! Kindly include my comments for the final day of the Visionary meetings.:

Having lived in Bloomfield, Sonoma County as a homeowner since 1988, one of the attractions has always been the county's bucolic countryside and mixed agricultural pursuits. From cows, sheep, and horses to fields of plants, it's a pleasure to drive through the county, see things growing and hear cows mooing, and enjoy the sweeping expanses of countryside unfettered by the dense housing and structures I came from as a San Francisco native.

I must not be the only one, because I regularly see tourists pulled over by the roadside, taking photos of cows and hillsides.

As far as visuals go, the plastic-wrapped hoop houses do little for me. Indeed, their large expanse (I am thinking Robler Road) is taking over the countryside, building structures over nature. Now, if they were appropriately scattered far and ride and their density limited, these structures would be no more offensive than barns or farmhouses or sheds. Presented as acres of white expanse, however, simply ruins the bucolic nature of our Sonoma countryside.

I picture these hoop houses going in behind hills and in places not visible to the general public or to neighbors. There, they can sweep, multiply, and reside. (However, with a caveat: a more careful environmental consideration of where they are placed, so that they don't uproot endangered wildlife or draw dry the drought-stricken aquifers wildlife and people alike rely on.)

Sonoma County enjoys the benefit of much undeveloped rural acerage.

Placing hoop houses and grows away from roads and neighbors, on the hills or behind them (as I've seen some do off Spring Hill Road, in the distance), feels appropriate. Few will come to Sonoma County to observe acres of hoop houses right along the main roads, or take photos of their beauty.

To summarize:

. Place hoop houses AWAY from main roads and neighborhood view. Put them behind hills, further back on grower properties, and in places where they are less/not visible. 10 acres of plastic-wrapped buildings is NOT a pleasure to look at.

. Retail sales and tasting rooms should be limited to main corridors, just like retail endeavors always are. Put them in trafficked places where streets, emergency services, and police are nearby, to help growers and residents alike. This also takes the onus of self-policing expenses away from growers and places them where they should be: as part of existing county-wide services designed to support businesses located in appropriate commercial and retail locations.

. Proximity, proximity, proximity. Make setbacks larger when immediate neighbors and residential uses are nearby, and reduce them when grows are located on expansive properties where neighbors already reside far from the property line (no, 100-300 feet is NOT far enough! 1,000-foot is a MINIMUM, and should, in some cases, be larger, when the grow is located near a neighborhood, public park, school, etc.).

. Set up a responsive, effective entity for reporting violations that is mandated to quick response and quick shut-downs of facilities that choose to flaunt the law. In the winery industry, I know of entities that consider fines "part of doing business," for example. They just pay any fines and keep on doing what they want. Have clear guidelines to immediately shut down and lock up a facility that flaunts the laws. Even a stiff fine is considered nothing, by entities with deep pockets.

A successful cannabis program will *not* have acres of big plastic houses in full view of residents, tourists, and drivers.

Sincerely,

Diane Donovan
Homeowner since 1988 in bucolic Bloomfield, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Dave Rogers
To: Cannabis
Subject: Cannabis Cultivation in Sonoma County
Date: Thursday, August 12, 2021 3:43:19 PM

To whom it may concern,

We live in Sebastopol, CA a neighboring community to Graton and wish to voice our concerns about this new Cannabis ordinance being discussed by the County of Sonoma.

In these times, additional Cannabis cultivation should not be allowed. There should not be ANY permit to grow anything that requires excessive irrigation flow rates, especially as long as we are in a severe unprecedented drought that, historically, could last several years.

However, if this issue must be discussed, please consider the following:

Water Usage: Successful cannabis cultivation is well known to require high flow rates of irrigation water. Some figures say 6 times more than grapes.

Adequate Setbacks: Setbacks to parks, schools, businesses and residences should be of at least a 1000'. This level of setback should be considered a minimum when considering the foul cannabis odors with resulting health issues for adjacent neighborhoods, increase in vehicular traffic and basic disruption of the quality of life in Graton and it's adjoining neighborhoods.

Crime: Any business requiring large cash transactions and dealing with high value commodities such as Cannabis farming WILL attract crime, resulting in an increase security burden for our local Police Force. Our current law enforcement system is already over taxed due to funding cut backs based on current lack of political support.

Aesthetics: The beautiful rolling hills of Sonoma County would become an eyesore when covered by plastic "hoop houses"that degrade after a couple years, then shredded by winds and polluting the environment .

Please, prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create odor and associated health issues for residents, are not in public view, are not in impaired watersheds and do not impact high fire risk zones or areas without legal fire

safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be both science-based and socially acceptable to ensure cannabis operations do not create additional cumulative neighborhood impacts for Sonoma County.

Respectfully,
Dave Rogersl

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail Cafferata
To: Cannabis
Subject: Visual impact of commercial pot grows
Date: Thursday, August 12, 2021 8:11:29 PM

As a pastor, I believe in the Golden Rule, of doing unto others as you would have others do unto you. I can't imagine any of our elected officials welcoming a commercial marijuana grow, a processing plant or a dispensary moving next door to them or their neighborhood, visible to them as they sit in their backyard, drive to and from their home, or go wine tasting. Would you welcome in your own home and backyard air smelling like pot 24/7 harming children, the elderly and homebound, people with respiratory issues, visiting friends, even County tourists? Would you accept unsightly industrial fences and hoop houses near you? If you wouldn't accept these burdens, why would you accept them for the citizens you are elected to represent? I have lived in Sonoma County for over 20 years and love to hike, drive through our beautiful countryside, and visit local farms and wineries. I love to show our local paradise to relatives and out of town friends. I value the preservation of open lands that could be overrun by unsightly commercial marijuana grows.

Sonoma county needs to protect our verdant and historic visual landscape. It is a source of our thriving tourism and agricultural economies. Commercial marijuana grows in hoop houses are abhorrent, and would make Sonoma County look like the industrial agriculture of Santa Barbara. As well, hoop houses require plastic sheeting that must be disposed of every 2-3 years, and CANNOT be recycled; a new EIR will have to evaluate the costs of this since the plastic cannot go in landfills. Hoop houses are a huge polluter and greenhouse gas generator with the hydrocarbons of the plastic.

Outdoor farms require high security fences, night lighting to discourage theft, and appear clearly industrial in nature, inappropriate and incompatible with our bucolic landscape. They will be patrolled by armed security guards, that our children and families will encounter as they walk, ride bikes or drive by on. Cannabis is NOT like other agricultural cultivation. Because of necessary security fencing, lighting, etc., it is industrial in nature, and should not be part of our otherwise bucolic landscape. Visual impacts of both open and hooped cannabis operations will affect both public and private views, will affect voter protected Community Separator lands, Scenic Landscape Units, Greenbelts, Greenways and Expanded Greenbelts, in addition to Scenic Corridors, none of which have been considered or evaluated in granting extant permits.

There is no "ideal" commercial marijuana grow site, processing plan or dispensary plan for rural agricultural and residential neighborhoods, nor should there ever be! The "ideal" is restriction of marijuana commercial operations—growing, processing, sale—to zoned commercial areas geographically close to police supervision, the cost of which needs to be considered by the county. The financial, crime and ecological burden of any commercial marijuana grow has been sufficient to lead neighboring Marin and Napa counties to ban them altogether.

Sonoma County needs to listen to the community that is outraged that paid staff and consultants have "explored" cannabis tourism and asked for our "ideal" form of marijuana grows, processing and

dispensing. There is no “ideal” for any of this. This is leading the witness. The financial power of the industry to successfully buy the support of elected officials and consultants in this way is a disgrace.

The Rev. Dr. Gail Cafferata

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail
To: Cannabis
Subject: Vision for Cannabis: AESTHETICS & SETBACKS
Date: Thursday, August 12, 2021 2:29:23 PM

A Cannabis Farm program in Sonoma County must have better/more specific regulations for Aesthetics (visual) and Setbacks (safety):

Cannabis farms are not traditional agriculture because of the high value of the crop. As a result, they are currently required to have solid fencing and screening, security gates and cameras. Please consider the following for a cannabis program to meet the needs of neighboring residents the beauty of our countryside.

Aesthetics:
The unsightly tall, plastic screened fences (as seen in construction sites) are commonly used for screening grows, creating a huge eyesore covering acres of a parcel. This is not in character with other properties in rural neighborhoods - traditional farms have fencing that keeps people out but still allows scenic views. We do not want to see those construction fences all over Sonoma County's beautiful countryside. Why must the marijuana plants be screened from view? We would prefer to see the plants rather than eight foot high plastic screens.

Requirements should be:
Fences in character with the area. Deer or cattle fencing with standard barbed wire. Require *vegetation* for screening. There are many fast growing shrubs. *Do not allow* acres of land to be covered with 8+ ft high plastic screened fences that ruin scenic views and property values.

Safety:
The current requirement for setbacks, security fencing, screening and cameras makes me concerned about our safety since we live next door to a cannabis farm. I assume it is due to potential criminal activities (why else would this be a requirement?). The current setback is 300 feet from *houses*. This makes no sense since we use all of our property up to our property line. We want to be just as safe in our yard as in our house, so 300 feet from *property lines (*minimum) makes more sense.

Requirements should be:
Setbacks must be measured from *Property lines*, not houses. At least 300 feet from property lines, preferably 600 feet.

Sincerely,

Gail Frederickson
Fulton, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Hal Plimpton
To: Cannabis
Subject: Re: Transcript request
Date: Thursday, August 12, 2021 3:09:15 PM
Attachments: image001.png

Thanks for your update.

There were a number of issues raised and the pros/cons discussions were informative. I suspect that many unique issues and solution options raised were new to the agencies present.

I applaud the use of this format in general as it allows the luxury of time to consider each of the documented comments, which would not be possible with a public in-person hearing. Virtual attendance may draw more public participation from people not having to leave home. Because the hearing requires registration, the sponsors have a "head count" of attendees/level of interest in a subject. It also documents who the commentators are...and allows the media to get full/exact content reporting. I hope this will become a format increasingly used in the future. Perhaps an unanticipated opportunity for greater personal participation in the process of governing.

Hal Plimpton

> Good morning Hal,
>
> Thank you for your email.
>
> The Zoom Recordings are being posted to the Cannabis Program Update & EIR webpage. Also on that page is a link to a cloud folder containing the PowerPoint presentations and questions for consideration. The Q&A and chat documents will be added.
>
> McCall Miller
> Department Analyst | Cannabis Ombudsperson
> Sonoma County Administrator's Office
> E: cannabis@sonoma-county.org | sonomacounty.ca.gov/cannabis-program
>
> The County Administrator Office's mission is to build a sustainable and

equitable future for our community by making collaborative, transparent, and informed policy recommendations to the Board of Supervisors.

EXTERNAL

I appreciate your providing the forum for cannabis information gathering.

I would like review and consider the many comments submitted. Please make the Q&A/Chat transcripts available? Please provide appropriate links.

Thanks for your good work.

Hal Plimpton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Sonic
To: Cannabis
Subject: Save water
Date: Thursday, August 12, 2021 8:02:41 PM

EXTERNAL

We believe the groundwater in Sonoma County should not be used to grow cannabis. Franz Valley wells are drying up along with many others. Let's be forward thinking and cautious. No commercial cannabis growing in our county.

Thank you,
Julia Megna Thompson
John Thompson

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jamie Ballachino
To: Cannabis
Subject: EIR for pipeline licensees
Date: Thursday, August 12, 2021 5:42:42 PM

If the EIR takes this long, what happens to those already in the pipeline? Will we not lose our license because of the fact that we are stuck as provisionals when the time is up?
Thank you,

Jamie Ballachino
President
Hands in the Earth, Inc.
License #:
CCL18-0000131
1415 Fulton Rd.
Santa Rosa, Ca
Suite 205-238
Email:
Jamie@HandsInTheEarth.com

Confidentiality notice:
This e-mail message, including any attachments, may contain legally privileged and/or confidential information. If the reader of this e-mail message is not the intended recipient, you are hereby notified that any dissemination, or distribution, reading, or copying of this e-mail message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail, return this e-mail message to the sender, and delete the original e-mail message from your computer.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: NO cannabis in rural neighborhoods
Date: Thursday, August 12, 2021 5:49:45 PM

Stop putting ugly hoop houses in our neighborhoods. They are shocking and frighten our family and friends when visiting us. They feel unsafe. Most of our family and friends won't come to our home. You are destroying our lives with stink and the fear of attack.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: No cannabis in rural neighbors
Date: Thursday, August 12, 2021 5:57:14 PM

Grow cannabis in warehouses where it is out of sight

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: NO cannabis in Neighborhoods
Date: Thursday, August 12, 2021 6:19:43 PM

No type of structure makes a difference when everything stinks.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: Cannabis
Date: Thursday, August 12, 2021 6:33:51 PM

Cannabis rules are the rules. If you can't follow them you done.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kim Roberts-Gutzman
To: Cannabis
Subject: Cannabis
Date: Thursday, August 12, 2021 6:38:28 PM

Cannabis should but out of sight. It is a control substance
Protect ou neighborhoods. We are saddened by the loss of our neighbors that are leave the state. Please know our wonderful neighbors are LEAVING

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Marcy Meadows
To: Cannabis
Subject: Cannabis Ordinance
Date: Thursday, August 12, 2021 12:49:00 PM

I am very concerned about how the effects of this ordinance will shape the experience of living in and visiting So. Co. for years to come. I agree wholeheartedly with both of these group statements.

Adopt a Moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the Industry. Under the current ordinance we will have cannabis 100 feet from our property lines and 300 feet from our residential homes. Stop accepting new cannabis applications until an environmental setting document is prepared and circulated which analyzes the County's water resource capacity and calculates currant water use.

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are **not in public view**, are **not in impaired watersheds or water scarce zones 3 and 4**, are **accessed by legal fire safe roads and do not impact public safety**. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis **processing only on designated commercial and industrial zoned land**. **A new ordinance must** address neighborhood compatibility and **be science-based** to ensure cannabis operation permitting does not create individual or cumulative impacts.

Thank you for your kind attention to these considerations,
Marcy Meadows
Graton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Richardson
To: Cindy Schellenberg
Cc: Cannabis; David Rabbitt
Subject: Re: Visual Impact of Commercial Grow at 8105 Davis Lane ,Penngrove
Date: Thursday, August 12, 2021 7:10:38 PM

Beauty is in the eye of the beholder, so I've read. Nancy Richardson

Sent from my iPhone

Dear Sonoma County,

Let's set the record straight.. I now understand why there was such a frenzied planting of trees and plants at the entrance to the 8105 Davis Lane site last weekend - it was so the grower could brag about how much she had just improved the site. Clearly her idea of beauty differs from the norm. Maybe she should landscape all our parks.

I do acknowledge that she planted redwood trees along the SE fence line last year. Perhaps in 10 yrs or so they will provide a nice screen for one of the county's ugliest fences.

Here is today's photos of part of that "lovely" fence (it's very long so doesn't fit into a single picture frame) and 1 of the recent plants, showing her disregard for drought season. These new plantings are just to the left of the fence corner and will not obscure anything from surrounding neighbors' views and Visual Impact as they as all at the entrance off the easement road near the NW corner of my property. I am underimpressed to say the least.

Cindy Schellenberg

8147 Davis Lane
Penngrove, CA

<IMG_7407.jpeg>

<IMG_7409.jpeg>

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: Cannabis Farm visual blight: NOT in Franz Valley
Date: Thursday, August 12, 2021 12:02:59 PM

From Franz Valley . . .

Large-scale cannabis "farms" and associated operations -- especially any structures, lights, etc. -- should NOT be in small, unique valleys such as Franz Valley. Franz Valley qualifies in some considerations as a "boxed canyon" with its small, winding roads.

Franz Valley is absolutely the wrong place to offer permits to commercial growing.

~~Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: Hoop houses at night: What will happen to Franz Valley
Date: Thursday, August 12, 2021 12:15:17 PM
Attachments: image.png
image.png

From April 2021: The glow of hoop houses and green houses. What does this do to the atmosphere of a small, rural valley like Franz Valley?

~~Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: The future of Franz Valley and all of the County? . . .Images from Southern Humboldt County April 2021
Date: Thursday, August 12, 2021 12:38:12 PM
Attachments: image.png
image.png

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: A note from Franz Valley
Date: Thursday, August 12, 2021 12:52:01 PM

Regarding this "visioning" and curatig of the comments: "What-about-ism" does not forward the discussions.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: "Whataboutism" should not have a place in the "Visioning sessions"
Date: Thursday, August 12, 2021 5:33:48 PM

From Franz Valley:

I appeal to the moderators to cease giving voice to the "whataboutism" rhetoric -- aimed at vineyards -- that seemingly drives so much of the "pro" cannabis comments. "Whataboutism" can't even be called an argument since, as described in the website Lexology, it is a logical fallacy. "Whataboutism" short circuits accountability, responsibility and honest dialogue by making a counter-argument or accusation. It does not lead to cooperative solutions.

~~Nancy Graalman

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy Graalman
To: Cannabis
Subject: From Franz Valley
Date: Thursday, August 12, 2021 6:28:16 PM

Re lighting: Only the absence of light -- except for the night sky -- can preserve the character of Franz Valley and all of Sonoma County.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Patrick Pfahl
To: Cannabis
Subject: Cannabis ordinance
Date: Thursday, August 12, 2021 1:06:20 AM

To whom it may concern,
We live in the small community of Graton and we would like to voice our concerns about this new Cannabis ordinance being discussed.
First of all, this should be a non-starter . There should not be ANY permit to grow anything ,even considered ,as long as we are in a severe unprecedented drought that, historically, could last several years…But ,if it has to be discussed,please consider the following:

water usage : cannabis has been proven to be a very water thirsty plant. Some figures says 6 time more than grape…

adequate setbacks to parks,schools, businesses and residences should be of at least a 1000': this is common sense considering the foul odors, increase in traffic and basically disrupting the quality of life in the concerned neighborhoods…

crime : any business requiring large cash transactions and dealing with high value commodities WILL attract crime and security will become a major issue. Our law enforcement personnel should not have this extra burden imposed on them…

aesthetics : The beautiful rolling hills of Sonoma County would become an eyesore when covered by plastic "hoop houses"that degrade after a couple years, then shredded by winds and polluting the environment .

> Please,prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Respectfully,
Patrick Pfahl

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Robert Guthrie
To: Cannabis
Subject: EIR Visioning Sessions questions
Date: Thursday, August 12, 2021 8:18:27 AM

EXTERNAL

Per Sonoma County's current request to seek public feedback regarding the visioning sessions, I submit the following questions for the record.

What will the county do to ensure a home owner's entire property is void of cannabis odor particulates all year round?

How do you determine the appropriate distance that cannabis odor travels when it is no longer inconveniencing neighbors?

Will you study the impact of cannabis odor traveling a great distance, but slowly entering and collecting inside someone's home or open garage?

Will there be a recognition in studies that small amounts of cannabis odor can accumulate and trap inside a home over time and still be a major inconvenience?

Do you plan to study an acre or more of outdoor cannabis plants completely surrounded by an impenetrable wall of 50-foot trees of TBD species on hills or a flat parcel that resemble the practice to absorb poultry ammonia particles in some flat-land midwest farms?

What will you do to ensure that cannabis odor particulates doesn't impact the health of someone inhaling them?

How will you study and report on the contents of cannabis odor particulates?

What are the health impact on cannabis industry employees who inhale cannabis odor particulates for a certain period of time?

What will you do to define clear and predictable cannabis odor particulates rules so cultivators and home owners know exactly how the county will enforce these portions of the ordinance? (This also helps future home buyers who are afraid to buy a home or those who bought a home near a future cannabis cultivation site.)

How will the county include wind patterns, microclimates, terrain, valleys & hills, and general air movement even at 3:00 AM that moves cannabis odor in all directions all day and all night?

How will the ordinance protect everyone from cannabis odor particulates, even if only 2-5 people are inconvenienced to a level they deem unacceptable?

Will the county decide that cannabis odor particulates is a nuisance from the moment of inhaling them, not only in the months of September and October?

What are the impacts of industrial tools and the industrial activities from indoor cultivation have on its neighbors? For example, all the activities of running an industrial/commercial company inside a neighborhood — power washers, small motorized vehicles, shipping and receiving, harvesting activities, exhaust fans, employee bathrooms, employee break areas, motorized equipment to move fertilizer, chemicals, and waste removal between grow buildings or locations.

What are the impacts on neighbors regarding the security *lighting* system reflecting into a neighbor's yard or bedrooms, perhaps due to the close proximity of the cannabis cultivation to the property line?

What are the impacts on neighbors regarding the security *camera* system capturing part of a neighbor's yard or bedrooms, perhaps due to the close proximity of the cannabis cultivation to the property line?

How will the county quantify the severity of a cannabis cultivation permit / code violation and define its penalty in effort to enforce effective compliance?

If Sonoma County rescinds a cannabis cultivation permit for ordinance violations, how will the county ensure that someone else (related or not) doesn't apply for a permit on the site under a different name? The same operator or primary business owner just repeats the application regardless of previous underlying violations.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Robert B Krug
To: Cannabis
Subject: Pot Grow
Date: Thursday, August 12, 2021 6:04:05 PM

This agricultural crop should not be grown anywhere remotely near suburban neighborhoods. Industrial areas, not residential.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Richard R. Rudnansky
To: Cannabis
Cc: Susan Gorin
Subject: Visioning Session- August 12, 2021 - Visual
Date: Thursday, August 12, 2021 11:47:42 AM

VISIONING SESSION – AUGUST 12, 2021 – VISUAL

Here are my responses for the August 12, 2021 Visioning Session regarding Cannabis Ordinance

RESPONSES TO QUESTIONS ASKED IN THE AUGUST 12, 2021 VISIONING SESSION

What do you value about the look and feel of Sonoma County that we should be protecting when considering where cannabis cultivation is located?

Sonoma County is a special place. The natural beauty rivals any place in the world in my opinion. If the County allows cannabis cultivation such operations should not be visible from individual residences, neighborhoods, roadways, and scenic corridors like Bennett Valley and Sonoma Valley.

What are the types of places where cannabis cultivation should be allowed because it wouldn't impact the visual beauty of our county? Other counties and states.

What are the characteristics of the types of places where cannabis cultivation wouldn't be a good fit? (a) Rural Residential, R1, R2, and R3 Zoning districts,

(b) scenic corridors like Bennett Valley and Sonoma Valley

(c) any location where a cannabis operation can be seen from public roadways, individual residences, and neighborhoods,

(d) properties that are adjacent to Rural Residential, R1, R2, and R3 zoning districts,

(e) if staff or the Board of Supervisors want to see what the impact is of allowing commercial cannabis cultivation in scenic valleys, take a road trip to the Applegate Valley in Oregon which was once a beautiful bucolic setting until commercial cannabis operations were allowed and ask whether this is what is wanted in Sonoma County

What would cannabis cultivation operations look like in a successful program? They would not be allowed or at the very least be invisible from roads, individual residences, and neighborhoods.

What does successfully separating cannabis cultivation operations visually from the surrounding area look like? If the County insists on having any cannabis cultivation in the County cultivation,

- should not be visible to surrounding areas because the natural topography hides the operation
- screening should be required and the screening should be natural vegetation (not cannabis) rather than unsightly fences

What would a cultivation site that isn't separated well look like?
Really? How about not allowing cultivation sites in the County that are not separated well.

In a successful cannabis program, what would be the appearance of anything related to the cannabis supply chain? Again, I don't accept your premises that there should be a cannabis program particularly commercial cultivation, in Sonoma County but if the County insists cannabis operations should be limited to industrial zoning districts with all necessary visual mitigation measures so they are not seen by individual residences or neighborhoods.

What kind of lighting would there be in a successful cannabis program? Down lighting that is not

visible to residences or neighborhoods, roadways, scenic corridors like Bennett Valley and Sonoma Valley.

ACCOUNTABILITY

What does successful accountability look like when it comes to the visual aspects of the cannabis program?

What would it mean to hold cannabis growers and retailers accountable? Any violations of any regulations, conditions of permits, and other requirements should be immediately and aggressively investigated (without advance notice to the operators as to on site investigations) and if substantiated should be immediately abated and fines levied. Any cannabis operator violating requirements should be required to pay all costs of investigation and abatement. There should be zero tolerance. If the operator is in violation of its permit and other requirements and regulations more than twice, their permit should be revoked and operation closed down. In addition all permits should be reviewed on an annual basis and if operators are found to be out of compliance, abatement proceedings should be commenced and pursued to conclusion with operator paying all costs.

Operators should not be given any special exemptions from County ordinances or regulations. Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines.

There should be ownership and residency requirements placed operators to limit out of county operators.

ADDITIONAL THOUGHTS

What additional thoughts do you have about the visual aspects of a successful cannabis program?

Once again all of these questions seem to suggest that the majority of citizens of Sonoma County want commercial cannabis cultivation and operations in the county. The question and issue the Board should consider is whether the majority of their constituents want any expansion of cannabis operations or any at all. Please include that alternative in your report to the Board.

The Board should immediately consider a moratorium on accepting, processing and approving any applications for cannabis cultivation and operations.

Thank you for providing these visioning sessions.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rachel Zierdt
To: Cannabis
Subject: visioning sessions
Date: Thursday, August 12, 2021 6:39:22 AM

I would like to address one aspect that threads across this whole process of the cannabis issue and is critical to how the residents (and industry) view this ordinance.

Trust was mentioned by a participant on Wednesday AM meeting as being a stumbling block to how to incorporate cannabis into the county in a more harmonious manner.

The enforcement arm of the county has broken the trust of the residents because they have failed to live up to their own promise to be mindful of health and safety of us all. The PRP is a famous example of how entities that are clearly not complying or maybe cannot ever comply are allowed to grow with impunity for now 5 years. How can we trust the county to enact anything when it is clear that there is no stomach to make sure that laws are followed? So unless there is enforcement of the current ordinance anything that is done moving forward will be looked upon with suspicion.

Broad staff discretion does nothing to engender faith in what is being produced.
That provision needs to be eliminated. An example…Mr. Orr decided (his discretion) that a year round educational camp did not need to be marked as a sensitive area even after the camp and the Archdiocese of SF clearly delineated themselves as a 24/7 educational facility. The PC asked that the camp be marked on the cannabis map and that has still not happened. Clearly this is too much discretion to ignore the PC and after the camp clearly identified themselves.

How can trust be given when promised protections (of sensitive areas) are not extended?

Rachel Zierdt

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Rachel Zierdt
To: Cannabis; district1@sonoma-county.org; district2; district3; district4; district5
Subject: Reminding you of these facts
Date: Thursday, August 12, 2021 5:11:07 PM

- This was a poll taken 2 years ago by the Press Democrat. It seems that the responsibility of the Board is to listen to its constituents when it devises a new ordinance.
-
- Over half of Sonoma County residents (52%) are not comfortable living within a mile of a commercial marijuana grow, and the overwhelming majority (62%) want grows at least one-half mile (2,640 feet) from their homes. There is little difference among the supervisorial districts, or between rural and urban voters.

The poll found overwhelming agreement (2-1 or 3-1) with these statements:

- Individual communities should be granted the power to create exclusion zones banning marijuana cultivation.
- All parts of marijuana cultivation operations should be screened from public roadways, including the plants themselves and accessory structures.

Rachel Zierdt

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Stephen Olsen
To:	Cannabis
Subject:	Cannavis Visioning
Date:	Thursday, August 12, 2021 1:58:10 PM

Stephen and Lynn Olsen

2885 Rollo Road

Santa Rosa, CA 95404-9528 (707) 481-2637

August 12, 2021

Response to questions posed by the August 2021 Cannabis Visioning Sessions

LAND USE

Growing of cannabis should be restricted to areas without nearby residential properties. It certainly should be restricted from areas near schools, etc.

Appropriately sized operations in industrial areas can look as industrial as they wish. Rural settings in Sonoma County should remain rural free of the industrial nature of cannabis cultivation. When the vote to legalize consumption happened most people thought of cultivation as a small time activity. “Too big” looks entirely different when the operation is in an industrial area as opposed to acres of hoop houses in your field of view in a rural residential area.

The distribution of operations in Sonoma County should emphasize locating the operations with existing industrial settings

I have no idea about how growers would control odor. If the operation is in an area where the odor is offensive to neighbors then the operation should not continue until technology exists to control the odor. The burden of addressing the odor issue must fall on the operators. The cannot be any justification of telling neighbors that they have to put up with the odor.

Noise regulations should be the same as regulations imposed on any other business

Accountable for what? This question has no foundation.

I reject the idea that the public should try to define a “successful cannabis operation” That loads the question in favor of continuing adding more and more cannabis operations to Sonoma County’s land when the perspective of many long term residents is to preserve the rural nature of the county.

SAFETY CONCERNS

The issue of safe cultivation issue is not an issue of “cultivation” issue. It is the question of access . The existing regulations concerning road width and other access issues must be enforced vigorously and without exemptions.

Safe and secure retail operations and growing operations are the responsibility of the operators. A retail operation needs to be located away from residential or school properties, it needs to be properly staffed. I do not believe that a cannabis growing operation can be made “safe and secure” unless there are 25/7 armed guards.

On site consumption should not be permitted in any form. Again, the vote to approve recreational use was not a vote to create smoking lounges. Just how do you imagine policing the impaired drivers leaving the “lounge”. It would be like watching the 2 AM bar closing all day and night long.

Referring back to number 6 in the Land Use section; accountable for what?

Since legalization brought with it taxation the cannabis black market still thrives. As long as there is incentive to get product into the black market there is no way the “legitimate” operators can make their operations safe.

WATER CONSIDERATIONS

I do not know how much water is needed to raise a crop of cannabis. Assuming it is a substantial amount then proper water management is crucial. Perhaps regulation could be developed that is based upon known water needs and best practices for irrigation. Runoff in any amount should be prohibited, especially in the riparian corridors. Short of prohibiting water use strict accountability of measures taken to minimize consumption should be put in place. When the grower is using on site wells perhaps metering to gauge the conservation efforts would be a good idea. These considerations would apply in all weather situations whether drought or not.

VISUAL CONSIDERATIONS

The visual beauty of Sonoma County that I value as a third generation Sonoma County resident is the open vistas seen from almost any road. Whether it is the undeveloped land with the native grasses and trees, the pasture land with the cows, sheep, horses, and the like, or the vineyards with the annual display of colors, Sonoma County offers an idyllic place to live. The addition of cannabis hoop houses adds nothing to that idyllic setting

Cannabis cultivation does not fit into the traditional agriculture of Sonoma County. Certainly nursery operations, flower cultivation, and the like will intrude on the natural setting with the greenhouses necessary to those operations. But those are generally located near cities or in industrial areas. Cannabis cultivation ought to be restricted to those kinds of areas.

Cannabis cultivation should not be allowed in rural residential areas. Rural residential areas should be defined broadly to seriously restrict the development of grow operations to industrial areas. Retail establishments should be restricted in number and location, i.e. not near schools and such.

Visually separating a cannabis operation means putting it someplace where it is simply not visible. Perhaps what that means is putting cultivation operations where no

one expects to have a view. If an operator wants to establish a grow he/she can buy land in an industrial park. If it is not visually separated you end up with an eyesore when you look out your window.

Retail and supply chain don't really require visual separation. These businesses simply need to operate within the zoning requirements and the law.

The accountability for visual issues required an open and transparent permitting process where proposed activities are required to address the visual aspects or their proposed operation and that all affected neighbors are given proper notice and an opportunity to be heard. Ministerial approvals should not be a part of the process.

All of the preceding questions seem biased in sense that they present the question in the form of how to create a "successful" cannabis operation. My wife and I live in Bennett Valley (Bennett Ridge for 50 years). We are concerned that the apparent efforts of the County to approve applications and ignore the Cal Fire access concerns may lead to problems with wildfire prevention and suppression. We are concerned that the number of applications in Bennett Valley far exceed a reasonable development of this industry. We are concerned that this much cannabis development will inevitably lead to crime. We are concerned that the increased traffic will impact our already insufficient and degraded roads, in short, we think the approval process should be more focused on the neighbors as it seems now that there is a clear bias in favor of approval. This is not a "Right to Farm" issue, it is a quality of life issue for the residents of Sonoma County.

Respectfully,

Stephen and Lynn Olsen

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Tess
To: Cannabis
Subject: cannabis ordinance
Date: Thursday, August 12, 2021 3:39:46 PM

EXTERNAL

Hello,

All of my concerns about cannabis cultivation have been expressed very well by all the people who wrote in their comments during the four days of webinar.

I will now expand on one issue that has become very important because of what I have experienced from my neighbor, John Lobro, at 1700 Barlow Lane in Sebastopol.

Accountability is now a top priority. There was none when this neighbor applied for permits. He grew illegally for 10 years in a warehouse on his property. When given the chance to go legal, he continued to grow illegally until code enforcement shut him down. John got his first permit in spite of cutting down mature oak trees and grading without a permit. He set up his grow down the hill in the Atascadero riparian corridor. He was reported several times by neighbors, but was then granted a second
permit. He now grows 20,00 sq ft of cannabis. The noise he makes with all his equipment and trucks is unacceptable. He has ruined the peace and quiet of this neighborhood.

After I spoke at the Planning Commission zoom meeting, John confronted me on the road while I was walking my dog. After my neighbor and I spoke at the Supervisor's zoom meeting, he went into a rage and threatened to kill my neighbor and screamed something about dead bodies all over the place. We now have a civil harassment order against him. This person is not mentally stable and should have his permit yanked! I'm still wondering how he got it in the first place. These bad players should not be allowed to grow at all.

I want to know that there will be accountability for anyone who does not respect and follow the guidelines.
The bottom line is that it is not appropriate to allow grows in any neighborhood!

Thank you for hosting the webinar. I hope the comments and concerns will be taken very seriously.

Sincerely,
Stephanie Danaher
1680 Barlow Lane, Sebastopol

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Sarah Shrader
To: Cannabis
Subject: Recommendations from Sonoma County Cannabis Advisory Group
Date: Thursday, August 12, 2021 12:48:18 PM
Attachments: Recommendations from Sonoma County Cannabis Adivsory Group (1).pdf

---

My name is Sarah Shrader, and I formerly sat on the San Francisco State Cannabis Legalization Task Force, as well as the Sonoma County Cannabis Advisory Group.

Attached are the recommendations drafted by the Cannabis Advisory Group prior to our sunset in June of 2019. As the county is drafting new cannabis regulations, please consider the recommendations that were made by the following subgroups, and approved by the Advisory as a whole.

1. Neighborhood Vitality
2. Economic Impact
3. State Alignment

Thank you,

Sarah Shrader
Chair of Sonoma County Chapter of American's for Safe Access
415 756 4587

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Sonoma County Cannabis Advisory Group Agenda

Meeting Date: June 26, 2019

LOCATION:
Steele Lane Community Center, 415 Steele Lane, DeMeo Rm., Santa Rosa, CA 95403

3:00 p.m. Call to Order

Announcements

Item #1- Sub Group Reports and Recommendations

1. Sub Group Reports
2. Questions for Sub-Group Members
3. Public Comment
4. Advisory Group Discussion
5. Advisory Group Recommendations

Public Comment for Items Not on the Agenda

4:30 p.m. Closing Reception

Open Meetings: Except as expressly authorized under the Ralph M. Brown Act (the State's local agency open meeting law), all meetings of the Cannabis Advisory Group are open to attendance by interested members of the public.

Public Comments: Any member of the public may address the Group during the designated Public Comment periods noted in the Agenda. There are Speaker Request forms provided; if you wish to comment, please fill one out and submit it to staff prior to the start of the meeting. Please note that Group members are unable to answer questions or respond to comments but you may speak to Group members after the meeting.

If you wish to speak to a specific topic listed in the provided Agenda, please limit your comments to that specific topic under discussion by the Group. When filling out the Public Speaker Request form, check the appropriate box listed; if the topic you wish to comment on is in Item #1 of the Agenda, check the Item #1 box, and so on.

Disabled Accommodation: To Request an Accommodation: If you have a disability and require a sign language interpreter, assistive listening device, material in an alternate format, or other accommodation to attend, please contact Ms. Melody Richitelli at (707) 565-1925 at least 72 hours prior to the meeting in order to facilitate arrangements for accommodation.

Sonoma County Cannabis Advisory Group Notes

Meeting Date: May 22, 2019

ROLL CALL

Tim Ricard, Staff
Terry Garrett, Chair
Julie Mercer-Ingram, Co-Chair
Jay Jensen
Katherine Dowdney
Omar Figueroa
Laura Waldbaum
Paula Blaydes
S. Brantly Richardson
Richard Gunderson
Sarah Shrader
Dona Frank
Arthur Deicke, Absent
Shivawn Brady, Absent
Samual Edwards, Absent
Brandon Levine, Absent
Alexa Wall, Absent
Tawnie Scarborough, Absent

3:00 p.m. Call to order

Announcements

1. The Permit Sonoma Hearing Room will be unavailable for future Cannabis Advisory Group (CAG) meetings; the April and May meetings will take place at the Steele Lane Community Center in the DeMeo Room.

Item #1- Staff Updates

A. Staff Presentation:
   1) Tim Ricard will be stepping down as Cannabis Program Manager on May 25, 2019. The recruitment process to fill his position will begin soon and will likely take three or more months to complete. The Cannabis Ad-Hoc Committee has recommend that the Cannabis Program be relocated to the County Administrator's Office.

   2) The last CAG meeting will take place on June 26th at the Steele Lane Community Center. At the last meeting, the CAG sub-group reports will be finalized and voted on for distribution to the Cannabis Ad-Hoc Committee. There will also be a small thank you celebration for CAG members; the Cannabis Ad-Hoc Committee has been invited to attend.

   3) Fifty four cannabis permits have now been issued, with four permits approved since the last CAG meeting for operations at 1) 256 Sutton, Santa Rosa 2) 18730 Sweetwater Springs, Guerneville 3) 1388 Copperhill Parkway, Santa Rosa and 4) 31800 Pine Mountain, Cloverdale. Two permits are scheduled for hearing on June 13, 2019 for operations at 33162 Regional Parkway, Santa Rosa and 2275 Roberts, Penngrove. The appeal hearing for cultivation at 334 Purvine, Petaluma has been scheduled for July 19, 2019.

   4) The Permit Sonoma Work Plan will be before the Board of Supervisors on June 4, 2019, which includes funding for the Cannabis Ordinance updates and a programmatic environmental impact report.

5) Staff is continuing to schedule Penalty Relief site visits with Code Enforcement and Ag, Weights and Measures staff to ensure operators are compliant with the regulations of the Penalty Relief Program, including looking for possible health and safety issues, and ensuring operators are cultivating the type and amount currently authorized for.

B. Questions for Staff:

1) It was asked if the role of the CAG would continue beyond the initial two-year term and/or expand to include hemp, for which staff responded that was not the direction provided by the Ad-Hoc Committee.

C. Public Comment: None.

D. Advisory Group Discussion and Recommendations: None.

Item #2- Sub-Groups Reports and Discussion

A. Sub-Group Reports
Information and draft recommendations were presented by the Economic Vitality and Community Compatibility Sub-Groups for discussion and direction. The State Alignment Sub-Group will distribute a document of pending legislation prior to the next meeting for preliminary review and research. Further discussion and action on all Sub-Group recommendations will occur at the June 26th meeting.

B. Questions: None

C. Public Comment: None.

D. Advisory Group Discussion and Recommendations:

1) It was suggested that the Economic Vitality analysis may need to consider the current market price for cannabis when compared to years past and prior projections. Discussion followed about the market price of cannabis, for which several members noted that due to the severe shortage and high demand for legal cannabis, mostly resulting from the lapse in thousands of operators' licenses statewide, has put the legal market price back to where it once was during the collective model days. There are also consumers who also willing to trade health and safety assurance for a lower priced, unregulated and untested product.

2) There was discussion about both carrot and stick tactics to be considered during the Cannabis Ordinance updates to help eliminate or reduce the black market, including tax reductions to help legal operators stay competitive in the market and increased enforcement of illegal operators.

3) A CAG member noted the importance, as part of the project review and approval process, of rural cannabis cultivation operations illustrating financial sustainability without requiring a tourism element and/or on-site events to survive, as is often the case with wineries requiring tasting rooms, events and accommodations to be financially viable. This has resulted in tourism impacts in rural areas countywide; the County should avoid this same mistake with cannabis.

Public Comment for Items Not on the Agenda

1) The speaker thanked the CAG for their work and introduced herself as a newer consultant providing services to the cannabis industry in Sonoma County.

2) The speaker thanked the CAG for their work and introduced himself as having an FDA pharmaceutical background and as a current provider of cannabis wastewater treatment and management services in Sonoma County. He requested that CAG member reach out to him should they be aware of any concerns around cannabis wastewater management locally.

Closing Remarks

Cannabis Advisory Group: Economic Vitality Committee Report

June 2019

The Sonoma County Cannabis Advisory Group formed three committees in 2019; State Alignment, Community Compatibility, and Economic Vitality. The following discussions relate to increasing the Economic Vitality of Sonoma County's Cannabis Program, which have taken place at Cannabis Advisory Group (CAG) meetings over the last year. A visionary exercise took place the CAG meeting which took place on December 12th of 2018 and are included as policy recommendations related to Economic Vitality (A.) discussions notes from April 24th's CAG meeting are also included (B), as well as recommendations from the Economic Impact Report (C.), which was released in December of 2018 by, Sustaining Technologies, LLC, and Economic Forensics and Analytics, LLC. The final section (D.) outlines discussions that took place between members of the Economic Vitality Committee.

The CAG encourages the Sonoma County Ad Hoc to consider some of these policy recommendations as they move forward with Part 2 of Cannabis Ordinance amendments.

Goals for the County;

Streamline the Application Process

Increase Tax and Permit Revenue

Find solutions for small companies to afford to participate

Members of Committee

Dona Frank

Brantly Richardson

Sarah Shrader

A. Recommendations for Economic Vitality from CAG Meeting December 12, 2018

Support Local and Cottage Businesses

1. Showcase successful local operations to dispel concerns & encourage leading by example
2. Ensure equitable opportunities exist for all operators throughout commercial cannabis supply chain
3. Utilize local data on permitted operations to better direct future efforts & policy decisions
4. Incentivize local food sheds
5. Remove barriers to and incentivize smaller-scale and specialty cultivation

6. Develop plan to integrate commercial cannabis w/ existing property uses

Increase Cannabis Tax Revenue

1. Showcase successful local operations to dispel concerns & lead by example
2. Ensure equitable opportunities exist for all operators throughout commercial cannabis supply chain
3. Utilize local data on permitted operations to direct future efforts
4. Support and encourage cannabis events and tourism
5. Embrace and encourage cannabis businesses the same as any other

Provide Equitable and Streamlined Permit Process

1. Develop standard criteria/expectations for application processing and supporting materials required
2. Provide more information on process, submittals, costs and timeline at the front-end of the application process
3. Provide sufficient staffing for timely permit processing
4. Encourage proactive neighborhood engagement prior to application submittal
5. Ensure presence of adequately qualified staff member(s) for review/analysis of technical studies required by applicants
6. Develop minimum/maximum thresholds for impacts and mitigations
7. Process and review cannabis permits w/ same criteria and level of scrutiny as comparable non-cannabis permits

B. Recommendations for Economic Vitality at April 24th 2019 CAG Meeting

1. Applying for State funding for Equity & Research
2. Tax breaks for small businesses, or tax thresholds
3. Unfair market competition between regulated cannabis products and widely available unregulated Hemp CBD products.
4. Agricultural Incentives for cannabis farmers who cultivate other crops

C. Recommendations from Economic Impact Report

1. Public policy should focus on incentives for conversion of current illegal businesses, enhancing the hedgers and wait-and-see possibilities for conversion by reducing tax rates and compliance costs;
2. Public costs exist for enforcement and compliance in the legal environment and to enforce laws against continued, illegal activity;
3. Provide entrepreneurship training and support for business conversions;

4. Centralize distribution and use of local product such that benefits can be maximized across county economy;
5. Make provisions for local processing of plant material into saleable flower and supply for manufacturers to make concentrates;
6. Support cannabis tourism through Sonoma County Tourism;
7. Create a long-term vision for development of the cannabis industry in Sonoma County.

Additional Points of Interest from Economic Impact Report

8. The value of cannabis will increase once it is a Federally legal product, available for export.
9. Illegal cannabis has no taxes, and has less cost for purchase. Legal cannabis needs to be comparative price or less than illegal cannabis to incentivise participation in the legal market.
10. Selling locally sourced products at retail reduce "leakage" of finances to nearby cities or counties.
11. Consumers seek an educational experience with cannabis, similar to wine tasting

D. Additional Discussions by Members of the CAG's Economic Vitality Committee

Small Business Development & Growth

1. Tax reductions for small businesses, as lower percentages, tax payment plans, or tax thresholds for new companies, and businesses lower revenue.
2. Agricultural diversity, incentives for cannabis farmers who cultivate other crops. This encourages existing agricultural farmers to participate in cannabis activities, and encourages cannabis cultivators to support local agricultural industry.
3. Implementing an Equity Program, to reduce permit fees, or creating loan opportunities could help lower the barriers of entry for Equity Qualified Applicants.

Community Investment Grants, State funding for Equity Implementation

Bureau of Cannabis Control has announced that cities and counties can apply for state funding, through Community Investment Grants. These programs are implemented by local jurisdictions to help individuals that have been impacted by the War on Drugs. City and County's have wide discretion as to how they want to implement Equity Programs. Using State funding to offer loans to Equity Qualified Applicants would help companies who cannot afford to participate in the permitting process. Below are some of the potential conditions that may be considered to be a Qualified Equity Applicant.

Potential Equity Qualifiers, 3 of 7 would be necessary for Equity status:

1. Previous arrest, raid, or charge of cannabis in Sonoma County
2. Parent, or legal guardian arrested for drug charges
3. 10 years residency in Sonoma County
4. Applicant, their parent, or their child attended 5 years at a school located in a Sonoma County School District.
5. Previous cultivators who were in compliance with Prop 215, & SB420
6. Earned less than 80% of the median income of Sonoma County, the year prior to application (2017, median income was $80,409)
7. United States Military Veteran

Affordability of Medical Cannabis:

1. The cost of permits and taxes, has increased the cost of cannabis for legal consumers.
2. Donated cannabis should not be taxed (SB 34).
3. Cannabis has been shown to help reduce opiate addictions, having affordable or free cannabis available instead of opiates could help prevent and treat addictions.
4. Incentives should be offered to businesses, to encourage companies to donate cannabis to patients in financial need.
5. Caregiver or research garden's could produce affordable cannabis outside the commercial market and be available to low income cannabis patients and senior cannabis users.

Unfair Market Competition:

1. Widely available unregulated Hemp CBD products
2. Unregulated Delivery Services
3. Unpermitted cultivation
4. Overproduction from other counties
5. Unlicensed Events
6. Unfair market competition will continue to thrive, as long as it more affordable to the consumer to participate in an unregulated market

Increasing the Value of Sonoma Grown Cannabis

1. Appellation designations in Northern California (AB 858)
2. National Export of Cannabis Product
3. International Export of Cannabis Product

Potential Concerns to Consider for Future Policy Developments:

1. Over-production of Cannabis from other Jurisdictions
2. New cannabis uses including tourism should not impact existing residential use

---

1. A significant problem that the industry is experiencing is **overproduction**. Reports last March indicated that approximately 9 million pounds of legal marijuana will be produced in California in a year's time. However, the market in California will only support 2 million pounds in sales. In time, even if only half of the current applicants have their license applications processed and approved by the State, over production will become a reality. Public policy should focus on aligning the amount of production with the anticipated consumption in California. (Oregon is an example of the problem created when production exceeds consumption. (See articles below)

Cannabis is unique in that an alternative illegal market exists that can absorb excess. This further imperils the viability of the legal market.

A more rational approach in the county would be to discourage more growers by limiting the number of licenses granted. The industry should encourage growers to develop a relationship with manufacturers and distributors to insure they have a confirmed purchaser for their product.

If the current excise tax rate is reduced, which supposedly would encourage more growers to come out of the unregulated market, it would likely increase the amount of product available to the legal market. This would increase the potential for excess production even more.

Possible questions for discussion: What is the current county approach to abating illegal grows? Are there any left in Sonoma County to speak of? What is the source of unregulated weed available in Sonoma County? Would it be helpful if the county reinstated illegal cannabis as a criminal rather than civil infraction? How are they identified…complaints filed, drone searches, satellite images?

2. A second item concerns **cannabis tourism**. This should not occur until the county has figured out how to ameliorate the current problem with winery tourism's negative impact on rural neighborhoods. The idea that wineries aren't economically viable without the ability to become hospitality and event centers is a big mistake and shouldn't be repeated with cannabis. If cannabis growers can't be profitable from sales of their product, then they don't have a valid business plan and shouldn't be granted permits in the first place.

There is no objection to large scale events, like the Emerald Cup, which are restricted to one location and do not impact the rural neighborhood environment over a continuing period of time.

3. For individual operators interested in entering the industry, **showcasing** successful cannabis operations that don't have negative impacts on adjacent or nearby neighbors is a good idea. Potential operators should also be fully informed as to those activities or arrangements that will bring opposition from nearby residents. No taxpayer funds should be used for such showcasing. The industry public relations arm should pay for this activity.

Article References:

The world's largest pot farms, and how Santa Barbara opened the door: https://www.latimes.com/local/california/la-me-santa-barbara-pot-grows-20190612-htmlstory.html

Too much legal marijuana: Last year's harvest alone may give Oregon a pot surplus of more than 1 billion joints: https://www.chicagotribune.com/business/ct-biz-oregon-too-much-marijuana-20190531-story.html

Oregon preparing for possible interstate weed Commerce: https://www.apnews.com/d760929944034e72a294086bf393640f

Green Growth Brands Surpasses 50 Seventh Sense CBD Shops Open in Four Months: https://www.newcannabisventures.com/green-growth-brands-surpasses-50-seventh-sense-cbd-shops-open-in-four-months/

Cannabis Advisory Group: Neighborhood Compatibility Committee

June 2019

Neighborhood Compatibility Committee was formed at the Cannabis Advisory Group in 2019 to discuss possible solutions to concerns that have arisen since the permitting process began in Sonoma County. The concerns cover a range of subjects; however, they fall into two categories: individuals or communities opposing cannabis permits, and farmers or small businesses who find it financially challenging to participate in the cannabis permit process.

The following document outlines concerns and solutions to some of the matters that have been brought to the committee's attention. Our goal is to suggest some solutions for compatibility of cannabis activity in zones that may have residences nearby, and support small cultivators to participate in the permit process.

Please note that each of the issues outlined in this draft could be expanded on. Our goal was to keep the concepts simple and clear to present to the CAG. If these are matters the CAG chooses to support, we will gladly provide more policy details, suggestions, or guidance.

Members:
Omar Figueroa
Laura Waldbaum
Sarah Shrader

Points of Agreement

- The current permitting system in Sonoma County is drawing large corporations to participate instead of small existing cannabis farmers
- Cannabis activities should have minimal to no neighborhood impact
- It would be ideal if there was a procedure to mitigate neighborhood concerns prior to CUP hearing; waiting until the CUP hearing is expensive and time consuming
- Safety of the neighbors, and permitted farmers is a priority for public interest
- The minimum of 10 acres makes it expensive for a previous cannabis farmers to relocate to comply to zoning requirements
- Smell can be subjective, and can impact individuals differently
- Concern about timeline for EIR, it may take up to a year to complete this process for Sonoma County, if the county chooses to prioritize it

Proposed Solutions for Neighborhood Concerns

Voters of Sonoma County have been very supportive of cannabis, with 69% in favor of medical cannabis in 1996 for the passage of proposition 215, and 59% of Sonoma County Voters supported the passage of Prop 64. Residents who have cannabis activities near them report that illegal cannabis cultivation has impacted them in a variety of ways. The following suggestions are potential solutions to reducing these complaints.

Easements

Background:

Complaints from neighbors have arisen from shared property rights, specifically driveway easements. One individual experienced change of locks, and unleashed guard dogs when she was opening the gates to enter her property.

Solution:

Residential Easements not allowed, three exemptions:

1. Existing Pipeline applicants allowed to continue
2. Temporary Access to easement granted with grading permit (or any other applicable permits) to install driveway, while work is being done.
3. Signed Agreements with neighbors, renewed at the time of permit renewals. This may require maintenance expenses, to be determined between both parties signing the easement agreement.

Class 3 & Class 4 Watersheds

Background:

High water use in Class 3 & Class 4 watersheds have impacted surrounding parcels. Neighbors have documented wells as deep as 400 feet no longer have water available.

Potential Solutions:

Real time monitoring, proper meters, set up outside of residential use, to measure agricultural use.

No pumping water for cannabis cultivation in same same deferment period as direct diversion. Water storage required.

Day Care*

*****Please note, this may fall under State Alignment Committee

Background:

The state recently changed their definition of licensed Day Care Facility, which now includes children ages 0-5, but exempts family home child care programs. The suggestion is to align these definitions.

Solution:

Align the definition of Daycare to state definition, which includes licensed day care facilities (not family daycare).

> *"Child Care Center" or "Day Care Center" (or "center") means any child care facility of any capacity, other than a family child care home as defined in Section 102352f.(1), in which less than 24-hour per day non-medical care and supervision are provided to children in a group setting*

Here is the definition of family day care in California law:

HEALTH AND SAFETY CODE - HSC
DIVISION 2. LICENSING PROVISIONS [1200 - 1797.8] *(Division 2 enacted by Stats. 1939, Ch. 60.)*
CHAPTER 3.4. California Child Day Care Act [1596.70 - 1596.895] *(Chapter 3.4 added by Stats. 1984, Ch. 1615, Sec. 9.)*

ARTICLE 1. General Provisions and Definitions [1596.70 - 1596.7996] *(Article 1 added by Stats. 1984, Ch. 1615, Sec. 9.)*

1596.78.
*(a) "**Family day care** home" means a home that regularly provides **care**, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per **day**, while the parents or guardians are away, and is either a large **family day care** home or a small **family day care** home.*

*(b) "Large **family day care** home" means a home that provides **family day care** for 7 to 14 children, inclusive, including children under the age of 10 years who reside at the home, as set forth in Section 1597.465 and as defined in regulations.*

*(c) "Small **family day care** home" means a home that provides **family day care** for eight or fewer children, including children under the age of 10 years who reside at the home, as set forth in Section 1597.44 and as defined in regulations.*

(Amended by Stats. 1996, Ch. 18, Sec. 2. Effective January 1, 1997.)

Increasing Setbacks from Residential Homes, and Reduce 10 Acre Parcel
Background:
Biggest complaint that comes in related to cannabis has been smell. Residents have the right to enjoy their homes without nuisances, however it should be acknowledged that Sonoma County has a range of unwanted smells related to agriculture and dairies.
Solution:

Consider removal of minimum 10 acre parcel size in allowed zones with advanced odor mitigation measures (such as vapor phase system) required on sub 10 acre parcels and increased setbacks from neighboring homes.

Develop science based odor detection threshold for acceptable limits at property line. Require cultivators to keep odors below threshold. If odor levels exceed threshold more than 3 times within one year, cultivator would be subject to fines and immediate abatement of odor. If fines are not paid within 60 days, permit would be withdrawn. If odor levels exceed threshold more than 5 times in one year, cultivation permit would be withdrawn.

Safety

Background:

Illegal cannabis activity has drawn incidents of theft, and even incidents that ended in violence. Residents want to feel safe in their homes, and see cannabis permittees take responsibility for unwanted visitors or activity.

Solution: Signage provided with prominent law enforcement insignia for licensed cannabis activities. Support from law enforcement should include a cannabis liaison, and sheriff hotline (to call and text) for safety related matters involving cannabis.

Mediator

Background:

A Conditional Use Permit hearing can take up to a year to schedule, and may be denied due to neighborhood opposition. We recognize ministerial permits do not set conditions of use, however, having a procedure early in the process to address concerns would be beneficial to both parties (applicant and opposition).

Solution:

It would be ideal to mitigate some of the neighbor concerns early in the application process. One suggestion was to hire a formal mediator to hear support and opposition to the project to be presented in a formal report.

Solutions to Help Small Farmers Participate

A consequence of high regulatory standards has been that many small farmers cannot afford to participate. The cost of relocating to proper zoning, water board certification, hydrogeologic report, permitting fees, and holding a property during a permit process makes it financially difficult for individuals to apply for a permit, with no financial backing.

Small cannabis farmers are being driven out of the communities that they have to contributed to for many years, due to the cost of living, not having re-training available, permitting expenses, and relocating a farm.

Removing 10 Acre Minimum with Increased Setbacks or Odor Mitigation Plan

Background:

The cost of relocating to proper zoning for small farmers can be very expense. There are minimal spaces available, which often end up in competitive bidding processes, further increasing the price. The 10 acre further increases the cost for small cannabis farmers and producers, and does not support the goal of making permits accessible for small agriculture.

Solution:

Consider removal of minimum 10 acre parcel size in allowed zones with advanced odor mitigation measures (such as vapor phase system) required on sub 10 acre parcels and increased setbacks from neighboring homes. See suggestions above

Equity Program*:

***Please note, this may fall under Economic Vitality Committee

Background:

10 Million dollars available from the State for programs implemented by Cities and Counties to help rectify the impact of the War on Drugs. If Sonoma County is interested in applying for any of this money, they must draft a policy to be implemented. The intention is to help people that were impacted by the *War on Drugs* that may not have had the same opportunities because of the financial burdens placed on a family, such as arrest or incarceration. These examples can have impacts for generations. Local equity programs are designed to "level the playing field" between applicants by providing incentives for "equity qualified participants".

Solution:

Developing a Sonoma County equity program that supports goals helping "equity" qualified individuals to get cannabis activity permits. Examples could include; individuals who had previous cannabis charges, families impacted by the drug war, long term residents in Sonoma County, and local families, see proposed qualifiers list to start this discussion. Bureau of Cannabis Equity Grant Program:
www.bcc.ca.gov/about_us/equity_grant.html

Proposed Qualifiers (3 out of 5):*

- Previous arrest, raid, or charge of cannabis in Sonoma County
- Parent, or legal guardian arrested for drug charges
- 10 years residency in Sonoma County
- 5 years attendance in a Sonoma County School District
  (An Individual, their Parent, or their child)
- Previous cultivators who were in compliance with Prop 215, & SB420
  (Documentation required, ie Seller's permit, Collective Agreements, Tax payments, etc)

*Please note Economic Vitality has included two additional qualifiers: income & veterans

New Sensitive Uses

Background:

If a cannabis permittee goes through the permitting process, they should not be threatened to close in the future due to a new sensitive use moving in.

Solution:

Clause protecting permitted/licensed cannabis permits when sensitive uses move in after the cannabis activity.

Radius Measurements

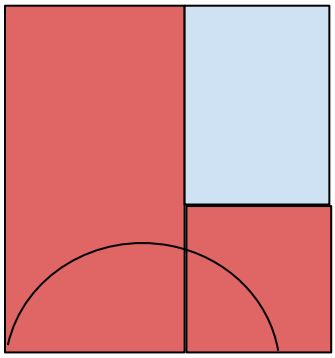
Background:

Large properties may fall within a small portion of a sensitive use radius, this should not rule out the entire parcel.

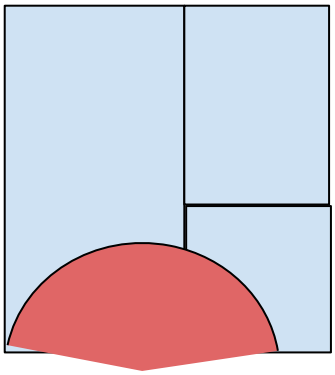
Solution:

If a parcel is only partially within a radius of a sensitive use, the portions of the property that fall outside of the radius may be used for cannabis activities.

Current Policy



Proposed Change



Small Commercial Gardens

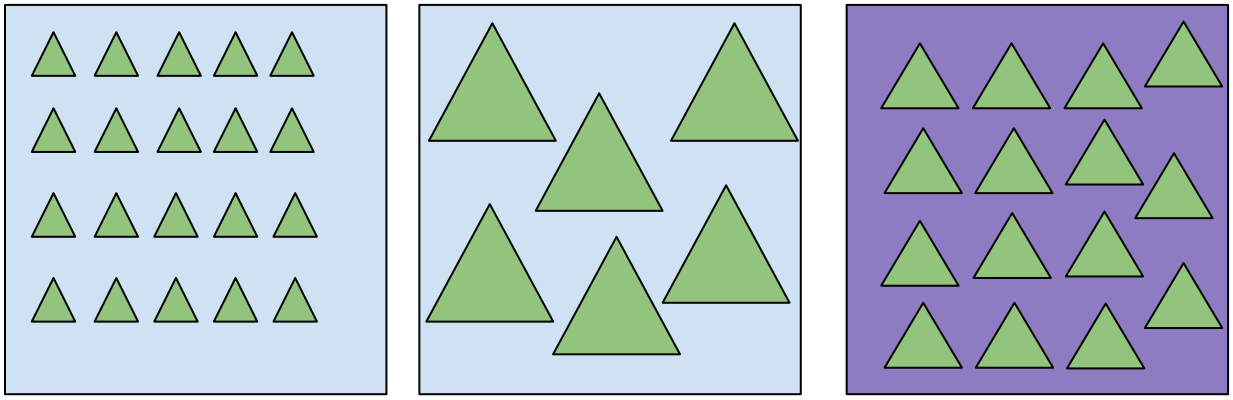
Background:

Medical cannabis patients who cultivate in Sonoma County are allowed to have as many plants as they choose within a 100 square foot area. Adult cannabis users, can cultivate the same garden size, 100 square feet, with up to 6 large plants within that area.

Solution:

100 square feet is already allowed in all areas, with minimal environmental impact, and no permitting fees or registry. If we allowed for permits to be issued for 100 square feet commercial gardens, the only impact would be where the finished product is going;

instead of being consumed by one individual, it would be allowed into the regulated cannabis market. State testing requirements would still apply, and ensure that contaminates were not being used. Transportation would be arranged with a licensed distributor. Further exploration of this issue would include fulfilling the state track and trace requirement.



Medical Garden | Adult Use | Proposed Commercial

Amnesty For Fines, Not Permits

Background:

Unpermitted building and electrical upgrades to cannabis cultivations were a common issue prior to cannabis permitting. There were a variety of contributing factors; fear of working with a department that may notify law enforcement, not being aware of the scope of work requiring a permit, or the costs involved. As we are encouraging individuals and companies to take steps for proper regulatory compliance, we should provide incentives for those who go out of their way to make these corrections without code enforcement requiring them to do so.

Solution:

Stay any fines when there is self-reporting, as an incentive for unpermitted work to step forward to make proper corrections. Fines would be waived after permits are issued and the work completed. If permits were not issued, and/or the work not completed, the fines would of course not be waived, and the stay would be lifted, meaning payment would be due.

Cannabis Advisory Sub-Group on State Alignment
Members: Shivawn Brady, Alexa Wall & Richard Gunderson

June 24, 2019

Our local Sonoma County cannabis ordinance has not yet been updated to reflect the changes in regulations that were adopted on January 16, 2019. The cannabis advisory group has enacted a sub-group to focus on aligning the local ordinance with statewide regulations.

A few areas of concern have been identified that are unique to Sonoma County, in addition this report has captured pending legislature concerning the cannabis industry.

Discussion: In Sonoma County the ordinance requires an operator to obtain 10 acres of land to grow no more than 1 acre of cannabis. This has pushed operators into energy consuming warehouse systems and encourages growers to take up space in commercial industrial buildings, while pushing conventional business out.

Requiring operators to obtain 10 acres of land to grow no more than 1 acre of cannabis has eliminated smaller operators from engaging in the legal market as the cost of acquiring that amount of land to grow such a small amount of cannabis has left local operators without the means to continue their business. In addition this provision favors larger commercial operators that can afford the excessive amount of overhead.

Local State Alignment Solutions:

a. Eliminate the 1- acre cultivation cap and align with state regulations
b. Eliminate the 10-acre parcel minimum requirement
c. Sonoma County Cannabis Ordinances should consider aligning with Bureau of Cannabis Controls's non emergency emergency regulations;
d. The following definitions changed:
    a. Designated M and A Commercial Cannabis Activity to Commercial Cannabis Activity
    b. Changed term of concentrated cannabis to cannabis concentrate
    c. Sales Price Changed to Wholesale
    d. Expiration or Sell by Date changes to Best By, Sell by, or Expiration date
    e. The following definition were added:
        Branded Merchandize
        i. Promotional Materials
        ii. Business Day as 8am-5pm and Calendar Day
        iii. Immature plants
        iv. Publicly Owned Land
        v. Tamper Evident
        vi. Wholesale Cost
        vii. The following definition was removed:
            1. Volatile Solvent

Discussion:

The 10-acre minimum parcel size requirement was enacted in an attempt to maintain separation between cannabis cultivation sites and closely spaced neighbors. If alternate neighborhood compatibility measures can be enacted that are acceptable to both cultivators and neighbors, then the 10-acre minimum parcel size might be altered or rescinded.

With soaring real estate prices, farmers cannot sustainably compete with other business owners vying for industrial warehouses space by growing indoors. Growing indoors forces the farmer to use more energy and fossil fuels in attempting to recreate a natural environment.

Solutions

a. Open up the ordinance to allow for RR, AR parcels to be eligible for permitting with a canopy cap in those locations that do not create unacceptable neighborhood compatibility problems
b. Work with Agriculture and Open Space Districts to allocate open space land for cultivation leases (outdoor only) on land that has been preserved agricultural lands.

Discussion:

The elimination of RR and AR parcels from consideration for cannabis cultivation sites was an attempt to mitigate the impacts of cultivation on closely spaced neighborhoods. In doing so, thousands of small farmers were excluded from participating in the regulated market and have no pathway forward for bringing their businesses above ground.

Solution

If alternate neighborhood compatibility measures can be enacted that are acceptable to both cultivators and neighbors, then cultivation on appropriately sized and located RR and AR parcels should be considered.

State Proposed Legislature

Concern: Currently, federal law disallows deductions or credit for business whose activities consist of trafficking specified controlled substances. Cannabis operators are not able to deduct business expenses from their federal taxes.

AB 37: Personal income taxes: deductions: business expenses: commercial cannabis activity.

Would, for each taxable year beginning on or after January 1, 2019, and before January 1, 2024, specifically provide in the Personal Income Tax Law for nonconformity to that federal law disallowing a deduction or credit for business expenses of a trade or business whose activities consist of trafficking specified controlled substances only for commercial cannabis activity, as defined under MAUCRSA, by a licensee under MAUCRSA, thus allowing deduction of business expenses paid or incurred during the taxable year in carrying on that commercial cannabis activity under the Personal Income Tax Law.

Support

SB 67 Cannabis Temporary Licenses

Extends temporary cannabis cultivation licenses (temporary license) until September 15, 2019, for applicants who submitted an annual application before the expiration date of the licensee temporary license and authorizes licensing authorities to issue provisional temporary license to individuals without a temporary license, as specified. Specifically, this bill:

1) Extends the expiration date on a temporary license if the temporary licensee submitted an
1. application for an annual license, before the temporary license's expiration date.
2) Voids the temporary license after the licensing authority issues an annual or provisional
2. Cannabis cultivation license (provisional license) for the same premises and the same
3. commercial cannabis activity for which the temporary license was issued.
3) Voids an extended temporary license 30 days after either CDFA denies or disqualifies the
4. licensee's application, the licensee abandons the application, or CDFA notifies the licensee
5. they qualify for a provisional or annual license.
4) States that denial, disqualification, revocation, or suspension by CDFA of a temporary
6. license extended pursuant to this bill shall not entitle the licensee to a hearing or appeal, and
7. states that a temporary license does not obligate CDFA to extend or issue an annual or
8. provisional license.
5) States that extended temporary licenses shall expire on September 15, 2019.
6) Makes legislative findings and declarations that this bill furthers the purposes and intent of
9. the Control, Regulate and Tax Adult Use of Marijuana Act (MAUCRSA).
7) Adds an urgency clause.

Support

AB: 420 The California Cannabis Research Program

If the Regents of the University of California accept the responsibility, current law requires the University of California to establish the California Cannabis Research Program, also sometimes referred to as the California Marijuana Research Program or the Center for Medicinal Cannabis Research, in order to develop and conduct studies intended to ascertain the general medical safety and efficacy of cannabis, among other duties. This bill would specify that the program is hosted by the Center for Medicinal Cannabis Research. The bill would authorize the program to cultivate cannabis for its use in research, as specified.

Support

AB 717: Public contracts: armored courier services.

Would authorize a state agency, in consultation with the Treasurer's office, to contract with an armored car service provider to pick up, count, and transport to a bank or financial institution the cash remits of any state-imposed taxes and fees that are administered by that state agency from participating businesses in California, including cannabis-related businesses. The bill would require

specified armored car service providers to enter into, or have already entered into, a labor peace agreement, as defined, in order to contract with a state agency.

Support

AB 858: Cannabis: cultivation.

Under current law, the Department of Food and Agriculture may issue cannabis cultivation licenses to commercial cannabis businesses that differ depending on the size of the cultivation site and whether the site is indoor, outdoor, or mixed, including a Type 1C, or "specialty cottage," license, which authorizes a licensee to engage in cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold, to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises. This bill would instead, for outdoor cultivation authorized by a Type 1C license, require the licensing authority to determine a maximum threshold of 2,500 square feet or less of total canopy size, with the option to meet an alternative maximum threshold to be determined by the licensing authority of up to 25 mature plants. MAUCRSA requires the department, no later than January 1, 2018, to establish standards by which a licensed cultivator may designate a county of origin for cannabis. MAUCRSA requires the department, no later than January 1, 2021, to establish a process by which cultivators may establish appellations for standards, practices, and varietals applicable to cannabis grown in certain geographical areas of California, instead of by county. This bill would instead refer to those appellations as appellation of origin *appellations of origin, including* standards, practices, and varietals. *varietals applicable to cannabis produced in those certain geographical areas of California.*

Support

AB 1420: Cannabis: licensing fees.

Current administrative law the cannabis licensing authorities have adopted regulations setting application fees and annual license fees that vary depending on license category as well as the size of the business for certain annual license fees. This bill would prohibit licensing authorities from setting application and license fees that exceed certain specified amounts that are consistent with regulations adopted as of January 1, 2019.

Support

SB 34: Cannabis Donations

Current administrative law prohibits a retailer licensee from providing free cannabis goods to any person or allowing individuals who are not employed by the retailer to provide free cannabis goods to any person on the licensed premises. Current administrative law provides an exception to this prohibition for specified medicinal retailer and microbusiness licensees to provide access to medicinal cannabis patients who have difficulty accessing medicinal cannabis goods, as specified. This bill, the Dennis Peron and Brownie Mary Act, would similarly authorize those specified licensees to provide free cannabis or cannabis products to a medicinal cannabis patient or the

patient's primary caregiver if specified requirements are met, including that the cannabis or cannabis products otherwise meet specified requirements of MAUCRSA.

Support

SB 51: Financial institutions: cannabis.

Would create the Cannabis Limited Charter Banking and Credit Union Law, to be administered by the Commissioner of Business Oversight and the Department of Business Oversight. The bill would create the Cannabis Limited Charter Bank and Credit Union Advisory Board and specify its composition, to include the Treasurer, the Controller, and the Chief of the Bureau of Cannabis Control, and commit to it the general responsibility for ensuring that this law functions in a safe and efficient way.
Support

SB 185: Cannabis Marketing

MAUCRSA requires, not later than January 1, 2021, the Department of Food and Agriculture to establish a program for cannabis comparable to the National Organic Program and the California Organic Food and Farming Act. Current law requires the department to be the sole determiner of organic designation and certification, unless the National Organic Program authorizes organic designation and certification for cannabis, in which case the department's authority would become inoperative and would be repealed on the following January 1. This bill would require the department to establish the certification program in conjunction with the State Department of Public Health and would specify that the certification program be for cannabis and manufactured cannabis products. MAUCRSA prohibits cannabis and cannabis products from being represented to consumers, as specified, as coming from a California county unless the cannabis was grown in that county. MAUCRSA requires the department, no later than January 1, 2021, to establish a process by which cultivators may establish appellations for cannabis grown in certain geographical areas of California, instead of by county. This bill would use the term "appellations of origin" instead of "appellations" and would apply the same prohibitions against misrepresentation of county of origin to misuse of appellations of origin established pursuant to the above-described process.

Support

SB 223 Pupil health: administration of medicinal cannabis: school sites.

Would enact Jojo's Act, which would authorize the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12, inclusive, to adopt, at a regularly scheduled meeting of the governing board or body, a policy, as provided, that allows a parent or guardian of a pupil to possess and administer to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996 medicinal cannabis, excluding cannabis in a smokeable or vapeable form, at a schoolsite. The bill would authorize the policy to be rescinded for any reason, as provided.

Support

SB 305: Compassionate Access to Medical Cannabis Act or Ryan's Law.

The Medical Marijuana Program requires counties to administer an identification card program for qualified patients and provides immunity from arrest to qualified patients with a valid identification card or designated primary caregivers, within prescribed limits. This bill, the Compassionate Access to Medical Cannabis Act or Ryan's Law, would require specified types of health care facilities to allow a terminally ill patient to use medical cannabis within the health care facility, subject to certain restrictions. The bill would require a patient to provide the health care facility with a copy of their medical marijuana card or written documentation that the use of medical cannabis is recommended by a physician.

Support

SB 475: Cannabis: trade samples: cultivation tax: exemption.

Would allow a licensee to designate cannabis or a cannabis product as a trade sample at any time while the cannabis or cannabis product is in the possession of the licensee and would impose specific requirements on the licensee making the designation. The bill would prohibit the sale or donation of cannabis or a cannabis product that is designated a trade sample, but would allow those trade samples to be given for no consideration to an employee of the licensee that designated the trade sample or to another licensee. The bill would require a trade sample to be given only for specified purposes.

Support

SB 527: Local government: Williamson Act: cultivation of cannabis and hemp.

Current law requires the board of supervisors or city council, as applicable, to adopt rules governing the administration of agricultural preserves, including rules related to compatible uses consistent with specified principles of compatibility. This bill would authorize these rules to provide that commercial cultivation of cannabis pursuant to the Medical and Adult-Use Cannabis Regulation and Safety Act, or commercial cultivation of industrial hemp pursuant to specified law, constitutes an agricultural or compatible use on contracted or noncontracted lands within an agricultural preserve. The bill would state these provisions are declaratory of existing law.

Support

SB 595: Cannabis: local equity programs: state fee waivers.

Current law, the California Cannabis Equity Act of 2018, authorizes the Bureau of Cannabis Control, upon request by a local jurisdiction, to provide technical assistance, as defined, to a local equity program that helps local equity applicants or local equity licensees. This bill would require a state licensing authority, on or before July 1, 2020, to develop and implement a program to provide a deferral or waiver for an application fee or a licensing fee for a local equity applicant or local equity licensee. The bill would authorize a licensing authority to adopt emergency regulations to implement this provision.

Support

SB 625 Party buses: cannabis.

Current law prohibits a passenger in a motor vehicle being driven upon a highway from drinking any alcoholic beverage or smoking or ingesting any cannabis product. Current law exempts passengers in any bus, taxicab, or limousine, as specified, from this prohibition. This bill would instead exempt the ingestion of cannabis products by a passenger in bus, taxicab, or limousine only if there are no passengers under 21 years of age present and the driver is sealed off from the passenger compartment, as specified.

Support

From: THOMAS ABRAMS
To: Cannabis
Subject: Cannabis Management
Date: Thursday, August 12, 2021 10:53:09 PM

Thank you for extending the opportunity to comment on integration of cannabis operations within the County.
This is a complex challenge, requiring consideration of concerns of a variety of disparate perspectives. I do not envy those charged with finding a way to balance those.
Our belief is that insofar as possible, cannabis cultivation should be restricted to areas removed from residential properties, and restricted in industrially zoned areas.
We are especially concerned about the very high water demands of grow operations in areas where that demand has high potential to negatively affect nearby wells. We believe it is imperative that any permitted or proposed grow operation must be contingent on evidence that adequate water exists for the operation without endangering water supplies of neighboring wells. We believe for example that physical inspections of grower identified water sources be conducted prior to permit issuance or re issuance.
Further, it is absolutely essential that when policies and regulations are drafted and implemented that they be applied rigorously and consistently and effectively enforced. We are well aware of the County's failure to respond to extensively documented violations of permit conditions and it's abject failure to apply meaningful sanctions in the face of repeated non compliance by a grower.
This repeated indulgence of non compliant activity serves not only to invite additional violation, but corrodes reasonable expectations of residents that the regulatory mechanisms are anything but window dressing and a charade.
We do not possess the technical, engineering and other analytical skills and knowledge to offer specific procedures to ensure that grow operations are sited and operated in environmentally sustainable and responsible fashion. We believe that expertise is, or should be, the province of the County authorities, and we believe it is incumbent on the County do develop those policies and practices and to ensure they are complied with.
Thank you for your consideration of these views.
Tom and Anne Abrams
1702 Barlow Ln.
Sebastopol

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Tamara Spratling
To: Cannabis
Subject: safety and water cannabis
Date: Thursday, August 12, 2021 8:52:34 AM

EXTERNAL

what kind of physical barriers for grow areas, how to monitor these areas. I think I heard someone say that in Santa Rosa armed security is ok, but not ok in rural areas. Doesn't make sense. If something were to happen, the response time in the country by police is too long.

how are neighbors protected in these rural areas. Growing out in the country is an invitation for groups of not so nice people.

Water

Water is top priority in rural areas. Many people rely on their wells, not only for growing crops, but for their everyday needs to survive. Zones 3 and 4 are already questionable about their ability to produce the water needed. We don't need a heavy water usage crop added to the area. Other crops are a once a year harvest. Cannabis is not.

How will this affect the natural habitat and different species that live in this area

We are being asked to conserve water and we are talking about adding another crop that is heavy in water usage. The drought situation is not going to change for the foreseeable future.

how does catching rain water affect things by not going back into the ground.

Tamara Spratling

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Valorie Dallas
To: Cannabis
Subject: General idea for Visionary Sessions
Date: Thursday, August 12, 2021 12:01:40 PM

Hello,

This is a general idea:

I propose a pilot program of cannabis farms. It could be 3 years long to run along with your three year plan. It would end in 3 years without any promise of future cultivation. These pilot farms would be monitored, observed, and transparent. We would see if they are good stewards of the land, how much water they use, how much crime happens around them, how they transport their product, what their hoop houses look like, if they erode the county roads with their trucks, what happens in an evacuation, how they manage their run off , etc. The farm or farms would have a team that monitors and communicates about issues composed of someone from their farm, from the general public, and from the county.

In the meantime, there should be a clear moratorium on all other permits for large grows until we finish the new ordinance.

Possibly excluded from the moratorium, would be a version of the ministerial permit for small grows. Something like one small grow per parcel (not many by different LLC's) with a limited amount in an area (like 1 per square mile). It would be a three year trial, with no guarantee that it will continue. The size would be limited. And again, with monitoring, etc. This would be for the already existing small farmer who is not looking to pay off a land purchase in a few years time.

I know this idea needs lots of work, but I count on our experts to help form it further.

Again, thanks for your time in the process.

Valorie Dallas

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Valorie Dallas
To: Cannabis
Subject: What to do
Date: Thursday, August 12, 2021 4:54:57 PM

I have attended the last 3 days of the visionary workshop. I am skipping tonight since I am tired of the negativity. I understand this is a forum for all to express their ideas, but am tired of being called nimby, old, conservative, and on and on by people not even using their own names. If some can't follow the rules in this setting, how they follow them when accountability really matters.

My biggest disappointment over the last 3 days is that those representing the pro cannabis, grow anywhere group never once tried to understand the issue of neighborhood compatibility. I imagine we are all people who love Sonoma County, love nature, love farming, love families, love beauty, want to live in peace. Why such a push to override one side and to show no care or compassion for people who also live here?

I think this process has either created a monster or has brought out the worst out in people.

Again, I ask to slow this process down with a permit moratorium for the time being until we can gather more data on how the permitted farms are working out. And please stop the many ministerial grows on one parcel by different LLC's. If nothing else, the county should put a halt to that work around.

Thanks to all who worked hard to make this happen and hope some good ideas come from it.

Valorie Dallas

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Veva Edelson
To: Cannabis
Subject: Visual Aspects of a successful Cannabis Operation in Sonoma County
Date: Thursday, August 12, 2021 11:46:56 AM

A successful cannabis operation “visually”

What I value most about the look and feel of our Sonoma Landscape especially here in west county is the gentle rolling hills and pasture lands.

I love seeing animals on the land. I feel calm and settled by the landscape. This feels like a safe and trusting community of agriculture and residents.

The first thing that I notice about cannabis operations is the extra security fencing with barbed wire. The high security fencing does not feel welcoming or inviting. It is in fact a little scary and off-putting.

What I would love to see is a healthy integrated poly-culture regenerative farm with a resident farm house with the owner operator living on the land while farming it. Grow small amounts 10,000 sq. ft or under in the ground outside with no hoops. Grow one crop a year planting early in the spring to take advantage of moisture in the ground. Water minimally if at all using drop irrigation. No high security! Just like the rest of us out here.

What I really don’t want to see is a slew of LLC’s trying to get in on the ground floor of the Sonoma Craft Cannabis Brand dream. It is a dream that does not match the reality of the resources that we have. Introducing acres of hoop houses behind miles of fencing is an environmental abomination at this moment in out geologic history.

We need to wake up and and sober up that the time of being able to rely on what we have known and how things have been is what we can project into the future. We need to be thinking about using less in a big way. How can we as a county sustain life.

I am sure that there is a place for cannabis in this county because it is here but I think that we need to be totally and completely transformed in order to be “successful” at survival as a species let alone grow a drug worth a lot of money in a fair and environmentally equitable way.

How many people would be lining up to grow cannabis if it had the same dollar value as a tomato?

The real question here is how do we as a culture live in harmony with nature and how do we as a society do that while living in a greed driven late stage capitalist society.

This is so much bigger than the simple 7 questions that you have organized for us to discuss so that you can check off your list “included public in discussion” and complete your report for

the Supervisors.

We need to be really honest with ourselves and we need to think bigger and be bigger than we have ever had to be. Just look at the mess in Southern Oregon and Santa Barbara. Is that what we are inviting in?

We need a moratorium until an EIR is completed. We should pick a few sites that are already permitted and operating regeneratively and use them as pilot projects until the EIR is complete. Being a good steward of the land and a responsive member of the community should be the highest priority for any cannabis farmer and the foundation of the ordinance we create. The ordinance will only be as good as the process that created it.

Thank you for all that you are doing on behalf of this County. Thank you for your work and your care with this very important process.

Carbon Farmer/ Artist
Piano Farm
Bloomfield CA
415 640-8837

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Ann Hancock
To: Cannabis
Subject: Cannabis input
Date: Friday, August 13, 2021 3:13:41 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Thank you.

Ann Hancock
329 Brush Street
Graton, CA 95444

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Anna Ransome
To:	Cannabis
Subject:	Comments on Visioning Sessions from Friends of Graton
Date:	Friday, August 13, 2021 11:23:16 AM
Attachments:	Cannabis Visioning Sessions FOG memo to County.docx

Please see attached. Thank you for providing the opportunity to provide feedback from the neighborhood groups.

Anna Ransome for Friends of Graton (FOG)

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

TO: Cannabis@sonoma-county.org
FROM: Anna Ransome for Friends of Graton (FOG)
DATE: August 13, 2021
RE: COMMENTS ON THE CANNABIS VISIONING SESSIONS SUBJECTS

LAND USE

PLACES THAT WOULD BE A GOOD FIT:

Identify Cannabis Inclusion zones where cannabis would not have significant impacts. This could be done on a parcel by parcel basis evaluating a set of criteria identified by the EIR. There should be a cap on the total acreage, that could be adjusted as impacts are studied.

Places with adequate water supply so operations do not deplete aquifers, surface waters, springs or artesian and domestic wells that others rely upon.

There is plenty of appropriate land around the airport away from residences.

Places that are sized and configured to allow 1000' setbacks to property lines of all sensitive uses, including residences and important biotic resources such as wetlands and riparian areas. If not enough 10 acre parcels allow these setbacks, this minimum acreage is too small. 20 acre minimum is more reasonable to protect neighbors.

Places that are accessible for emergency vehicles with adequate roads that allow for simultaneous emergency access and escape.

Places that have adequate natural screening from public view through established native vegetation but also, slope or natural features that block the industrial nature of cannabis grows from public view. Vegetation of itself is not permanent and not sufficient.

Industrial and commercial zones where such a use with its necessary security features would be compatible and expected.

In designated cannabis cultivation zones which would be identified by the EIR process.

Where power supply and wastewater disposal capacity is adequate and the new use won't burden the community with odors and truck traffic.

On ag land that is already prepped for ag so that the project does not require massive alteration of the landscape.

Where odor can be stopped at the property line of the facility.

Imagine small scale, discreet operations set back at least 1000' from property lines of residences naturally screened from view with quiet operations, respectful to neighbors and minimal visible security features, including downward facing, warm spectrum, shielded motion detector lighting. Operations would be quiet and unobtrusive with minimal in and out traffic. Fencing would be the minimum needed for security to protect wildlife corridors.

According to many climate scientists the drought may be a permanent situation. Until Sonoma County has a plan to reduce water use and water studies to determine supply, a moratorium is necessary. The rollout of cannabis should be carefully and incrementally done. The new ordinance should have a cap on approvals per year so that water demand can be monitored and controlled. The cap could be adjusted yearly depending on the results of monitoring water availability and usage and other impacts.

Ministerial approval is not applicable to an activity that requires so much discretion about appropriate locations.

Siting should be based on other criteria besides zoning which is too broad to use to determine impacts.

PLACES NOT A GOOD FIT:

Identify Cannabis Exclusion zones where cannabis is inappropriate.

Parcels with slopes over 15%.

Where the project would require removal of oak woodlands or in heavily forested areas.

Water zones 3 & 4, in the 5 impaired watersheds or *any* area where thirsty cannabis would make a hardship for residents who bought their properties before the new use was approved and for native plants and wildlife. This would eliminate trucking of water, catchment ponds under certain circumstances (as when they would de-water an entire area), new deep wells, etc.

Any location that requires importation of water.

Voter approved community separators and greenbelts and open spaces protected in the General Plan Open Space element.

Where there is a concentration of other cannabis operations.

Less that 1000’ from the property lines of residences, schools, parks, daycare centers, residential are facilities, Class 1 Bikeways and businesses. Residents should have the full use of their property, not just their homes.

High fire risk areas without multiple access points for safe evacuation.

2. APPROPRIATELY SIZED:

One acre per approved parcel. No batching of permits on parcels.

Limit on number and size of structures to preserve rural integrity & to prevent structures covering ag land – greenhouses should be limited to industrial and commercial zones and hoop houses, which are a blight on the land, should be prohibited.

3. SUCCESSFUL DISTRIBUTION:

1 acre sites should be spaced at least 3 miles apart.

Avoid the complete alteration of the rural landscape that has taken place in San Luis Obispo and Santa Barbara counties. Don't sacrifice what brought many of us to the county in the first place – our rural beauty and natural landscape.

Avoid the proliferation of non-permeable surfaces that increases flooding and lessens infiltration that replenishes water tables.

4. ODOR:

This is the most common complaint and can't be ignored.

It is up to the operator to insure that no odor leaves the property line. Setbacks of 1000' are the minimum to help with this problem. Siting decisions should be based on prevailing wind direction.

Low odor terpene varieties should be planted.

County should establish a complaint line with an inspection automatically generated when there are three complaints from different parties who live in the vicinity of the operation. The inspection should include Nasal Ranger readings on three different occasions to take weather conditions into consideration. Fines and clean-up orders should be used to assure compliance.

There are scientific methods to determine nuisance odor. Nasal Rangers, Ortech, etc. The industry uses them so why not the County?

5. NOISE

Sonoma County sheriff rarely enforces any noise complaints. Restrict processing to industrial, commercial zones.

Prohibit events.

Limits on day and nighttime decibels could be used, but new noise is always a significant impact according to CEQA so just using General Plan noise guidelines is not sufficient.

Employees make a lot of noise and neighbors of businesses often complain about it. Parking lot conversations (when arriving, leaving or on breaks), loud radios and vehicles could be discouraged by operators. Three complaints could trigger a warning from the County and then further complaints rescinding of the license for a period.

Fans should have quiet ratings. No broadcasted amplified music. Limit trips with good scheduling and possibly shuttles. Limit number of employees, hours, days.

6. ACCOUNTABILITY

Strict rules and adequate enforcement essential. County should have a hot line for complaints and a department for enforcement with actual fines and penalties, including loss of licenses – not like it is now.
Monitoring of compliance with permits should not be the responsibility of neighbors. Regular inspections, like quarterly, should be a part of use permits.

Illegal plants should be confiscated and destroyed by the County, not left for the grower to replant elsewhere.

Fines could fund enforcement.

7. ADDITIONAL FEEDBACK

All these comments point to serious concerns about impacts which reminds us of all the pending applications that are in the pipeline. A moratorium is essential so that the findings of the EIR, which will be based on science not opinion, will be applied to cannabis applications.

Out-of-county operators have no investment in our community. Restrict applications to local entities with at least 51% of the ownership.

The industry does not take any of our concerns seriously and the County did not address neighborhood compatibility until now. This process is less than ideal and our concerns could have been addressed at the beginning when there would have been more opportunity to find common ground.

SAFETY CONCERNS

The public's concern about safety has been mocked and dismissed and yet today we find out that a grower is suing the County to be able to have firearms on site after 6 break-ins at his legal business. When we bring up crime we are always told it is only at illegal grows, however some of the most serious incidents have been at legal grows (search PD for notable ones with car chases and gunfire.)

Safety seems to be referenced in the context of the applicants, not the neighbors – adequate fencing, cameras, guards, lighting, etc. This does nothing to protect neighborhoods. We've already had someone drive right onto our property asking "is this where the cannabis is" because there was a proposed grow next door.

Businesses that require such extreme security do not belong close to rural residential neighborhoods, regardless of zoning.

The water use for cannabis poses a security threat for neighbors in the same watershed as it can cause over-drafting of aquifers and water shortages which leaves neighbors more vulnerable to fire.

We know from a neighbor who has experienced intimidation, gunfire and screaming threats from an illegal grower (that the County legalized), that the safety issue is very real. This grower already has firearms and is unstable, obviously, but there is no enforcement.

Do not allow cannabis on sub-standard roads that do not meet fire safe standards. Roads less than 20’ in width and with limited or no turnouts cause conflicts between emergency vehicles and exiting residents.

Moving new operations into remote areas increases fire danger as most fires are human-caused. Bringing in new power lines, electrical panels exacerbates this.

Grapes do not contain flammable oil as cannabis does yet they certainly burned in the last few fires. Cannabis is not a fire break.

Public safety needs to be adequately studies in the EIR and 15 minute sheriff response times tied with location approval.

Locate cannabis operations in industrial and commercial zones where access to police and fire services is more appropriate.

WATER

This topic points to the need for a moratorium on all new cannabis projects more than any other. Catastrophic climate change, plan for it. Baseline study needs to be done to determine current availability.

PD article tWednesday stated “signs of inadequate compliance” with mandated curtailment of water rights in the upper Russian River. Why is the county even considering allowing a new water-intensive crop right now?

100’ minimum setbacks from wetlands, riparian corridors, blue line creeks, natural lakes and ponds to protect the resource and the survival of threatened and endangered species.

Cannot use best management practices setbacks to sensitive resources. The attempt to classify cannabis as ag has failed. Cannabis production is not considered ag by the state and does not have right-to-farm privileges.

Prohibit or limit the number of cannabis facilities (cap set by watershed) within Groundwater Availability Zones 3 or 4.

Cumulative impact studies of all proposed cannabis grows are needed to determine impact on water resources.

If we have to ration water who will get priority – traditional agriculture and businesses of the county or a controversial new venture with known impacts on neighborhoods, residents and our water supply? Farmers and ranchers are abandoning crops and sacrificing animals due to drought. Is there a significance shortage of cannabis to justify taking water from these established businesses?

Water survey data used for the draft ordinance was from 1980, 41 years ago. No new projects should be approved until after the EIR is complete and impacts on water resources are adequately studied and projected.

Humboldt's cannabis ordinance gives the county the right to reduce the extent of any cannabis activity in the case of sustained drought or low flow.

In this equation water is the more limited commodity and, unlike cannabis, is essential for our survival.

Catchments are not a benign solution as concentrations of them can de-water entire areas depleting groundwater and surface flows and depriving neighboring parcels of access to water.

No trucked or recycled wastewater.

An expanded streamflow monitoring network and direct measurements of cannabis water use would improve our ability to quantify (and mitigate) impacts to streamflow and sensitive species. (UC Berkeley Cannabis Research Center)

The industry places a lot of value on appellations. Cannabis should be grown in the ground if outdoor is approved and not in plastic bags or pots above ground which requires more water.

Reference the CDFW March 2021 letter to the County RE: cannabis...
CDFW recommends the County assess the aquatic carrying capacity of watersheds to support cannabis cultivation and propose a limit on density or number of cultivation sites. The focus of the assessment should be to determine the maximum water use availability from watersheds that maintains adequate water supply for fish and wildlife species, considering the cumulative impact of existing and future legal and illegal diversions. Prior to issuing permits for new cultivation sites, the County should prepare the assessment at a watershed scale describing a) existing water use and availability, b) potential for sediment and other pollutant discharge, and c) percentage of habitat fragmentation within a given watershed. Hemp should be incorporated into this analysis since it requires essentially the same cultivation techniques and water use.

VISUAL CONSIDERATIONS / AESTHETICS

The Sonoma County I moved to in 1974 was known for these features:
Rolling hills, pastures with stately valley oak trees, live oaks, uninterrupted vistas, old barns and outbuildings, aeromotor windmills, tank houses, lack of industrial looking fencing, winding drives, fruit orchards, vegetable gardens, the coast and beaches, small scale vineyards, dark night skies, wildflowers, riparian areas along Russian River, redwood forests, meandering tributaries, native animals and birds, protected wetlands and marshes. These are the features that attract most tourists. I have had two tourist serving businesses and have talked at length with guests about why they come here. Sure they come for wine, and beer and events and access to the ocean, but most yearn for the county’s rural beauty because it is in short supply where they live. These are the types of tourists we should be encouraging to come her.

The only places where cannabis would not detract from the visual beauty of the county are commercial and industrial zones where you would expect to see high fencing, cameras, guard dogs etc.and where the security apparatus does not mar the rural nature of the most aesthetic aspects of the county or in some designated cannabis growing zone that is located out of public view and not impacting residences, parks, etc.

The General Plan states that development needs to be compatible with the preservation of scenic values along designated scenic corridors. Cannabis sites should not be located in open space preserves and community separators, along scenic corridors and close to parks. These are hugely popular with voters. If ugly cannabis facilities pop up in public view everywhere, there will be blowback.

Only native vegetation should be used for screening ugly fencing, not straight rows of something like Leyland cypress – a blight on the landscape. Growers should be required to replace dead or unhealthy vegetation that is used for screening.

Hoop houses are ugly and an ecological nightmare with the need to replace non-recyclable plastic every few years. The price to dispose of this mass of petrochemical material will be born by all as dump tipping fees will go up for everyone. Neighbors in other counties where these are in abundance complain of the glare (and nighttime glow where allowed) and interrupted vistas. Google Santa Barbara or San Luis Obsipo for a preview of what to expect with rampant hoop house development.

Hoop house mechanical features are noisy and require power and should not be permitted. If allowed, they should not be on any protected open space land or community separators, not visible from any park or public space and not allowed to be illuminated or have features of permanent structures like electrical and mechanical.

Don’t allow cannabis to cover viable ag land with buildings – which means no processing and limited employee buildings. Buildings create impermeable surfaces increasing potential for flooding and lessening aquifer recharge.

From: Ann Wendecker
To: Cannabis
Subject: Please put a stop to cannabis farms in Sonoma County
Date: Friday, August 13, 2021 7:25:28 PM

To Whom It May Concern:

Please put a stop to further cannabis farms in Sonoma County. This beautiful county will be ruined by the proliferation of these farms

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Ann Wendecker
To: Cannabis
Subject: Put a stop to Cannabis Farming
Date: Friday, August 13, 2021 7:44:07 PM

To Whom It May Concern:

Please put a stop to further cannabis farming in this beautiful county and especially picturesque Bennett Valley. These farms smell horrible, look horrible, and use vastly too much water and dangerous chemicals to be allowed in areas of residential and livestock communities. Water is at a premium, why would the county allow such a water hungry farming practice to thrive here? If you need to allow this in our county, limit them to areas where their toxic effects have the least impact on the watershed and where we do not need to look at their disgusting appearance, such as, limit their farming to industrial or commercial zones. Our residents and tourists deserve to partake in a beautiful and safe environment.

Please keep Sonoma beautiful & safe,
Ann Wendecker
Bennett Ridge

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Becky Bass
To:	Cannabis
Cc:	Becky Bass
Subject:	Input for the development of cannabis cultivation ordinance
Date:	Friday, August 13, 2021 5:59:23 PM
Attachments:	Bennett Valley Cannabis Farms (5) 2.png

Dear Cannabis Program,

Here are some of my thoughts following attending all of the midday visualizing sessions this week. Please include them in your report to the Board of Supervisors.

Narrative:
As a homeowner in the Bennett Ridge neighborhood overlooking Bennett Valley, we lost our home, and everything we owned, in the 2017 Nuns Fire. Due to our love of our peaceful, rural setting and magnificent view, we rebuilt our home and are continuing to recover from that disaster. Imagine our dismay, after investing our retirement savings to make up the gap between insurance costs and California building costs, to see a field of black plastic tarps and other structures related to cannabis cultivation appear below us:

To put it simply, we do not want our lovely, peaceful valley to turn into an agricultural industry corridor. We do not want to look at ugly plastic tarps and structures. We do not want to have to worry, after all we, and other residents of Bennett Ridge, have been through, that an expanding cannabis industry in Bennett Valley may endanger the water supply to our community wells, increase traffic on the only road connecting us to Santa Rosa, increase the potential for crime, and possibly cause environmental harm and loss of habitat for wildlife in our area.

We, the voting constituents, are counting on the Board of Supervisors to protect our quality of life. The new ordinance should not be designed to streamline the permitting process, it should be designed to protect the residents. We need to make sure that cannabis cultivation is not allowed near or in sight of rural residential areas, and that all of the potential negative impacts are taken into account when deciding if and where cannabis cultivation should be allowed.

Specific Suggestions:

1. Create more exclusion zones where cannabis cannot be grown to provide more separation from rural residential neighborhoods.Specifically, do not allow cannabis cultivation on Matanzas Creek Road and other streets near it because that puts them in view of Bennett Ridge, other neighborhoods, and Sonoma Mountain park. Ideally, all of Bennett Valley would be excluded to preserve its scenic beauty, an asset for our property values and tourism. If not, then tease out areas that are not visible to or adjacent to residential neighborhoods.

2. Create a tiered system of permitting that favors small, local, organic boutique growers (micro or cottage licenses?) rather than large producers. Perhaps very small grows are possible in rural areas if they are contained in rustic-looking barn structures that capture odors and lights within (less than 1/10 acre on a property of 3-5 acres?); somewhat larger grows on larger parcels (up to 1/2 acre on 5-10 acres, provided large set-backs of 1000 ft are observed?); and limited scale grows on larger parcels (up to 1 acre on any parcel over 10 acres?). The cap on outdoor grows seems especially important to discourage big agricultural industry developments from occurring. Indoor grows in other structures such as hoop houses or warehouses should be confined to commercial/industrial areas. In any case, each individual application needs to be examined for the impacts that it might have on other residents - visual, odor, traffic, water, safety, etc.

3. Similarly, establish sensible limits on the number of operators allowed per unit area to help minimize their impacts. Maybe in rural areas 1 per 5 square miles makes sense, whereas in commercial/industrial districts they can be clustered into a higher density (4-6 per square mile? Or maybe there's a better unit of measurement to apply in town…???) to create some economy of scale for providing security.

4. Accountability is key: none of the rules matter if they aren't enforced. Advance notice of permitting requests for a property, regular inspections and hotlines for complaints with prompt follow up are essential.

Thanks for the opportunity to weigh in. Please consider a moratorium on further permitting until new guidelines have been worked out.

Best regards,

Rebecca Bass
2810 Bardy Road
Sant Rosa, 95404

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Bridget Beytagh
To: Cannabis
Subject: Future of cannabis
Date: Friday, August 13, 2021 5:36:12 PM

EXTERNAL

I would like to thank the County for taking the time and listening to the public/ neighbors, many of whom have actual experience of living close to a commercial operation. I would also like to point out that most of us in neighborhood groups are not anti cannabis, as the Industry always claims, (many of us use it regularly) but have been shocked by what has been allowed in, or close to neighborhoods. It is not what we voted for. It's not the product, but the commercial cultivation in the wrong places that is causing the problems.

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

There needs to be much stricter enforcement when violations are reported - especially when these effect neighbors ability to live peacefully. No more "working with them" - these are businesses and know the rules when applying for the permit. The bad players need to be shut down immediately. One close to me was even given a permit after all the violations!!"

As to crime, during the session I was amazed that the law enforcement representative only seemed interested in the security of the business - nothing about the safety of the neighbors. Commercial operations choose to take risks - neighbors don't and should not be at risk. Our concerns about it have been scoffed at, or dismissed with the claim that cannabis crime only happens at illegal grows. Local newspaper stories disprove that, but the myth continues. A legal filing from July 6th demonstrates how concerned cannabis growers are, and aware of the threat they live with daily because of the high dollar value of their grow and the increased chance that they will be robbed.. Cannabis grows and neighborhoods are not compatible because of the numerous safety issues that come with a highly valuable product that is easily resold.

The grower, Nicolas Bettencourt, alleges that his cannabis operation was broken into six times and there was no assistance from law enforcement. He is asking that the ban on firearms within the permitted area be lifted (2nd Amendment). Growers are arming themselves because their commercial operations are valued in the millions of dollars and it's still a cash business. The county tried to mitigate this threat by requiring significant security infrastructure at the permitted site and no firearms. This obviously hasn't worked for the growers who feel threatened and neighborhood which did not have any choice about an operation being put in close to them.

Thank you
Bridget Beytagh

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Beth Buchanan
To: Cannabis
Subject: Cannabis Input
Date: Friday, August 13, 2021 6:50:51 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

If you want to make comment on the categories that were addressed during this week zoom sessions, they are: Land Use / Siting, Safety Concerns, Water and Visual / Aesthetic Considerations.

Additionally, a new development concerning cannabis and crime:

A legal filing from July 6th (attached) demonstrates how concerned cannabis growers are aware of the threat they live with daily because of the high dollar value of their grow and the increased chance that they will be robbed. Our concerns about crime have been scoffed at or dismissed with the claim that cannabis crime only happens at illegal grows. Local newspaper stories disprove that, but the myth continues. Cannabis grows and neighborhoods are not compatible because of the numerous safety issues that come with a highly valuable product that is easily resold.

The grower, Nicolas Bettencourt, alleges that his cannabis operation was broken into six times and there was no assistance from law enforcement. Growers are arming themselves because their commercial operations are valued in the millions of dollars and it's still a cash business. The county tried to mitigate this threat by requiring significant security infrastructure at the permitted site. The County then tried to mitigate the threat to neighbors by banning firearms and weapons. This obviously hasn't worked for the growers who feel threatened and neighborhoods who are being threatened. --
Beth Buchanan, LMFT

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Bill Krawetz
To: Cannabis
Subject: Visionary session"s comments/recommendations
Date: Friday, August 13, 2021 4:43:38 PM

August 13, 2021

To: cannabis@sonoma-county.org

Re: Visionary session's comments/recommendations

On behalf of Gold Ridge Neighborhood Group, I am providing our comments and recommendations for the visionary session report to the BOS.

First thanks for reaching out to the community and holding visionary sessions on Land use, safety, water and visual topics. Although we agree these are important elements of a Cannabis Ordinance, we as a neighborhood group representing the general public, don't feel this is the best place to start. We believe a "vision" session should start by defining the larger broader goals of this program. We see two key goals to start from, which would then guide the specific elements of the program (i.e.: Land use, safety, water, visual, etc.):

1. Neighborhood compatibility must be achieved! The 8 sessions centered around how to accommodate cannabis, not how neighborhood compatibility can be achieved. The main outcome of the first amendment (in 2018?), was the BOS direction for Phase 2 to fix neighborhood compatibility concerns. As we all experienced in the recently failed update, none of these issues were addressed, resulting in massive public outcry and the county facing a potential lawsuit. So our direction to staff and the BOS is to set Neighborhood Compatibility as the number 1 goal. In the long run this will provide comfort to both the public and the growers that Sonoma County has a policy that works for all and can go forward smoothly.
2. Environmental sustainability must be achieved! Sonoma County has limited resources which are getting stretched thinner and thinner by the worsening climate crisis and the increasing population. The CEQA review is a good start. But we hope that with all the money attached to cannabis, our degraded environment would not be kept at the same level but improved back to its former glory. So not only do no harm, but improve the environment!
    a. Water: We really need a detailed study of water by area to know what's there before going forward with more water uses (Ag, housing, etc.).
    b. Moratorium on new permits: On August 3rd, The State of Calif issued emergency orders to take only enough water out of the river for basic human health and safety

needs. Considering the dire drought situation, the tie between ground and surface water, and that cannabis is not an essential crop, we can't afford another unessential water draw.

I suspect the BOS directed staff to come up with concrete, actionable ideas out of the 8 sessions. In this regard, I request Staff to first direct them to our two broad goals and then to these specific points:

- Locating Cannabis operations: Any business that requires 24/7 security doesn't belong anywhere near residential neighborhoods regardless of how the land is zoned. This not only endangers innocent people, but would change the character of a neighborhood permanently. As further proof of this incompatibility, a grower is now suing the County, saying the prohibition against him having guns is a violation of his 2nd amendment rights! He claims he's been robbed 6 times. No we don't want that in our neighborhood.
    a. Industrial zones: Direct/Strongly suggest placing grow operations in industrial zones. Operations of this type are more appropriate in a commercial business area where support services are available (police, fire, water, staffing, parking) and people's lifestyles are not jeopardized. One way to incentivize growers to locate in an industrial zone would be a simpler permitting process for these.
- Setbacks: The last proposed amendment had 1000 foot setback for Schools, Daycares, Parks, and Bikeways (per BOS direction). This should be expanded to homes also. Our children and spouses should have the same or more protection at their home where they spend the majority of their time and are more subjected to the cannabis impacts than at places where they will only be for a few hours' a day.
- Parcel size: Should be increased to 20 acre minimum. In 2019 when the BOS mandated the 10 acre minimum they knew it was a short term stop gap measure that didn't address many situations on the ground. Increasing the minimum to 20 acres provides a reasonable chance for a grower to set up operations far enough away from a neighbor, situated properly on the parcel to have minimal impacts on neighbors.
- Conditional use permit (CUP) only for cannabis- fix the CUP process and perform project-site specific environmental reviews in each case. The county draft ordinance recognizes the many impacts of cannabis (24/7, 365 days a year that require 24/7 security, lighting and fencing, waste management, water run-off requirement, water use/ground water use constraints, dust control, odor control, energy use and noise limits), making ministerial permits unjustifiable in 99% of the cases. Exception: industrial zone?
    a. Permits should be only for a year or two to assess the operations against the then current conditions (i.e.: drought, traffic, air pollution, crime, effects on neighbors, etc.).
- Water: No grows in water sensitive areas: zones 3 or 4 or within 1000 feet of a stream. In other areas the grower must prove water usage is sustainable (no net

loss).

- Air Quality, Odor, and Noise controls spelled out in the recent draft for indoor operations should also apply to outdoor grows. This is where neighbors will more likely be impacted. Your document acknowledges odor should not leave the property line for indoor grows. The same principles need to be carried forward for outdoor grows.
- Compensation for lost property value- Reporting on the effects of pot legalization on Colorado home prices, Realtor.com said, "homes within a half-mile of a marijuana business often have lower property value than homes in the same county that are farther out" and that "neighborhoods with grow houses are the least desirable, with an 8.4 percent price discount." The proposed regulations must protect my property value against this or provide compensation.
- Compliance with law: Considering the profitability of cannabis, a financial fine will not deter a grower from continuing operations even when out of compliance. Any financial penalties proposed need to be imposed in conjunction with a stop operating order. There should be a probationary period (1- 5 years) where they can't apply for a permit to grow again. There needs to be enough of a penalty to assure compliance.

Thank you
Bill Krawetz
Gold Ridge Neighborhood Group.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Brenda Putnam
To: Cannabis
Subject: Cannabis visioning session feedback
Date: Friday, August 13, 2021 7:25:52 PM

EXTERNAL

Re: Cannabis visioning session feedback

I attended the cannabis visioning sessions this week with caution. I appreciate the idea of an opportunity for the community to speak and express opinions about the direction of cannabis cultivation in our county's future. However, that was what I thought was the purpose of the previous « listening sessions » and all of the Planning Commission meetings last March. I attended all of those meetings, gave feedback and wrote letters. I listened for hours at the Planning Commission meetings as the commissioners heard feedback from the community on both sides and yet their final proposal to the BOS didn't address any of my community's concerns. They ultimately proposed a failed solution that even the Supervisors voted down. Now you are asking for our feedback again. I hope that part of your process will involve reviewing the many letters and comments already contributed by the community.

Since this is a critical issue for me I will continue to participate in this process. I was encouraged during the sessions you presented this week that this time there might be more of an opportunity for our community to have a voice. With that said the bottom line for me is that cannabis operations do not belong in or near neighborhoods. In addition in this time of frequent drought we need to prioritize how we allocate scarce water resources and cannabis operations which are known to require significant water usage should be a very low priority. Cannabis is not like any other crop. Other crops don't subject us to months of noxious odors, lights, security fences, and worry for our safety. Cannabis operations with all of the necessary security measures do not belong in neighborhoods but in industrial secured locations or in remote rural areas in order to protect the health and safety of the citizens, tourists, and tax payers of Sonoma County.

Thank you,
Brenda Putnam

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: William Saxon
To: Cannabis
Subject: EIR FOR CANNABIS FARMS
Date: Friday, August 13, 2021 3:43:01 PM

EXTERNAL

Dear Boardmembers,

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Respectfully,
Bill Saxon
Graton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Barbara Tassa
To: Cannabis
Subject: Input for the Sonoma County Board of Supervisors
Date: Friday, August 13, 2021 12:24:45 AM

Here are my comments for the upcoming meeting on commercial cannabis cultivation in Sonoma County.

Our family bought property in Sonoma County to enjoy the quiet, nature, and idyllic landscapes. I'm very concerned about these bucolic landscapes being transformed from grapes to grow-ups.
Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Thank you.
Barb Tassa

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: cathycrowley@sbcglobal.net
To: Cannabis; Cathleen Crowley
Subject: Cannabis Visioning thoughts
Date: Friday, August 13, 2021 10:01:57 AM

Hi

Here are my thoughts for cannabis ordinance.

- Website- There should be a link to a website on your pages that list all of the approved permits, permits applied for and any permits under considerations. Listed should be the address, #acres approved, what they are growing- cannabis or hemp. The owners named should be listed and details on all LLC need to be listed. Any complaints should be displayed. Ideally this would include a map that would show where these are located. I understand some my have privacy concerns with this but to me this is the only way for the community to how much land is being devoted to commercial growers. This does not have to include personal use only.
- People should be able to register and get an email when a permit is being applied for. There should be a time period where the community can give input to any requested permit. Ideally there should be at an open town hall where the community can voice their opinion.
- There should be constance surveillance and no advance notice given before officials come on site.

I agree with the following statements that were discussed during the chats.

> Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must address neighborhood compatibility and be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.
>
> To resolve these issues, grows in Sonoma County should be located in areas which have a MINIMUM of two-lane, standard roads: one lane in each direction. Many rural enclaves and communities are located on substandard roads. One such example is Bloomfield, whose town streets are narrow and often dead-end, as is the case on the very street proposed as the major access point to one operation. This already requires that an oncoming car must pull into existing residents' driveways in order to permit safe passage when only two cars are on the road. When you add fire equipment passage and increased traffic from commercial trucks and non- resident temporary workers into the equation, it's evident that not just cannabis, but any large-scale commercial industry using these roads, adds

wear, tear, and traffic that they were simply not made to accommodate safely. When it comes to wildfires and evacuations, growers located adjacent to neighbors and on substandard roads will face additional issues in joining residents who are evacuating. It is recommended that grows in such situations have separate emergency fire roads that do not share the same roads as residents, so that fire equipment can be moved in and evacuees are not hampered by incoming equipment for commercial institution firefighting, or outgoing workers from the large grow, who add their vehicles and equipment to the mix.
This is another reason why all processing should be done in our central corridor, and not in our rural areas. Processing plants located in commercial areas will enjoy services that ALREADY include more than adequate roads of sufficient width to permit easy ingress and egress to and from such operations, and the supportive help of fire and police agencies which are mere minutes away if the industry needs them.

Operators should not be given any special exemptions from County ordinances (e.g. see County Ordinance Section 13A-4 (c) (2) regarding defensible space or Board of Forestry requirements such as road access regulations). Operators should be required to post a bond upon issuance of any permit to pay for potential abatement proceedings and fines. There should be ownership and residency requirements placed operators to limit out of county operators.

Given the extreme drought we are all in, no new commercial well permits should be issued for the foreseeable future, until several years of rainfall indicate that weather patterns have returned to what they were when recharge rates of aquifers were first calculated as being adequate to support homes and farms. This isn't singling out the cannabis industry, in particular. And it shouldn't pertain to permits to REPLACE aging or drying-up wells; but to adding new wells. It is just common sense for the entire county, to be able to manage the diminishing water resources we all must share.

No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land.

Thanks

Cathy Crowley
6975 Bennett Valley Road
Santa Rosa. Ca

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Clara Enriquez
To: Cannabis
Subject: Oppose to Cannabis in Graton
Date: Friday, August 13, 2021 2:07:39 PM

To whom it may concern,

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.
Clara T Enríquez

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Christine Madley
To: Cannabis
Subject: inappropriate commercial cannabis cultivation in remote area 7 miles west of Healdsburg
Date: Saturday, August 14, 2021 8:11:21 AM

Hello,

As a resident on a narrow, private, deadend dirt road 7 miles west of Healdsburg it is imperative those who will make decisions about licensing cannabis growers understand that Palmer Creek Rd is an entirely inappropriate area for a commercial cannabis venture for a multitude of reasons. Some of these are: water availability, extreme fire risk area, noise and the safety and security of residents in a remote area with limited egress.

"Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts."

Thank you,
Christine Madley

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: C
To: Cannabis
Subject: LIMIT canabis cultivation in Sonoma County
Date: Friday, August 13, 2021 11:32:57 AM

Dear Sirs,

In a time of drought and high fire danger cultivation of cannabis which will further decrease water supply is dangerous to the community. I sincerely hope that litigation is pursued against all involved with allowing this danger.

Further, Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Sincerely,
Cheryl Penninton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Charlene Stone
To: Cannabis
Subject: New parkland /River shuttle tips / Perfect beach days
Date: Friday, August 13, 2021 6:20:32 PM

---

so does this mean that the land which was previously open space could now be subject to having cannabis grown on its periffery? I believe that when it was strictly open space that could not have happened.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Charlene Stone
To: Cannabis
Subject: cannabis process
Date: Friday, August 13, 2021 6:21:54 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Charlene Stone, west county resident

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: carolvsr@sonic.net
To: Cannabis
Subject: cannabis EIR
Date: Friday, August 13, 2021 3:55:41 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.
Sincerely,
Carol Vellutini—my lands have been negatively impacted by growers

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Dustin King
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 4:49:00 PM

Thank you for hosting the various webinars this week.

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Sincerely,
Dustin and Lauren King
11720 Mill St
Petaluma, CA 94952

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Dick and Vi Strain
To: Cannabis
Subject: Siting and Land use considerations Comments for Vision Session
Date: Friday, August 13, 2021 4:54:09 PM

XI. LAND USE AND PLANNING (Vision Session MON – Siting and Land Use)

General Plan

<!--[if !supportLists]-->1. <!--[endif]-->Sonoma County's General Plan and its environmental document are over 20 years old, out of date and inadequate for County Wide Planning Purposes. The General Plan must be updated to provide countywide review of commercial cannabis cultivation and its relevance and associated impacts to all General Plan Elements.

<!--[if !supportLists]-->2. <!--[endif]-->GP Ag Resource Element: Prevent Detrimental Concentration of commercial and visitor serving uses in Ag Zones

2a: Prohibit commercial cannabis cultivation in proximity of rural residences, residential neighborhoods and towns *and* ensure adequate setbacks to protect Health and Safety including nuisance from odor, noise, dust, traffic and crime to all property lines of residences and businesses.

2b: Limit acreage of any 10-mile square zone to prevent over-concentration of any one area.

<!--[if !supportLists]-->3. <!--[endif]-->Support City-centered growth by providing incentives for cannabis cultivation in industrial zoned areas and processing in commercial or industrial zones. Such incentives could include a ministerial permitting process for industrial and commercial areas where prior CEQA analysis determined no significant impact.

<!--[if !supportLists]-->4. <!--[endif]-->Comply with State regulations that classify cannabis as an agricultural product, not an agricultural crop, and therefore not subject to right-to-farm law.

<!--[if !supportLists]-->5. <!--[endif]-->Until the EIR technical analyses are complete, reinstate the 1 acre per parcel cap and remove the unstudied change allowing permitting up to 10% of parcel size.

<!--[if !supportLists]-->6. <!--[endif]-->Align cannabis operation permit terms to match State Licensing 1 year term. County enforcement to monitor performance and address violations. Upon permit renewal, if approved, County to adjust standards based on field observations and compliance with water monitoring, water quality, odor control, plastic, dirt and rubbish handling.

Land Use – Zoning Code Setbacks:

1.Setbacks must be a minimum of 1000 feet from one-acre cultivation sites to residential property lines and be further increased due to local conditions (eg, prevailing winds) to protect rural residents from potential health effects and adverse quality of life impacts. The negative effects of unanalyzed and unmitigated environmental impacts can have an irreversible impact on the character of rural communities.

2. Children spend a larger percentage of their time at home than they do at school so residential setbacks must be set at least 1000 feet from residential property lines as are setbacks from schools and other sensitive receptors.

3. Processing buildings must be sited in Commercial/Industrial Zone Districts due to the significant impacts on residential uses including by operating hours of 7 days a week, 24 hours a day, the influx of seasonal employees, deliveries on site from 8-5, commercial traffic on rural communities' substandard streets, storage of hazardous material, security fencing and/or sensor night lights, audible alarms and security guards.

4. Measure Setbacks to Property Line, not buildings: The use of adjacent residential property owners private land as a setback to buffer commercial cannabis cultivation impacts without property owner consent is an infringement on private property owners' rights and use of their property and must be dropped.

5. Commercial Cannabis outdoor and hoop house cultivation must be sited from residential property lines by at least 1000 feet or further to address noise, odor and other impacts including

*reducing the existing air quality with noxious odor. No odor should cross residential property lines.

*significantly increasing water use endangering adjoining residential water sources

*chemical drift to residential uses and fog odor neutralizing aerosols that contain oxidizing agents that have not been subject to long-term studies,

*night lighting impacts that ruin the adjoining residents' enjoyment of night skies and significantly impact wildlife.

* Potential for Wildfire danger from temporary electrical hook-ups

6. Indoor cannabis cultivation is industrial in nature and not in keeping visually with the rural character of Sonoma County. Industrial-scale, commercial developments in residential neighborhoods, permanently alters the rural character, creates significant visual impacts and degrades the existing visual character of rural residences and communities[DE1] . This must not be allowed in the interests of recreational cannabis use and financial gains.

7. Create a "Rural Exclusion Zone option for neighbors to pursue, which would be a simple and speedy (less than six months) mechanism to exclude commercial cannabis production from certain locations based on potential harm to watersheds, including wells serving residential homes, endangered species, neighborhoods with multiple homes, poor access roads and/or other site-specific constraints

8. Prohibit cultivation and processing in areas without legal fire safe roads, which are narrow and often dead-end roads. This is another reason all processing should be done in our central corridor and not in our rural areas.

9. State explicitly that cannabis is an agricultural product, not an agricultural crop, and therefore not the same as conventional agriculture and not subject to right-to-farm law.

10. The EIR must include an analysis of potential cannabis facilities locating in close proximity to rural residential development and how potential fire in different scenarios might spread under different weather, fuel, wind and ignition point scenarios exposing people and/or structures to a significant risk of loss, injury or death involving wildland fires. This is especially critical for residential homes downwind of potential cannabis facilities and/or in area with inadequate roads and evacuation routes, forested or heavy brush areas and locations remote from fire protection services regardless of 1000 feet or greater setbacks.

11. Commercial Cannabis Cultivation proposed in proximity to rural residential uses is a project that must be subject to environmental evaluation and public hearings based on the unique conditions and setting of the location and the potential for significant impacts on residents' quality of life, health, safety and welfare and use of property. Ministerial permitting in these circumstances does not meet the intent of CEQA to study impacts that could include, odor and air quality, groundwater supply, aesthetics, wildfire, emergency response and evacuation, traffic and vehicle miles traffic, energy and utilities, greenhouse gasses, noise, loss of farmland, among others.

12. Use of existing permanent structures for indoor cultivation in proximity to rural residential uses must not be allowed. Indoor cannabis cultivation is industrial in nature and not in keeping visually with the rural character of Sonoma County even if outside a minimum 1000-foot setback. Industrial-scale, commercial developments in rural residential neighborhoods, permanently alters their character, creates significant visual impacts and degrades the existing visual character of rural communities.

13. Curtail Ministerial permitting. Projects resulting in fencing, 24-hour security, nuisance lighting and odor emissions are by definition changing their surrounding environment and thus trigger project specific CEQA requirements. There are few instances where discretionary decision making is not required: Applicants must submit assessments "demonstrating" certain findings as to water availability, wastewater management and discharge to satisfy State and County requirements - these assessments must be reviewed and a determination made as to adequacy. Ministerial permitting may be achievable for commercial or industrial areas based on prior CEQA analysis, including caps to avoid cumulative impacts.

14. Eliminate the practice of issuing multiple ministerial permits to separate growers on the

same or adjacent parcels, and upon permit renewal, complete the required cumulative impact analyses. This loophole leads to unstudied parcel-specific impacts, confuses the liability for violations, and does not comply with project-specific CEQA review as required by State law and CalCannabis guidelines.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Donna DeLaBriandais
To: Cannabis
Subject: Cannabis concerns
Date: Friday, August 13, 2021 4:39:50 PM

Cannabis cultivation should be limited and not impact the place we call home.

Concerns are these cultivation areas should not impose on neighborhoods that will cause security issues, odor, water use, noise, unsightly white pipes, crime and harm to wildlife. Bennett Valley is not appropriate for cannabis farms, etc. that is associated with the growing or consumption of the product. The roads are dangerous and narrow and there will be great impact on the area.

Sonoma County is a special place in California that embraces, nature, wildlife and the beauty of the area. Cannabis growing will bring crime and a negative impact on this county. Cultivation may be best in the outskirts of South West Santa Rosa area, or any area that is much more open and has less neighborhoods to be impacted.

Donna DeLaBriandais

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Deborah Eppstein
To:	Cannabis
Cc:	Crystal Acker; McCall Miller
Subject:	info on sitting sessions
Date:	Friday, August 13, 2021 10:05:42 AM
Attachments:	Cannabis Siting Criteria- Eppstein 8-9-21 5 pm.docx Cannabis Safety Issues Eppstein 8-10-21.docx Cannabis Visual Impacts -Eppstein 8-12-21.docx

---

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Dear McCall and Crystal,

I have attached 3 documents in response to questions asked during the cannabis visioning sessions this week. As water is a pervasive theme, the comments on water are included in the above 3 documents.

I appreciate your collecting this information and look forward to working with you closely as you proceed.

Thank you,
Debby

Deborah Eppstein, PhD

Cannabis Siting Criteria August 9, 2021
Deborah Eppstein

We absolutely need a moratorium on new cultivation until an EIR is completed. The county is likely to see an increase in cannabis cultivation applications during the next 3-4 years prior to a new ordinance. Without a moratorium, not only is the baseline impossible to determine for the EIR, but otherwise we are magnifying the problem with poor and uninformed choices and implementation. Being a good steward of the land and a responsive member of the community should be the highest priority for any cannabis cultivator. The county must take the whole community into consideration, such that implementing a new ordinance both protects rights of residents, protects natural resources including water and provides clear guidance of suitable areas for types for cannabis cultivation and processing. If a cannabis operation were going in next door to any one of you, would you be accepting of this?

Where NOT to grow cannabis

1. Not in water zones 3, 4, impaired watersheds, anywhere that groundwater supplies are limited and uncertain or riparian corridors. Water availability and current and projected needs countywide must be determined- our current water zone maps are decades old and must be redone. Historical averages are no longer valid; drought is ever increasing with climate change. All water uses -residential, agriculture, commercial and industrial- current and projected over next 20 years- must be analyzed to determine how much cannabis can be safely grown county wide. Farmers are suffering now with water reductions, requiring reduced planting, selling off livestock; the county is asking for fewer required housing allocations due to lack of water. How can we allow new activities that will hurt existing uses and projected needs even more?
2. Not in State Water Resources Control Board Cannabis Policy defined riparian corridor setbacks or parcels identified with sensitive habitats and/or special status species (per CDFW, use Geo Spatial analysis to map boundaries at parcel scale).
3. Not with trucked in or recycled water.
4. For outdoor, not within 1000 ft of next parcel for 10,000 sf grow; longer setbacks and much larger parcels are needed for grows up to 1 acre to prevent odor, noise, traffic and 24/7 activities from disrupting neighbors' lives. Cultivation should be at least or 1 mile from residential communities of 5 homes or more. Do not allow any cultivation over 1 acre.
5. For indoor and greenhouse, restrict to industrial zones. However if the county decides to allow them in rural areas, not within 300 ft of next parcel or 1000 ft from residential communities of 5 homes or more.
6. Not on dead-end roads over 1 mile long, or on roads less than 20 ft wide.
7. Not on roads with existing evacuation issues or that would cause evacuation issues.

8. Not on private shared roads unless have written consent from all shared parcel owners.
9. Not in RRD. Cultivation does not belong in these rural, often remote and fire prone areas, often with poor access roads and unsafe evacuation.
10. Not in Community Separators.
11. Not on slopes over 15%.
12. Not in forested areas or Oak-woodlands.
13. Not in high or very high fire zones.
14. Not in areas with sheriff response time over 15 minutes, preferably no more than 10 minutes. Crime is a real threat.
15. Not where cultivation area (including hoop houses) is visible from scenic roads, parks, schools, neighbors parcels or public right-of-ways. Natural topography, not fences, must be able to hide cultivation areas.
16. Not within 5 miles of another grow [to address overconcentration].
17. Not within community agreed Exclusion Zones (approved by 60% of parcels in the Exclusion Zone).
18. Not with ministerial permits unless in industrial zones pre-analyzed by the county to meet all CEQA requirements and with 1000 ft setbacks to adjacent businesses.

Where TO grow cannabis- all criteria must apply

1. All 3 Ag zones: LEA, LIA, DA, on parcels 10 acres or greater, subject to criteria including 1000 ft or greater setbacks (as above, point 3), no visibility of outdoor cultivation areas (including hoop houses if allowed) from public right of ways, in water zones 1 or 2 with adequate water resources in conjunction with county-wide needs both present and future (see point 1 under where not to grow cannabis), adequate wastewater disposal and adequate renewable power. No visibility means not being seen due to natural topography, not due to artificial means such as fences.
2. On Ag Zoned parcels with documentation that the well serving the cannabis cultivation site is located in Groundwater Availability Zone 1 or 2, and not within a Priority Groundwater Basin. For all, with verified Hydrology reports that demonstrate long-term water availability, no impact on other wells and that the well meets all requirements of the State Water Resources Control Board.
3. Industrial zones for all cultivation types.
4. Only in Industrial zones for indoor and greenhouse (mixed light). If the county decides to allow indoor and greenhouse in Ag zone, they need to be limited to 10,000 sf and have 300 ft setbacks to all adjacent parcels.
5. For outdoor (includes hoop houses if allowed), on parcels with geometry to provide 1000 ft setbacks from 10,000 sf grows (larger setbacks to be determined for grows up to 1 acre) to closest property line.
6. Water availability needs to be analyzed in conjunction with all other present and projected [next 20 years] residential, agriculture, commercial and industrial needs county wide, and adequate wastewater disposal facilities and renewable adequate power need to be available.

7. Within Cannabis Inclusion Zones (may be certain industrial zones with CEQA analysis pre-done by the county to enable ministerial permitting).

Where to process cannabis (drying, trimming)

Only in industrial and commercial zones with adequate water, wastewater disposal facilities and adequate renewable power, and full filters for odor control such that no odor leaves the structure.

Where to extract THC oil

Only in industrial zones with adequate water, wastewater disposal facilities and renewable adequate power.

Where to sell cannabis

Commercial zones only.

Where to sample and have cannabis events

Commercial zones only- with adequate on-site parking. No on-site consumption of cannabis products even if allowed by state- sampling only in retail outlets in commercial/industrial zones for smelling cold buds (ie, no inhaling of vapors). There is no approved method to determine cannabis impairment for driving. If this is ultimately allowed, only allow tasting with limo services like they do for wine, to avoid driving by those tasting.

Cannabis Visual Impacts Visioning Session Aug 12, 2021
Deborah Eppstein

The EIR must study the increase in public costs for landfill and wastewater treatment plant capacity, water pipelines, and additional code enforcement, police and fire services. Some counties, such as Napa and Santa Barbara found that the additional public costs significantly diminished tax revenue projections from commercial cannabis.

We need to maintain Sonoma County's bucolic vistas, existing agriculture and not deplete its limited water availability or increase fire hazards. Currently this includes both undeveloped land, green or golden and tree-dotted hillsides, and fields, parks, as well as vineyards with architecturally designed tasting rooms and grounds, with residential communities interspersed. What we have seen in the 4 years of cannabis cultivation since 2017 is a proliferation of ugly cultivation sites and structures- fences and hoop-houses that are an eyesore, and with other newly constructed buildings on prime agricultural land or in native Oak woodlands in RRD to house indoor and greenhouse cannabis cultivation and processing. Additional harm occurs from traffic, noise, dust, and a pervasive pungent skunk-like odor from outdoor cannabis fields, as well as indoor grow and processing activities that don't have proper odor filtration. Cannabis odor is definitely a big thorn to the scenic vista – even from inside a car one can smell the stench. Further harm to the vista occurs from increased fire risk due to increased development with cannabis operations in rural fire prone areas.

For cannabis cultivation to be compatible with Sonoma County, it must not intrude on the scenic vistas and countryside views nor cause increased traffic, noise, dust, water depletion, odor or crime in rural areas. For many reasons the solution is for cannabis cultivation to be only done indoors, in commercial or industrial zones. To reduce energy needed, glass greenhouses are a good choice as they reduce water requirements and take advantage of natural sunlight augmented by artificial lighting to increase yield but with less energy requirements that full indoor cultivation. 100% renewable energy should be employed.

Cannabis cultivators claim that the market wants Sonoma County cannabis, despite that cannabis grown to meet state's appellation requirements (grown in the ground, no artificial light and no hoop houses) is much less potent. If cultivators really want this, a small amount (5000-10,000 sf) of such outdoor cultivation could be permitted on ag land away from residents, schools, child care centers, parks, all scenic vistas and community separators and all sensitive receptors. The fencing, security and lights needed to protect outdoor cannabis operations should also be naturally hidden from all public view and residents by the topography of a large parcel. Crime is a very real threat for cannabis operations, magnified when they are in rural areas.

Hoop houses are a huge blight to the area- both visually as well as in causing pollution and noise from the plastics, filling landfills, increasing carbon footprint. If despite all the negative impacts and objections, the county decides to allow temporary hoop houses, they need to be limited in area (no more than 10,000 sf per parcel plus a county-wide cap), be completely not visible from surrounding parcels, residences, schools, parks, public right-of-ways, community separators and have no electrical or mechanical, infrastructure. Not visible does not mean erecting a 12 ft tall fence; it must be not-visible due to natural topography on a large parcel. Plastic sheeting should not be allowed; an alternative non-petroleum covering must be used, longer lasting than plastic, yet ultimately biodegradable.

The limited about of outdoor cultivation should only be on ag land, never in community separators or adjacent to parks, scenic corridors or residences. Sonoma county voters overwhelmingly approved taxes for open space and parks - we value scenic vistas unmarried by views of industrial fencing and security cameras. Cultivators should reside on the land- those who own and live here would be more likely to respect the values and laws.

Residents need to be protected from crime as well as odor, noise, traffic and 24/7 activity by no such operations being close. A 2017 survey by the Press Democrat previously confirmed that most residents don't want to live even within a mile of a cannabis operation. How many of our supervisors would want to live next door to this? It is wrong for the county to allow lives and property of residents to be permanently disrupted and harmed by such operations. Cannabis cultivation should be restricted to industrial zones away from residents, where good security can be ensured.

The ordinance should be written to avoid large LLCs from taking over the cannabis cultivation business. The EIR will determine how much water, clean energy and wastewater disposal capacity is available for greenhouse (or indoor) grows in industrial zones. Introducing acres of hoop houses behind miles of fencing must be prohibited.

We need to take a fresh look at what really makes sense for cannabis cultivation in Sonoma County to maintain the environment and harmony with residents, not just to maximize tax revenue to the county. Over time with more cultivation state and nationwide, prices of cannabis will drop and Sonoma County will not be economically viable. Already our restricted water supply is a huge negative. We need to look at this long term so we don't disrupt lives and destroy land that will then be abandoned as the economics change, leaving further visual and environmental blights in the county. We have already seen this happen in some areas.

We absolutely need a moratorium on new cultivation until an EIR is completed. The county is likely to see an increase in cannabis cultivation applications during the next 3-4 years prior to a new ordinance. Without a moratorium, not only is the

baseline impossible to determine for the EIR, but otherwise we are magnifying the problem with poor and uninformed choices and implementation. Being a good steward of the land and a responsive member of the community should be the highest priority for any cannabis cultivator. The county must take the whole community into consideration, such that implementing a new ordinance both protects rights of residents, protects natural resources including water and provides clear guidance of suitable areas for types for cannabis cultivation and processing. If a cannabis operation were going in next door to any one of you, would you be accepting of this?

Cannabis Safety Issues Visioning Session August 10, 2021

Deborah Eppstein

Cannabis operations requirements:

1. Don't allow cannabis operations in high or very high fire hazard zones. Human activity is the cause of over 90% of wildfires; commercial activities with increased traffic, increased power usage, cars and cigarettes sparking grass fires, etc, all substantially increase wildfire risk.
2. Don't allow cannabis operations on dead-end roads over 1 mile long or any road less than 20 ft wide; all dead-end roads of any length must have turnarounds at the end.
3. Don't allow cannabis operation on roads that don't meet all requirements of state fire safe regulations.
4. The Fire Marshall and Permit Sonoma need to follow the state fire safe regulations and stop approving road reports and recommending approval of cannabis operations on unsafe roads in high fire risk areas that violate the state fire safe regulations.
5. Cannabis operations should not be allowed on any dead-end road that has residences between the cannabis operation and the cross-road, due to safety from increased traffic and evacuation hazards as well as safety from crime.
6. No cannabis operations on shared private roads unless all other parcel owners agree in writing. This jeopardizes safety of residents and appropriates their property rights to the shared private road.
7. Cannabis operations should not be allowed on roads where evacuation is already problematic or where adding additional people or vehicle trips would make it problematic. Evacuation analysis needs to be conducted using established methods to determine evacuation times based on number of vehicles and characteristics of the roads, and advance warning times.
8. Safe evacuation plan must be required and demonstrated- this is a major issue in rural areas.
9. Cannabis should not be in locations over 15 min from sheriff response.
10. No cannabis operations- outdoor, indoor or mixed light- should be within 1 mile of unincorporated residential areas for multiple safety issues- crime, traffic, odor. Cannabis processing should only be allowed in industrial zones.
11. No cannabis operations- growing, processing, manufacturing, retail- should be located near public parks, schools, residences, Scenic Corridors, Community Separators.
12. For security and safety, don't locate in remote areas, require strong on-site 24/7 security: cameras, secure fencing and gates, downward- facing nighttime lights, 24/7 security guard. Cannabis operations are subject to criminal activity. Industrial parks are the best and safest locations as they can required good 24/7 security, lighting, fencing and rapid sheriff response time.
13. Sufficient on-site parking for all workers (no on-road parking).
14. Smoking only allowed in fire-safe designated hardscape areas.
15. No on-site consumption of cannabis products even if allowed by state- sampling only in retail outlets in commercial/industrial zones for smelling

cold buds (ie, no inhaling of vapors). There is no approved method to determine cannabis impairment for driving. If this is ultimately allowed, only allow tasting with limo services like they do for wine, to avoid driving by those tasting.

From: Deborah Eppstein
To: Cannabis
Subject: input for cannabis EIR and ordinance
Date: Friday, August 13, 2021 6:27:57 PM
Attachments: cannabis visioning summary Eppstein 8-13-21.docx

---

I already send in 3 documents with my notes from the visioning sessions. Here is one more.

Debby

I participated in the cannabis visioning sessions this week, and appreciate the large amount of comments you need to read. I have submitted separate comments on siting, safety, water and aesthetics. My comments are based on facts as well as personal experience. Here is a summary document of some of the major issues.

From the sessions I attended participants overwhelmingly urged that neighborhood compatibility be prioritized by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, keep residents out of crime's way, are not in public view, are not in impaired watersheds, are not in high fire hazard zones and do not impact wildfire or public safety such as areas without adequate evacuation capacity or legal fire safe roads.

Cannabis cultivation should be done indoors or in greenhouses, in industrial zones (airport area was discussed) where good 24/7 security is present. Indoor/greenhouse cultivation reduces water requirements and being located in a guarded industrial zone reduces crime risk. Indoor and greenhouse cultivation should use solar panels with battery storage on site for the electricity needed.

Water availability throughout the county needs to be carefully analyzed- our water zone maps are 40 years old- and prolonged drought conditions need to be included. All water needs, present and future for the next 20 years, for all uses- residential, agriculture, commercial and industrial- need to be factored in to understand how much water is available county-wide for cannabis cultivation. If cultivation is restricted to industrial zones, adequate water must be available as well as wastewater disposal.

If outdoor cultivation is to be allowed, it should be limited to small amount county wide and only if it meets the state's requirements for appellation- grown in the ground, with no artificial light and no hoop houses. It should be grown either in large industrial zones or on large Ag parcels (no RRD) where natural topography prevents it from being seen by the public or on neighboring parcels and distance is ample to prevent odor, noise and traffic nuisance as well separate neighbors from crime. The EIR needs to determine what is an appropriate distance, which is realistically more than 1000 ft, for separation of outdoor grows from neighboring parcels. No grows over 1 acre should be allowed per parcel. Processing should only be in designated industrial zoned land.

Fire risk and safety also need to be top considerations. People cause over 90% of all wildfires. Cannabis creates a fire hazard both from the plant (unlike vineyards, it is an oily plant) as well as from the electrical infrastructure, traffic and the workers- this is especially concerning for harvest during Sept-Oct, peak fire season. It should never be allowed in high fire hazard zones, on dead-end roads longer than 1 mile, on roads less than 20 ft wide or over 16% grade and on roads where residents are between the cannabis site and the only access. Any shared private road needs to have written consent from all shared parcel owners before any cannabis operation is approved.

Crime is a very real danger as cannabis operations both have high value product and cash on site. Criminals

don't differentiate between illegal and legal cannabis sites. We know from county records that crime occurs both on legal as well as illegal cannabis cultivation sites. Recently a cannabis grower, Nicolas Bettencourt, filed a lawsuit against Sonoma County on violation of his 2nd amendment rights to have a gun on site, as his operation was burglarized six times and law enforcement was not available. Cannabis operations should not be located anywhere near residences- a 1000 ft setback is both insufficient to prevent odor nuisance as well as to prevent harm from criminals. My family has been victims of cannabis-associated burglary from a site over a mile away on a dead-end road; no one should be subjected to this.

Conducting this EIR is a big step in the right direction. A new ordinance must be science-based to ensure that permitting of cannabis operations does not create individual or cumulative impacts. But it will take years before it is complete and a new cannabis ordinance is in place. Until then, it is imperative that the county adopts a moratorium on new cannabis cultivation until the EIR has determined environmental conditions and an ordinance to set standards for the industry. The current drought conditions magnify this need.

Thank you for taking these comments into serious consideration.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Cannabis Visioning Summary Comments
Deborah Eppstein August 13, 2021

I participated in the cannabis visioning sessions this week, and appreciate the large amount of comments you need to read. I have submitted separate comments on siting, safety, water and aesthetics. My comments are based on facts as well as personal experience. Here is a summary document of some of the major issues.

From the sessions I attended participants overwhelmingly urged that neighborhood compatibility be prioritized by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, keep residents out of crime's way, are not in public view, are not in impaired watersheds, are not in high fire hazard zones and do not impact wildfire or public safety such as areas without adequate evacuation capacity or legal fire safe roads.

Cannabis cultivation should be done indoors or in greenhouses, in industrial zones (airport area was discussed) where good 24/7 security is present. Indoor/greenhouse cultivation reduces water requirements and being located in a guarded industrial zone reduces crime risk. Indoor and greenhouse cultivation should use solar panels with battery storage on site for the electricity needed.

Water availability throughout the county needs to be carefully analyzed- our water zone maps are 40 years old- and prolonged drought conditions need to be included. All water needs, present and future for the next 20 years, for all uses- residential, agriculture, commercial and industrial- need to be factored in to understand how much water is available county-wide for cannabis cultivation. If cultivation is restricted to industrial zones, adequate water must be available as well as wastewater disposal.

If outdoor cultivation is to be allowed, it should be limited to small amount county wide and only if it meets the state's requirements for appellation- grown in the ground, with no artificial light and no hoop houses. It should be grown either in large industrial zones or on large Ag parcels (no RRD) where natural topography prevents it from being seen by the public or on neighboring parcels and distance is ample to prevent odor, noise and traffic nuisance as well separate neighbors from crime. The EIR needs to determine what is an appropriate distance, which is realistically more than 1000 ft, for separation of outdoor grows from neighboring parcels. No grows over 1 acre should be allowed per parcel. Processing should only be in designated industrial zoned land.

Fire risk and safety also need to be top considerations. People cause over 90% of all wildfires. Cannabis creates a fire hazard both from the plant (unlike vineyards, it is an oily plant) as well as from the electrical infrastructure, traffic and the workers- this is especially concerning for harvest during Sept-Oct, peak fire season. It should never be allowed in high fire hazard zones, on dead-end roads longer than 1 mile, on roads less than 20 ft wide or over 16% grade and on roads where residents are between the cannabis site and the only access. Any shared private road needs to have written consent from all shared parcel owners before any cannabis operation is approved.

Cannabis Visioning Summary Comments
Deborah Eppstein August 13, 2021

Crime is a very real danger as cannabis operations both have high value product and cash on site. Criminals don't differentiate between illegal and legal cannabis sites. We know from county records that crime occurs both on legal as well as illegal cannabis cultivation sites. Recently a cannabis grower, Nicolas Bettencourt, filed a lawsuit against Sonoma County on violation of his 2nd amendment rights to have a gun on site, as his operation was burglarized six times and law enforcement was not available. Cannabis operations should not be located anywhere near residences- a 1000 ft setback is both insufficient to prevent odor nuisance as well as to prevent harm from criminals. My family has been victims of cannabis-associated burglary from a site over a mile away on a dead-end road; no one should be subjected to this.

Conducting this EIR is a big step in the right direction. A new ordinance must be science-based to ensure that permitting of cannabis operations does not create individual or cumulative impacts. But it will take years before it is complete and a new cannabis ordinance is in place. Until then, it is imperative that the county adopts a moratorium on new cannabis cultivation until the EIR has determined environmental conditions and an ordinance to set standards for the industry. The current drought conditions magnify this need.

Thank you for taking these comments into serious consideration.

From: Douglas Fisher
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Friday, August 13, 2021 5:48:23 PM

Preface: General Statement

Prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds or water scarce zones 3 and 4, are accessed by legal fire safe roads and do not impact public safety. No permitting in high fire risk zones or on remote roads with evacuation challenges. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

*****This is in reference to Monday Evening's theme: "Siting & Land Use Considerations"**

I think it is a good habit of mind to discuss dominant assumptions before discussing issues. This evening I heard several of the county's participants on camera refer to the cannabis industry as "farming" and "agriculture" and its adherents were frequently referred to as "farmers.

In all fairness, they also referred to cannabis as an industry as though the terms could be freely interchanged. I disagree. The production of cannabis is an industrial process and should be treated as one

I spent a great deal of my childhood on farms. Here are some differences I've noted.

- On our dairy/crop farms we did not raise crops with halides in controlled environments.
    - Thus, we did not need 400+ amperage service
    - We did not need or use massive generator backups in power failures.
- We did not have 10 fallow acres to every acre of crop.
- We did not haul in soil and pots for our beans, corn, wheat, oats etc.
- The harvest was not so valuable that security cameras, fences, and armed guards were necessary to protect it. No trucks or wagons were hijacked or robbed.
- Right-to-farm ordinances were to protect existing farms, not to allow industry to interfere with them, rather than allowing ag industry to intrude into sparsely

populated areas characterized by forest habitat and wildlife. In such areas existing homes and parcels should have dominant rights.

- In our water-scarce Zone 4 community, 40 acres are necessary for the construction of a single-family dwelling. And one dwelling/family uses much less water than the projections I have seen for cannabis.
- We depended on natural rainfall. Note: Areas of intense irrigation across the country are depleting aquifers. Note further: Once aquifers are depleted, according to many studies, their structure collapses and they do not refill.

In conclusion: Even the cannabis industry's references to itself are mixed. To themselves they talk about the industry. At public meetings I've observed that someone brings green t-shirts and suddenly everyone becomes "a farmer." However, although nature is a relative term, putting on a t-shirt does not change the fact that cannabis production is industrial in relationship to the natural world. The intrusion of the cannabis industry into the forested residential areas of Sonoma County will forever change the nature of the land imperiling the very landscape that guards our air and water resources. These are primary to survival as the climate increasingly changes. Let's not sleepwalk into oblivion.

*****This is in reference to Tuesday Evening's theme: Safety**

Until the Wallbridge Fire, my family lived for 30 years at 5450 Mill Creek Road, 55 acres at the end of Palmer Creek Road. Our home and property burned in that fire. We intend continue our ownership of the property, using it for recreation and perhaps a future rebuilding of our home.

The following are basic safety issues that have been overlooked for lack of an E.I.R. before permitting.

- In our experience, there are limited Sheriff Deputies in the north county. Response times to 911 calls have typically been 1 hour and 15 minutes. Animal Control once managed 45 minutes. Fire protection takes up to thirty minutes. (Note: for the Wallbridge Fire no one responded to our property.)
- Palmer Creek Road, Cloud Ridge Road, and Big Springs Roads constitute about 6 miles of *private* roads.
- These roads constitute the only reliable evacuation routes from the Mill Creek watershed.
- Roads vary in width from 20 feet to less than 10.
- Roads are frequently one lane.
- Roads are frequently blocked by downed trees
- Addresses are difficult to follow—people and equipment attempting to find temporary and intended cannabis operations have ended up on our property several times.
- Current salvage logging operations have frequently created safety hazards on our narrow roads. Water trucks, earthmoving equipment, and construction trucks will add significantly to hazardous road conditions.

Conclusions:

Given the conditions listed above, safety for property and persons cannot be reasonably guaranteed in such rural areas. The construction and maintenance of the cannabis industry as well as the increased traffic due to employees for the cannabis industry and the transport of an extremely valuable product will result in increased risk to all residents. It has been discussed in these meetings that "armed guards" might be guarding facilities and transport, in addition to lighting and cameras. Thus, our neighborhood is militarized. These safety concerns are real and all speak to changing the essential character of our property and lives on it.

This is in response to Wednesday's theme: Water Resources

Context: Many scientific studies are currently showing that climate change is advancing significantly faster that formerly thought. In our area drought has become the norm as rainfall in all but two of the last 7 years has been far lower than average. Four years ago rural residents in water-scarce zones were asked by the state to monitor/meter their water use. This year in particular the water crisis is severe in Sonoma County cities and reservoirs. Mendocino Reservoir threatens to run dry during the next fire season; Lake Sonoma is not far behind.

Questions: E.I.R.s are fundamental to planning any fundamental change in land use. Why is this E.I.R. occurring now rather than as the beginning and foundation of cannabis regulation.? Why are permits being processed and issued before the results of the E.I.R. are released? Why are we even considering permits in Zone 3 and Zone 4 water-scarce areas?

Further Response: Forests are absolutely essential to watersheds. Because of forest growth we noticed fewer run-off events in the Mill Creek/Palmer Creek area before the Wallbridge Fire of 2020. Rain events were fewer overall, but in 2018, for example, there was major rainfall and more retention, less extreme run off as observed in our creek (with 30 years of daily experience observation. Now that the forest is in recovery, tree and habitat need unimpeded access to rainfall, rather than graded diversions to ponds for cannabis use. The E.I.R. needs to be completed before any permits are approved.

Our forests and the natural habitat they provide need protection from commercialization from any source, but particularly grapes and cannabis. Partitioning with fences, increased traffic, light pollution, increased fire danger endanger the forests, natural habitat and the safety and well-being of rural residents.

Submitted by Douglas Fisher, property owner 5450 Mill Creek Road.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Debbie Ledbetter
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 8:27:11 PM

To Whom It May Concern,

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Sebastopol resident,

Debbie Ledbetter

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: David Southwick
To: Cannabis
Subject: Concerns
Date: Friday, August 13, 2021 2:35:33 PM

EXTERNAL

1) the expansion of land use , be it grapes or marijuana, during the current drought is ill advised due to water consumption. Edible crop expansion should be looked at closely but grape and marijuana, (both of which I use) are recreational and, as such, need not be expanded. Water should be used to sustain life not to endure a “high”. Any expansion will be done at the expense of all consumers not just those who imbibe.
2) the development of grow operations do not fit into the local environment and add an industrial look to our bucolic landscape. White plastic tending and PVC pipes are an eyesore best left to an industrial setting. We have tried to promote a harmonious look which blends into our current environment; industrial marijuana grows seem the antithesis of what we’ve tried to promote and sustain especially , here in the Bennett Valley area.
3) we need look closely at industrial byproducts being generated by these grows, water contamination as well as the smell generated.
4) our infrastructure in the Bennett Valley is very limited, essential one road in and out. Adding commercial traffic will only hamper an already commute. Bennett Valley arf had minimal shoulders shared by bicyclists, residents and vineyards. Additionally post 2017 reconstruction has taken a toll on the road surface with pot holes, furrowing and crumbling shoulders making for a very dangerous commute.

Vineyards have a long standing history in the Valley and, for the most part, blend into our agricultural environment. We’ve limited tasting rooms due to traffic concerns Marijuana grows will not blend in to our environment and will add to our traffic concerns. All in all Others areas with better infrastructure and a more industrial footprint are better suited for expansion though such an increase in water demands should be considered even these areas
We need to think to the future not just look at the bottom line and see tax dollars .
Thank you
David Southwick
2832 Bardy Rd

Sent from my iPhone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: David Trezise
To: Cannabis
Subject: Cannabis growing
Date: Friday, August 13, 2021 11:07:52 AM

I object to cannabis growing in Sonoma County (particularly Bennett Valley) because of the impact on the rural aesthetics of the County and the high use of electricity and water. To the extent that any cannabis growing may be allowed, cannabis cultivation and processing should be strictly limited to areas where those activities do not create noise and odor nuisances for neighboring residents, are not in public view or viewable from private residential properties, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. Any new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

David Trezise
Bennett Ridge Resident

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Emily Allen
To: Cannabis
Subject: Cannabis Ordinance
Date: Friday, August 13, 2021 7:52:35 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

If you want to make comment on the categories that were addressed during this week zoom sessions, they are: Land Use / Siting, Safety Concerns, Water and Visual / Aesthetic Considerations.

Additionally, a new development concerning cannabis and crime:

A legal filing from July 6th (attached) demonstrates how concerned cannabis growers are aware of the threat they live with daily because of the high dollar value of their grow and the increased chance that they will be robbed. Our concerns about crime have been scoffed at or dismissed with the claim that cannabis crime only happens at illegal grows. Local newspaper stories disprove that, but the myth continues. Cannabis grows and neighborhoods are not compatible because of the numerous safety issues that come with a highly valuable product that is easily resold.

The grower, Nicolas Bettencourt, alleges that his cannabis operation was broken into six times and there was no assistance from law enforcement. Growers are arming themselves because their commercial operations are valued in the millions of dollars and it's still a cash business. The county tried to mitigate this threat by requiring significant security infrastructure at the permitted site. The County then tried to mitigate the threat to neighbors by banning firearms and weapons. This obviously hasn't worked for the growers who feel threatened and neighborhoods who are being threatened. The grower wants a gun which is prohibited. He is claiming they are limiting his second amendment rights.

This information was written by Anna Ransome for Friends of Graton (FOG) and relates to Bloomfield also.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Lisa Boyadjieff
To: Cannabis
Subject: values important to Sonoma Co. residents
Date: Friday, August 13, 2021 7:59:38 PM

The valley I've lived in for fifty years has seen many changes. The most impacting change here has been the destructive Tubbs fire and the ongoing threat of more fires. The 2017 Tubbs whipped through here taking homes all around me, the 2019 Kinkaid fire came within 2 miles of my home and last year's Glass fire heading here was thankfully stopped although we were evacuated. Entering this valley there is a county sign that states extreme fire danger.

We're doing whatever we can to save water for future fire events. There are vineyards nearby, but grapes make the best wines when stressed with less water. Cannabis requires much more water. An impending drought is of great concern. I own property adjacent to 31 acres in Franz Valley for which there are eleven applications for ministerial permits. This is a deception of county permit regulations.

Parts of the county road require you to pull over when another vehicle approaches. People who care about their neighbors do this. People whose only aim is to reap a cash crop are not so likely to care. Odor, safety, noise 24/7 will be imminent.

Cannabis is a plant, but it is different in that it is valuable right from the ground. Theft of cannabis is common and often violent.
Sheriffs have to come from a long way and are already financially strapped from hiring more, as is certainly the case with our firefighters.

Residents here have been through rebuilding their homes and trying to make their surroundings safe. Please don't put another obstacle in their face.
Cannabis does not belong in a rural residential neighborhood, and even much worse 2.75 acres of it.

Eleanor Boyadjieff

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Elizabeth Herron
To: Cannabis
Subject: Cannabis Comment
Date: Friday, August 13, 2021 3:49:28 PM

RE cannabis cultivation

I urge you to prioritize safety and consider region appropriate limits on cannabis cultivation and processing to protect fragile watersheds and exclude high fire risk zones or areas without legal fire-safe roads.

Permit cannabis processing only on designated commercial and industrial zoned land.

A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Further, I urge you to limit cannabis cultivation to areas where it will not bring crime into or create a public nuisance in local neighborhoods.

Elizabeth Herron
Graton, CA 95444
Sent from my cell

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Erik A. Okstad
To: Cannabis
Cc: Erik Okstad
Subject: Cannabis Permitting
Date: Friday, August 13, 2021 7:41:14 PM

To Whom It May Concern,

I am a concerned resident of Bennett Valley in Sonoma County that is surprised at how little information is being provided to residence as it relates to cannabis related issues in my neighborhood. There are water and environmental concerns that directly affect me and the welfare of my home. It is my opinion that we should limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Furthermore, we should permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Regards,

Erik Okstad
Associate
.....
RUTHERFORD + CHEKENE
Structural + Geotechnical Engineers

D 415.568.4476
E eokstad@ruthchek.com

www.ruthchek.com
.....
375 Beale Street, Suite 310
San Francisco, CA 94105

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Edie Otis
To: Cannabis
Subject: Fwd: Cannabis comments
Date: Friday, August 13, 2021 5:20:21 PM

Begin forwarded message:

From: Edie Otis <netreal@comcast.net>
Subject: Cannabis comments
Date: August 13, 2021 at 5:18:28 PM PDT
To: cannibas@sonomacounty.org

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

In addition the emphasis on the deep support of big agriculture is destroying what we love about this area. Monocultural practices like the ones carpeting the natural, diverse habitat of sonoma county with endless vineyards have decimated our pollinator, bird, and secondary mammal insect fish and reptile population. Please put not just restrictions ,but moratoriums on this feckless, short term financial gain approachto the health of sonoma county. Will we have a future here or will the natural resources and beauty be lost forever, for the benefit of a very few.

Edie Otis
6300 Vine Hill School rd
Sebastopol

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Katy Mangan
To: Cannabis
Subject: Cannabis Cultivation in Bennett Valley
Date: Friday, August 13, 2021 10:20:17 AM

Dear Supervisors,
Please limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Respectfully,

George and Catherine Mangan

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: George von Haunalter
To: Cannabis
Subject: Locations
Date: Friday, August 13, 2021 2:31:09 AM

As residents of Bennett Ridge we are very concerned about the location of cannabis farms or ehatever thay might be called. Actually they are more like a factory and should be placed in industrial or commercial park settings. Bennett Valley is a wine region and should not be contaminated by unsightly and inappropriate facilities that detract tourist visits that are important for the area and the local vinyards.

George and Gabriela von Haunalter, Bennett Ridge

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gina Cloud
To: Cannabis
Subject: aesthetics
Date: Friday, August 13, 2021 6:02:28 PM

Attention Sonoma County Cannabis Program

For numerous reasons, cannabis hoop houses need to be well tucked away from the view of residents and those passing by.

We are all feeling a heightened sense of vulnerability due to looming extinctions, catastrophic events brought on by climate change, the pandemic, and the the volatile nature of public dialog. But numerous scientific studies have found that nature is a powerful countermeasure to the stress of these unprecedented times. Interaction with nature has a powerful and positive effect on a large range of maladies including asthma, depression, heart disease, Alzheimer's, insomnia, stress and high blood pressure to name a few.

Our open spaces, whether it be rolling hills, pastures, parks, beaches, riparian areas, or even easements, should be scrupulously protected for the greater good. Injudicious placement of plastic hoop houses demonstrates a heedless ignorance about the importance of nature for people everywhere.

In the past year and a half, millions of people have taken to the outdoors, bicycling, camping, gardening, and spending far more time outside than ever before; experiencing clearer and calmer thinking, deeper breathing and a general sense of well being as a result.

Concentrations of hoop houses disrupt the experience of nature for the many who are seldom able to access it in any other way but from the window a vehicle. Countless people enjoy drives through Sonoma County's rolling hills where they may see wildlife or farm animals. Along the backroads they can have the sense of being away from everything and quietly observe the sky, the horizon, weather, and season change. These things are important. They are part of what it is to be human, to be part of the biota of the Earth.

Driving past an acre of plastic hoop houses is a jarring interruption of the experience of nature. An acre of plastic hoop houses should only be allowed in areas where it will not despoil the view of anyone living, working or passing through the area. I live in the Petaluma Gap area where there is already a heavy concentration of commercial cannabis and much more in the permitting process. Acres of plastic hoop houses are not compatible with our lovely county scenery.

I urge you to prioritize the well-being of all who live in or visit our county by requiring that all acre concentrations of plastic hoop houses be set well out of view of our roads, towns, neighborhoods and scenic corridors.

Thank you,

Gina Cloud
Bloomfield

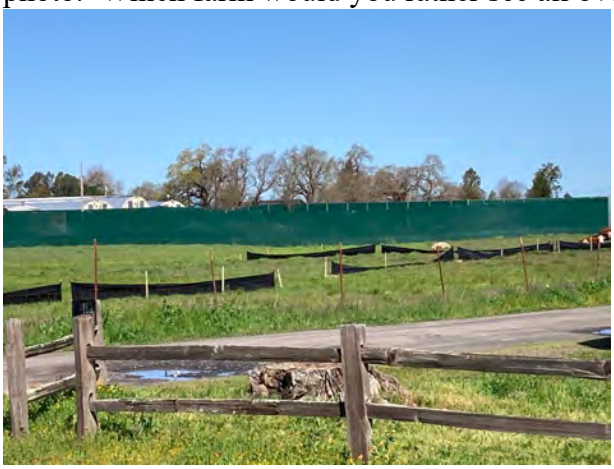
THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Gail
To: Cannabis
Subject: Visual-photos cannabis farms
Date: Friday, August 13, 2021 6:41:20 PM

Here are a couple of photos comparing the aesthetics of two cannabis farms:

This is a cannabis farm in Vermont. It is does not have screened fences and therefore allows scenic views. This is what cannabis farms in Sonoma County should look like.

Below is a cannabis farm in Sonoma County (in Fulton, next door to my property). The 8 ft high (or more) green screened fence is unsightly and ruins the (previously) scenic view. (note I'm not referring to the black fabric). The screened fence area is so large I couldn't fit it in my photo. Which farm would you rather see all over our countryside?



Sincerely,
Gail Frederickson
Fulton, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Horace Criswell
To: Cannabis
Subject: Public Comment on Cannabis Visioning Sessions
Date: Friday, August 13, 2021 4:02:02 PM

Dear Supervisors,

I urge you to adopt a moratorium on all new cannabis grow sites until Sonoma County prepares an EIR to determine environmental conditions and establishes an enforceable Ordinance to set standards for the Industry. I also urge you to take the necessary steps to assure that no approved sites are located in any of the impaired watersheds. Furthermore, it is imperative to outlaw all cannabis grow sites in high fire risk zones and in areas accessed by dead-end substandard roads over 1 mile long or less than 20 ft wide. Neighborhood compatibility must be assured by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents and are not in public view. I urge you to also restrict cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Horace Criswell
Healdsburg, CA 95448

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Janet Talamantes
To: Cannabis
Subject: EIR Visioning Session Town Halls
Date: Friday, August 13, 2021 6:13:59 PM

We urge you to consider the following when planning a successful cannabis ordinance in light of our limited water resources and the impact to existing neighborhoods:

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view and not just hiding behind a fence.

Limit cannabis cultivation and processing to areas that are not in impaired watersheds. We live on Middle Two Rock Road, below the Dripps cannabis grow on top of the ridge, in a poor water area. Our well produces 3 gallons/minute and those of our neighbors are about the same or even less. This year we installed drip irrigation and are barely keeping our plants alive watering 3 days/week using about 80 gallons in an hour and a half. We have recently lost some mature pine trees to borers, which attack drought-stressed plants; an additional example of our scanty water resource.

Limit cannabis cultivation and processing to areas that do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Just today we had a wildfire off Middle Two Rock Road, very near the cannabis grow on the ridge above us, that was limited to about 30 acres of grassland, contained through mutual aid, air support and the dedication of our fire-fighting personnel.

Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Janet and Tim Talamantes
2968 Middle Two Rock Road
Petaluma

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Joan Conway
To: Cannabis
Subject: Public Comment on Cannabis Visioning Sessions
Date: Friday, August 13, 2021 3:42:28 PM

Dear Supervisors,

I urge you to adopt a moratorium on all new cannabis grow sites until Sonoma County prepares an EIR to determine environmental conditions and establishes an enforceable Ordinance to set standards for the Industry. I also urge you to take the necessary steps to assure that no approved sites are located in any of the impaired watersheds. Furthermore, it is imperative to outlaw all cannabis grow sites in high fire risk zones and in areas accessed by dead-end substandard roads over 1 mile long or less than 20 ft wide. Neighborhood compatibility must be assured by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents and are not in public view. I urge you to also restrict cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Joan Conway
Healdsburg, CA 95448

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: sedna101@aol.com
To: Cannabis
Subject: cannabis EIR scheduled for September 28, 2021
Date: Friday, August 13, 2021 1:14:59 PM
Attachments: Claim against PRMD for weapons violation-1.pdf

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create crime, noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or **public safety such as high fire risk zones or areas without legal fire safe roads.** Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.
We want cannabis here, just not in our neighborhoods!

Additionally, a new development concerning cannabis and crime:

A legal filing from July 6th (attached) demonstrates how concerned cannabis growers are aware of the threat they live with daily because of the high dollar value of their grow and the increased chance that they will be robbed. Our concerns about crime have been scoffed at or dismissed with the claim that cannabis crime only happens at illegal grows. Local newspaper stories disprove that, but the myth continues. Cannabis grows and neighborhoods are not compatible because of the numerous safety issues that come with a highly valuable product that is easily resold.

The grower, Nicolas Bettencourt, alleges that his cannabis operation was broken into six times and there was no assistance from law enforcement. Growers are arming themselves because their commercial operations are valued in the millions of dollars and it's still a cash business. The county tried to mitigate this threat by requiring significant security infrastructure at the permitted site. The County then tried to mitigate the threat to neighbors by banning firearms and weapons. This obviously hasn't worked for the growers who feel threatened and neighborhoods who are being threatened.

Jane Eagle, Voter/Taxpayer

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

FW-003 Order on Court Fee Waiver (Superior Court)

Clerk stamps date here when form is filed.

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/14/2021 1:35 PM
Arlene D. Junior, Clerk of the Court
By: Angela Mendia, Deputy Clerk

1 Person who asked the court to waive court fees:
Name: Nicholas Bettencourt
Street or mailing address: 218 Pleasant Avenue
City: Santa Rosa State: CA Zip: 95403

2 Lawyer, if person in 1 has one *(name, firm name, address, phone number, e-mail, and State Bar number):*
Richard Sax 80632
Law Office of Richard Sax
P.O. Box 1236
Santa Rosa, CA 95402

707-525-1824

Fill in court name and street address:
Superior Court of California, County of
Sonoma
600 Administration Drive
600 Administration Drive
Santa Rosa, CA 95403
Civil Division

3 A request to waive court fees was filed on *(date):*

☐ The court made a previous fee waiver order in this case on *(date):*

Fill in case number and name:
Case Number:

Case Name:
Bettencourt v. Sonoma County

Read this form carefully. All checked boxes ☑ are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for **$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

4 After reviewing your: ☒ *Request to Waive Court Fees* ☐ *Request to Waive Additional Court Fees*
the court makes the following orders:

Submitted for judicial review more than 5 days after filed. Application is deemed granted by operation of law. Govt Code 68634.

a. ☒ The court **grants** your request, as follows:

(1) ☐ **Fee Waiver.** The court grants your request and waives your court fees and costs listed below *(Cal. Rules of Court, rule 3.55 and 8.818.)* You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department
- Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835

[redacted] 7/14/2021

(2) ☐ **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. *(Cal. Rules of Court, rule 3.56.)* You do not have to pay for the checked items.

☐ Jury fees and expenses
☐ Fees for court-appointed experts
☐ Other *(specify):*
☐ Fees for a peace officer to testify in court
☐ Court-appointed interpreter fees for a witness

Your name: Nicholas Bettencourt

Case Number:

b. ☐ The court **denies** your fee waiver request because:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

(1) ☐ Your request is incomplete. You have **10 days** after the clerk gives notice of this Order (see date of service on next page) to:

- Pay your fees and costs, or
- File a new revised request that includes the incomplete items listed:
  ☐ Below ☐ On Attachment 4b(1)

(2) ☐ The information you provided on the request shows that you are not eligible for the fee waiver you requested for the reasons stated: ☐ Below ☐ On Attachment 4b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Superior Court)* (form FW-006). You have **10 days** after the clerk gives notice of this order (see date of service below) to:

- Pay your fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. *(Use form FW-006 to request hearing.)*

c. (1) ☐ The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about the questions regarding your eligibility that are stated:
☐ Below ☐ On Attachment 4c(1)

(2) ☐ Bring the items of proof to support your request, if reasonably available, that are listed:
☐ Below ☐ On Attachment 4c(2)

Your name: Nicholas Bettencourt

Case Number:

Name and address of court if different from above:

Hearing Date → Date: _____ Time: _____

Dept.: _____ Room: _____

Warning! If item c(1) is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay your fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

Date: _____

Signature of (check one): ☐ *Judicial Officer* ☐ *Clerk, Deputy*

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and *(check one)*:

☐ I handed a copy of this Order to the party and attorney, if any, listed in (1) and (2), at the court, on the date below.

☐ This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in (1) and (2), from *(city)*: _____, California on the date below.

☐ A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy

Name: _____

This is a Court Order.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
Richard Sax, 80632 Law Office of Richard Sax 448 Sebastopol Avenue Santa Rosa, CA 95401 ATTORNEY FOR (Name): Petitioner	(707)525-1824 Ext 18 Ref. No. or File No.	ELECTRONICALLY FILED Superior Court of California County of Sonoma 8/5/2021 10:38 AM Arlene D. Junior, Clerk of the Court By: Branden Rasmussen, Deputy Clerk
Insert name of court, judicial district or branch court, if any: Sonoma 600 Administration Dr. Santa Rosa, CA 95403-2818		
PLAINTIFF: Nicholas Bettencourt		
DEFENDANT: County of Sonoma Board of Supervisors, et al.		
PROOF OF SERVICE BY MAIL		CASE NUMBER: SCV-268744

BY FAX

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 1400 N. McDowell Blvd, Petaluma, CA 94954.

On 07/14/2021, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCP 4(e)(2)(B) or FRCP 4(h)(1)(B) was made (if applicable), I mailed copies of the:

Civil Case Cover Sheet, Summons Issued, Petition for Writ of Mandate, Memorandum of P&A's in Support of Application for Writ of Mandate, ,

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Petaluma, California, addressed as follows:

County of Sonoma Permit and Resource Management Department Code Enforcement Division

Sonoma County Board of Supervisors

575 Administration Dr, Room 100A

Santa Rosa, CA 95403

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Fee for Service: $ 62.50

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 07/14/2021 at Petaluma, California.

[redacted]

Travis Carpenter

OL# 16571513

One Legal - P-000618-Sonoma

1400 North McDowell Blvd, Ste 300

Petaluma, CA 94954

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA CIVIL DIVISION 600 ADMINISTRATION DRIVE, ROOM 107-J SANTA ROSA, CALIFORNIA 95403-2878 (707) 521-6500 http://www.sonoma.courts.ca.gov Bettencourt vs County of Sonoma Board of Supervisors	(FOR COURT USE ONLY) FILED JUL 06 2021 Clerk of the Superior Court of California County of Sonoma By [redacted] Deputy Clerk
NOTICE OF ASSIGNMENT TO ONE JUDGE FOR ALL PURPOSES, NOTICE OF CASE MANAGEMENT CONFERENCE, and ORDER TO SHOW CAUSE	Case number: SCV-268744

A COPY OF THIS NOTICE MUST BE SERVED WITH THE SUMMONS AND COMPLAINT AND WITH ANY CROSS-COMPLAINT

1. **THIS ACTION IS ASSIGNED TO HON. JENNIFER V DOLLARD FOR ALL PURPOSES.** Pursuant to California Rules of Court, Rule 2.111(7), the assigned judge's name must appear below the number of the case and the nature of the paper on the first page of each paper presented for filing.

2. EACH DEFENDANT MUST FILE A WRITTEN RESPONSE TO THE COMPLAINT AS REQUIRED BY THE SUMMONS.

A Case Management Conference has been set at the time and place indicated below:

Date: Tuesday, 01/18/2022	Time: 3:00 PM	Courtroom 18
Location: 3055 Cleveland Avenue, Santa Rosa, CA 95403		

3. No later than 15 calendar days before the date set for the case management conference or review, each party must file a case management statement [Judicial Council form #CM-110] and serve it on all other parties in the case. In lieu of each party's filing a separate case management statement, any two or more parties may file a joint statement.

4. At the conference, counsel for each party and each self-represented party must appear personally or by telephone [California Rules of Court, Rule 3.670(c)(2)]; must be familiar with the case; and must be prepared to discuss and commit to the party's position on the issues listed in California Rules of Court, Rule 3.727.

5. Pre-approved dispositions are recorded three (3) court days prior to the case management conference. These may be obtained by calling (707) 521-6883 or by going to http://sonoma.courts.ca.gov/online-services/tentative-rulings.

ORDER TO SHOW CAUSE

To Plaintiff(s), Cross-complainants, and/or their attorneys of record:
If, on the date shown above, you are not in compliance with the requirements stated in the California Rules of Court, rules 2.30, 3.110, and/or 3.720 through 3.771 inclusive, you must then and there show cause why this court should not impose monetary and/or terminating sanctions in this matter.

Pursuant to California Rule of Court, rule 3.221(b), information and forms related to Alternative Dispute Resolution are available on the Court's website at http://www.sonoma.courts.ca.gov/self-help/adr.

ELECTRONIC SERVICE OF DOCUMENTS

Enabled by Local Rule 18.16

Voluntary e-service is available in Sonoma County. The Court has pre-approved a Stipulation for cases in which the attorneys or parties choose e-service. A copy of the Stipulation is available under the "Civil" section in the "Division" tab of the Court website: http://www.sonoma.courts.ca.gov. The advantages of e-service to the parties include:

SAVE MONEY	Reduction in costs related to photocopying, retrieving, storing, messenger and postage fees. No special software is needed to use e-service
SAVE TIME	Instant service of your documents on all parties
SAVE SPACE	With 24/7 internet access to all documents, you do not need to house paper copies
GAIN CERTAINTY	Immediate confirmation of service for your records. Documents are not delayed in the mail or blocked by email spam blockers and firewalls

To take advantage of e-service, select an e-service provider and file the signed Stipulation with the Court. Parties can then e-serve documents through the selected provider. Information about e-service providers is available at the website for the Sonoma County Bar Association: http://www.sonomacountybar.org. The Court does not endorse one provider over another.

To learn more about available e-service providers and their fees, please visit their website

***Note**: Hard-copy pleadings are required to be filed with the Court in accordance with applicable provisions of the Code of Civil Procedure, California Rules of Court and local rules. You do not need to provide a courtesy copy of a served document to the specific department in which the matter has been assigned.*

DISCOVERY FACILITATOR PROGRAM

Effective January 1, 2008, the Sonoma County Superior Court promulgated Sonoma County Local Rule 4.14 which established the Discovery Facilitator Program. Participation in the Discovery Facilitator Program shall be deemed to satisfy a party's obligation to meet and confer under Sonoma County Local Rule 5.5 and applicable provisions of the Code of Civil Procedure and California Rules of Court. This program has been providing assistance in resolving discovery disputes and reducing the backlog of matters on the law and motion calendars in our civil law departments. The Sonoma County Superior Court encourages all attorneys and parties to utilize the Discovery Facilitator Program in order to help resolve or reduce the issues in dispute whether or not a discovery motion is filed.

There is a link to Local Rule 4.14 and the list of discovery facilitator volunteers on the official website of the Sonoma County Superior Court at http://www.sonoma.courts.ca.gov. On the home page, under the "AVAILABLE PROGRAMS & HELP" section, click on »Discovery Facilitator Program. You can then click on either "Local Rule 4.14" to obtain the language of the local rule, or "List of Facilitators" for a list of the volunteer discovery facilitators and accompanying contact and biographical information.

Pursuant to Local Rule 5.1.C:

The moving party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of any motion filed. The responding party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of all opposition papers. Finally, the moving party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of all reply papers.

Pursuant to Local Rule 5.1.C.1:

If any matter scheduled on the law and motion calendar is resolved, dismissed, settled or becomes moot for any reason, the moving party shall immediately notify the judicial assistant for the Assigned Judge if the motion is to be dropped from the law and motion calendar. Said notification may be made by telephone, followed by a letter of confirmation.

SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
County of Sonoma Board of Supervisors, County of Sonoma Permit & Resource Management Department Code Enforcement Division

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):
Nicholas Bettencourt, Petitioner
Joanne Bettencourt: Real Party In Interest

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center *(www.courtinfo.ca.gov/selfhelp)*, your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site *(www.lawhelpcalifornia.org)*, the California Courts Online Self-Help Center *(www.courtinfo.ca.gov/selfhelp)*, or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ***¡AVISO!*** *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), *en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.*

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), *en el Centro de Ayuda de las Cortes de California,* (www.sucorte.ca.gov) *o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de $10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.*

CASE NUMBER
(Número del Caso): SCV-268744

The name and address of the court is:
(El nombre y dirección de la corte es):
Sonoma County Superior Court
600 Administration Drive
Santa Rosa, CA 95403

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Richard Sax 80632 Law Office of Richard Sax
P.O. Box 1236 707-525-1824
Santa Rosa, CA 95409

DATE:
(Fecha) 7/6/2021 4:04 PM ARLENE D. JUNIOR Clerk, by *(Secretario)* [redacted], Deputy *(Adjunto)*
Janie Dorman

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, *(POS-010)).*

[SEAL]

NOTICE TO THE PERSON SERVED: You are served
1. ☒ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify):*

3. ☐ on behalf of *(specify):*
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other *(specify):*

4. ☐ by personal delivery on *(date):*

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]
CEB ceb.com | Essential Forms

SUMMONS

Code of Civil Procedure §§ 412.20, 465
www.courtinfo.ca.gov

Nicholas Bettencourt

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Richard Sax 80632
Law Office of Richard Sax
P.O. Box 1236
Santa Rosa, CA 95409
TELEPHONE NO.: 707-525-1824 FAX NO.: 707-525-8119
ATTORNEY FOR (Name): Nicholas Bettencourt

FOR COURT USE ONLY

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sonoma
STREET ADDRESS: 600 Administration Drive
MAILING ADDRESS: 600 Administration Drive
CITY AND ZIP CODE: Santa Rosa, CA 95403
BRANCH NAME: Civil Division

CASE NAME: Bettencourt v. County of Sonoma Board of Supervisors, et al.

CIVIL CASE COVER SHEET
☒ Unlimited (Amount demanded exceeds $25,000) ☐ Limited (Amount demanded is $25,000 or less)

Complex Case Designation
☐ Counter ☐ Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: SCV-268744
JUDGE:
DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment
☐ Wrongful termination (36)
☐ Other employment (15)

Contract
☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property
☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer
☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review
☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☒ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint
☐ RICO (27)
☐ Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
☐ Partnership and corporate governance (21)
☐ Other petition *(not specified above)* (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. ☐ Large number of separately represented parties
   b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. ☐ Substantial amount of documentary evidence
   d. ☐ Large number of witnesses
   e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action *(specify)*: 1
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: 7/6/2021

Richard Sax
(TYPE OR PRINT NAME)

[redacted]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Nicholas Bettencourt

Richard Sax (SBN 80632) *richard@rsaxlaw.com*
LAW OFFICES OF RICHARD SAX
P. O Box 1236
Santa Rosa, CA. 95402
Telephone: (707) 525-1824
Facsimile: (707) 525-8119

Attorney for Petitioner,
Nicholas Bettencourt

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SONOMA

NICHOLAS BETTENCOURT,

Plaintiff,

v.

COUNTY OF SONOMA BOARD OF SUPERVISORS, COUNTY OF SONOA PERMIT & RESOURCE MANAGEMENT DEPARTMENT CODE ENFORCEMENT DIVISION,

Defendants.

SCV-268744 JD
CASE NO.: ~~SCV-263072~~

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF APPLICATION FOR WRIT OF MANDATE

Date:
Time:
Dept:

I. INTRODUCTION

This court should issue a writ of mandate compelling respondent to refrain from enforcing an ordinance and to determine the ordinance to be unconstitutional because respondent is an inferior tribunal or Board and Petitioner is beneficially interested and has no plain, speedy and adequate remedy in the ordinary course of law.

II. FACTS OF THE CASE

Petitioner, Nicholas Bettencourt (Bettencourt or petitioner), alleges:

1. Petitioner holds Zoning Permit Number APC20-0106 that allows the cultivation of 2500 square feet of cannabis at the Property.

2. Respondents are the County of Sonoma Board of Supervisors and the County of Sonoma Permit & Resource Management Department Code Enforcement Division.

3. Real party in interest is Joanne Bettencourt who has an interest that is directly affected by this proceeding in that she owns the real property where petitioner was cultivating commercial cannabis.

4. On April 5, 2021 An Administrative Hearing Decision and Order was made upholding a November 04, 2020 Notice of Proposed Action issued by the County of Sonoma that stated Sonoma County Code SCC section 26-88-254(f)(21) was violated for prohibited "weapons and firearms at the cultivation site" and imposed civil penalties. A copy of the Administrative Hearing Decision and Order is attached as Exhibit 1. The Decision and Order was mailed to petitioner on April 6, 2021.

5. Petitioner seeks a writ of mandate enjoining respondent from enforcing the Order.

6. The Order should be enjoined because the hearing officer determined that she could not rule on the constitutional issues that were raised by petitioner at the administrative hearing and because the ordinance is unconstitutional. The hearing officer stated in relevant part as follows:

"It is critical to note that this Hearing Officer does not possess the authority to refuse to enforce the prohibition and/or fines based upon the Permit Holder's constitutional arguments. Pursuant to Sonoma County Code Enforcement Hearing procedure 7-0-16 a hearing officer has no power to declare a statute or ordinance unenforceable or unconstitutional, unless an appellate court has made that determination. (Citing to California Constitution, Article III, Section 3.5. Administrative Hearing Decision and Order pp. 4-5.

7. Petitioner alleges that the ordinance is unconstitutional for the following reasons:

A. The ordinance violates equal protection under the 14th Amendment of the United States Constitution and the California Constitution and is arbitrary and capricious in that it prohibits firearms and weapons at an outdoor cannabis cultivation site but not at other cannabis businesses regulated by the Sonoma County Ordinance; and

B. The ordinance violates petitioner's second amendment right to bear arms for self-defense guaranteed by the Second Amendment of the United States Constitution.

8. Since petitioner was granted his cannabis cultivation permit in June 2019 his commercial operation was broken into and vandalized on six (6) different occasions and there was no assistance from law enforcement. Petitioner alleges that he has the right to possess weapons and/or firearms at the cultivation site for self-defense. Furthermore, many tools such as knives and scissors are used in the cannabis cultivation enterprise.

9. Petitioner has a beneficial interest in the issuance of the writ because he had a commercial cannabis license and a commercial permit from Sonoma County to grow cannabis outdoors. His cannabis business for profit has been destroyed.

10. Petitioner has performed all conditions precedent to the filing of this petition by exhausting all his administrative remedies.

11. Notwithstanding such ability to exercise its discretion not to enforce the ordinance against petitioner respondent continues to do so.

12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, other than the relief sought in this petition, in that otherwise petitioner has been put out of business and his economic losses are difficult to quantify.

13. Respondent's action has damaged petitioner in a sum according to proof.

III. LAW OF THE CASE

A. When Writ of Mandate May Issue. A writ of mandate may issue from any court to any inferior tribunal, corporation, board, or person to compel the performance of an act that the law specifically enjoins as a duty from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled and from which the party is unlawfully precluded. The writ must be issued on the verified petition of the party beneficially interested, when there is no plain, speedy, and adequate remedy in the ordinary course of the law (Code Civ. Proc. §§ 1085, 1086).

B. Petition For Writ of Mandate Is Timely.

The Writ was filed within the 90-day period. CCP 1094.6(b).

IV. CONCLUSION

Based upon the foregoing facts and law it is respectfully submitted that the court should issue the requested Writ of Mandate.

Dated: July 6, 2021

LAW OFFICES OF RICHARD SAX

[redacted]

RICHARD SAX, Attorney for Petitioner

Richard Sax, SBN 80632
P. O. Box 1236
Santa Rosa, California 95402
Telephone: 707-525-1824
Fax: 707-525-8119
Email: richard@rsaxlaw.com
Attorney for Petitioner

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SONOMA

Nicholas Bettencourt,

Petitioner

vs.

County of Sonoma Board of Supervisors, County of Sonoma Permit and Resource Management Department Code Enforcement Division,

Respondent

Joanne Bettencourt:

Real Party In Interest

CASE NO.: SCV-268744

PETITION FOR WRIT OF MANDATE

Petitioner, Nicholas Bettencourt ("Bettencourt" or "Petitioner"), alleges:

1. Petitioner holds Zoning Permit Number APC20-0106, which allows the cultivation of 2,500 square feet of cannabis at the subject real property ("Property"), located at 490 Pleasant Avenue, Santa Rosa, in the County of Sonoma, State of California.

2. Respondents are the County of Sonoma Board of Supervisors and the County of Sonoma Permit and Resource Management Department Code Enforcement Division.

3. Real Party In Interest is Joanne Bettencourt, who has an interest that is directly affected by this proceeding, in that she owns the Property where Petitioner was cultivating commercial cannabis.

4. On April 5, 2021, an Administrative Hearing Decision and Order was made upholding a November 04, 2020, Notice of Proposed Action issued by the County of Sonoma, which stated that Sonoma County Code SCC § 26-88-254(f)(21) was violated for prohibited "weapons and firearms at the cultivation site," and imposed civil penalties. A copy of the Administrative Hearing Decision and Order ("Order") is attached as Exhibit 1. The Order was mailed to Petitioner on April 6, 2021.

5. Petitioner seeks a writ of mandate enjoining respondent County of Sonoma Board of Supervisors, County of Sonoma Permit and Resource Management Department Code Enforcement Division ("Respondent"), from enforcing the Order.

6. The Order should be enjoined because the hearing officer determined that she could not rule on the constitutional issues that were raised by Petitioner at the Administrative Hearing, and because the ordinance, Sonoma County Code SCC § 26-88-254(f)(21) ("Ordinance"), is unconstitutional. The hearing officer stated in relevant part as follows:

> "It is critical to note that this Hearing Officer does not possess the authority to refuse to enforce the prohibition and/or fines based upon the Permit Holder's [Petitioner's] constitutional arguments. Pursuant to Sonoma County Code Enforcement Hearing procedure 7-0-16, a hearing officer has no power to declare a statute or ordinance unenforceable or unconstitutional, unless an appellate court has made that determination." (Citing to California Constitution, Article III, Section 3.5. Administrative Hearing Decision and Order ["Order"] pp. 4-5.)

7. Petitioner alleges that the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), is unconstitutional for the following reasons:

A. The Ordinance violates equal protection under the 14th Amendment of the United States Constitution and the California Constitution and is arbitrary and capricious, in that it prohibits firearms and weapons at

an outdoor cannabis cultivation site, but not at other cannabis businesses regulated by the Sonoma County Ordinance; and,

B. The Ordinance violates Petitioner's second amendment right to bear arms for self-defense, guaranteed by the Second Amendment of the United States Constitution: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed."

8. Since Petitioner was granted his cannabis cultivation permit in June of 2019, his commercial operation was broken into and vandalized on six (6) different occasions, and there was no assistance on Petitioner's behalf from law enforcement. Petitioner alleges that he has the right to possess weapons and/or firearms at the cultivation site for self-defense. Furthermore, many tools such as knives and scissors are used in the cannabis cultivation enterprise.

9. Petitioner has a beneficial interest in the issuance of this writ of mandate, because previous to the issuance of the Order, Petitioner had a commercial cannabis license and a commercial permit from Sonoma County to grow cannabis outdoors. His cannabis business for profit has been destroyed since the issuance of the Order.

10. Petitioner has performed all conditions precedent to the filing of this petition for a writ of mandate, by exhausting all of his administrative remedies.

11. Notwithstanding Respondent's ability to exercise its discretion not to enforce the Ordinance against Petitioner, Respondent continues to do so.

12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, other than the relief sought in this petition for a writ of mandate, in that otherwise, Petitioner has been put out of business and his economic losses are difficult to quantify.

13. Respondent's actions have damaged Petitioner in a sum according to proof.

//

//

WHEREFORE, Petitioner prays:

1. That the Court issue a peremptory writ in the first instance commanding Respondent not to enforce the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), against Petitioner;
2. That the Court declare the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), to be unconstitutional;
3. For damages in a sum according to proof; and,
4. For costs of this proceeding, and for such other and further relief as the Court deems just and proper.

Dated: July 6, 2021

[redacted]

Richard Sax,
Attorney for Petitioner

VERIFICATION

I, Nicholas Bettencourt, am the Petitioner in this proceeding. I have read the foregoing Petition for Writ of Mandate, and know its contents. The facts stated therein are true, and are within my personal knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Verification was signed at Windsor, California on July 06, 2021.

[redacted]

Nicholas Bettencourt

From: Jean Hegland
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Friday, August 13, 2021 12:09:53 PM

To Whom It May Concern,
As a resident for over thirty years at 5450 Mill Creek Road, who lost her home last summer in the Walbridge Fire, I have some profound concerns regarding the implementation of cannabis cultivation in remote, water-scarce rural areas such as ours. For the safety of both people and the watersheds in which they live, it is crucial not to allow cultivation in impaired watersheds or water scarce zones 3 and 4. That is not only necessary in case of fire, but also to prevent water from being depleted from existing uses and the environment.

Additionally, cannabis should not be allowed in areas that might make evacuation in case of a fire difficult and with slow first responder response times.

Sincerely,
Jean Hegland

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: John Martin
To: Cannabis
Subject: Cannabis comments
Date: Friday, August 13, 2021 1:35:53 PM

EXTERNAL

To whom it may concern.

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

John Martin
2853 Edison St
Graton, 95444

"Life is a combination of magic and pasta"
Federico Fellini

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Judith Olney
To:	Cannabis
Cc:	Judith Olney
Subject:	Olney Input to Aug 2021 Visioning Sessions
Date:	Friday, August 13, 2021 2:25:31 PM
Attachments:	Olney Input Aug 2021 Visioning Sessions.docx DUI in Sonoma County2001to14UPDATE.xlsx

---

Visioning Session Moderators and Permit Sonoma Staff: I respect the intent of this process and have done my best to participate in real time. And, I am submitting additional information into the public record. See attached documents entitled, "Olney Input Aug 2021 Visioning Sessions.doc" and "DUI in Sonoma County.xlsx" as well as links embedded in the documents.

I support the County's Mission – and trust it will guide the development of the Comprehensive Cannabis Program: ***County Mission*** *"…to serve the people of Sonoma County … for orderly development of real property, balanced with resource stewardship under the …direction of the Supervisors … to develop/ maintain standards that protect the health and safety of the public."*

It is important that public officials provide information that complies with State law: Cannabis cultivation has been determined to be a product, not a crop. Although it is cultivated, language used may lead members of the public to conclude they do not have access to nuisance law remedies, when in fact agricultural "right to farm" protections do not apply.

Judith Olney MilestonesMet@gmail.com 415-860-4104 with two attachments

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Olney input Cannabis Program Visioning Sessions

August 12, 2021 @ 2:30 pm

Overarching comments: I respect the intent of this process and have done my best to participate in real time. And, I am submitting additional information into the public record. See attached documents entitled, "Olney input 2021 Visioning Sessions.doc" and "DUI in Sonoma County.xlsx" as well as links embedded in the documents.

I support the County's Mission – and trust it will guide the development of the Comprehensive Cannabis Program: ***County Mission*** *"…to serve the people of Sonoma County … for orderly development of real property, balanced with resource stewardship under the …direction of the Supervisors … to develop/ maintain standards that protect the health and safety of the public."*

It is important that public officials provide information that complies with State law: Cannabis cultivation has been determined to be a product, not a crop. Although it is cultivated, language used may lead members of the public to conclude they do not have access to nuisance law remedies, when in fact agricultural "right to farm" protections do not apply.

Land Use

1. What are the characteristics of places that would and wouldn't be a good fit to grow cannabis in Sonoma County?

Good Fit: Cluster indoor cannabis cultivation, processing and manufacturing operations in commercial and industrial zones, as these lands have cost effective access to power, water and wastewater infrastructure, and police protection. Clustering will also reduce safety and GHG emissions from cannabis distribution.

Not a good fit: Outdoor cannabis operations on Ag and resource zoned lands. There are multiple reasons why Sonoma County is the only Bay Area county and one of the very few (fifteen) California counties to permit outdoor cannabis cultivation. Permitting the production of this product promises tax revenue; however, the externalities in terms of water demand, additional public services and nuisance-level impacts on adjacent residences and tourist-oriented businesses cannot be reduced to less than significant.

Conditions have changed: Over 40 years of growth (1980 300K residents/ 2020 500K residents) and increasingly apparent impacts of climate disruption require the proposed EIR to be based on robust analyses of water demand, wildfire risk and changed land use patterns. Water availability plans must address the consequences of on-going drought, as increased groundwater pumping may dewater confined aquifers and impaired watersheds. Several of our Priority Groundwater Basins, regulated by the Department of Water Resources, are already over-drafted and the remaining basins are at the tipping point.

Commercial development should be prohibited in high and very high fire risk areas. Wind-driven wildfires push fire out of watersheds and into adjacent areas; thus, require broader public safety-focused land use decisions. Human activity is the ignition source for most wildfires, and Sonoma County's watershed lands do not have fire safe roads. Commercial cannabis cultivation operations are worker intensive, requiring daily ingress-egress by workers, delivery vehicles and security officers. Worker activity peaks during the September-November cannabis harvest, which coincides with the historical peak fire season, and may impede emergency vehicle ingress/egress.

7. What additional feedback would you like to provide regarding your thoughts on what would make a successful cannabis program from a land use perspective?

We trust the comprehensive EIR will address cumulative impacts, unintended consequences and projections of public infrastructure upgrade costs. Measures are required to prevent imposing taxpayer and ratepayer burdens for the short-term benefit of an industry undergoing consolidation.

Develop Environmental Setting and Baseline studies by watershed or groundwater basin and set acreage caps to prevent irreparable cumulative impacts. Sonoma County officials state that only 40 acres of cannabis cultivation has been permitted; however, a number of PRP operations are still growing absent a permit or license.

In the interim, require project-specific environmental analyses and Conditional Use Permits that integrate State permit requirements into the process upfront to determine whether required water availability, wastewater disposal and other State-required protections can be met before the applicant spends time and money on other studies.

The California Department of Food and Agriculture license requires project-specific environmental review and the requirements of several State permits. Jan – June 2021 public process demonstrated that ministerial permitting, especially the practice of issuing multiple ministerial permits to separate growers on the same parcel does not meet CEQA requirements.

The NCRWQCB 3/18/21 Letter raised both land use and water quality protection issues requiring an answer from the County. "Discharge of excess irrigation water, effluent, process water or gray water is considered **industrial wastewater and cannot be discharged to septic or land via a bio-retention treatment system**… As such, the Regional Water Board requests the County revise the requirements of the wastewater management plan to acknowledge that the discharge of cannabis cultivation wastewater to septic (or similar) systems is generally prohibited unless an appropriate waste discharge permit is sought from the Regional Water Board. However, obtaining a permit for such is unlikely: Since the adoption of the original Cannabis Policy and General Order in 2017, the Regional Water Board has yet to approve a request for such a permit."

Safety Concerns

3. **If the state allows onsite consumption, what should be the most important things we prioritize when thinking about what should be allowed?**

I support the County's ban on on-site consumption, especially in ag and resource zoned areas, and believe the county must uphold CalCannabis license restrictions on cannabis visitor serving uses.

The General Plan EIR provided another rationale why visitor-serving uses should be in cities or urban service areas versus on Ag lands: "…people who come to enjoy the wine country may create a conflict with necessary practices of land intensive farming. This "people versus practices" conflict suggests a limit to tourist activities in vineyard areas, most of which are sufficiently close to communities that have available sites for such visitor services as lodgings and restaurants."

The concept of on-site consumption and events is horrifying to those of us dealing with the traffic safety impacts of winery tourism: Until there is a test for inebriation and impaired driving – no public onsite consumption.

Road safety: The EIR must address cumulative impacts: Adding impaired cannabis drivers on the roads in addition to a known public safety impact from impaired alcohol drivers will create an unmitigable cumulative impact. Sonoma County has a DUI incidence that is higher than the State average, and the risk of fatality in DUI accidents is greater than speeding related accidents. In addition, our County's police enforcement is insufficiently funded.

GHG Consultants identified many rural roadways that are already overcapacity, and research shows that as **the capacity of a road is exceeded, traffic hazards increase.**

Given their substandard geometry, blind hills, curves, multiple residential driveways and commercial winery intersections, most of our "wine roads" experience frequent instances of vehicles crossing into oncoming traffic lanes to avoid bicyclists, farm equipment or slower vehicles. As a driver, dodging vehicles crossing into your lane or slamming on your brakes to avoid a rear-ending a vehicle backed up just beyond a blind curve does not make for a relaxing tourist experience.

The attached table. of **2001 to 2015 DUI collision data** (www.iswitrs.chp.ca.gov) shows the increased risk of dying in a DUI-related accident: Of the total 28,000 speeding-related accidents, only 83 resulted in fatalities; while of the total 9,000 DUI-related accidents, 244 resulted in DUI-related Fatalities.

4. What does successful accountability look like when it comes to safety and cannabis?
5. What additional feedback would you like to provide regarding your thoughts on what would make a successful cannabis program from a safety perspective?

Public safety is a primary responsibility of City and County government – if police protection cannot be provided within 15 minutes of a call, then operations that are an attractive nuisance for crime (cash - high value of plant in the illegal market) should not be permitted.

Need Police Sheriff Funding: The County and public safety resources are accountable for being staffed such that complaints are investigated. Need 24/7 resources. Other counties send teams with both PRMD enforcement and police back up.

Water Considerations

1. What are the most important water resources we need to protect?

Water is our most precious public trust resource, and now is the time for the County to both plan for current and future uses and address cumulative impacts. Multiple reports already show chronic overdraft in impaired watersheds and priority groundwater basins. In addition to projections based on historic use, develop modeling scenarios that plan for multiple dry-years and hotter temperatures.

The County must conduct an independent Water Resource Availability Study for each groundwater basin or watershed, ensuring supply for all current permitted uses, setting acreage caps and other measures to protect against continued groundwater overdraft.

Water demand is based on inches of irrigation/ year or acre-feet – water should never be allocated based on the profitability of the product produced.

Cultivation of the Cannabis product has relatively high-water use; thus, to protect neighboring wells and prevent groundwater overdraft, it is important to retain the 1-acre of plant canopy maximum on each permit.

Irrigation demand estimates from Sonoma and Napa counties used two different methodologies, yet came out with relatively similar water demand projections. Sonoma used the range from 25 to 35 inches per harvest/year, a demand similar to tomatoes or hops. Napa used the methodology cited below, resulting in an estimate of 40 inches of irrigation and processing/harvest/year. These estimates translate to 2.9 to 3.38 acre-feet/harvest/year or 952,000 to 1.1 million gallons/ harvest/ acre/ year.

The Cannabis Program EIR may want to use the Napa study assumptions below which calculate water use for both cultivation and processing.

Napa study Water Use from Page 17: Napa's methodology resulting in 40 inches of irrigation/year was based on, "A review of a number of studies and articles regarding water usage for cannabis cultivation (xv) suggests that it **takes around 250 gallons of water to produce one pound of dried cannabis flower**. For our cannabis productivity projections, we commonly assume that it takes 10 square feet of canopy to produce one dried pound of cannabis outdoors.

By this measure, one acre (43,560 square feet) of cannabis plants should yield around 4,356 pounds of dried flower. Applying the figure of 250 gallons of water per pound, the total water consumption for an acre of cannabis production would be around 1,100,000 gallons per year, or 3.38 acre-feet per year (AFY).xvi

By comparison, one acre of vineyard irrigation uses 0.2 to 0.5 AFY per acre (65,170 to 162,295 gallons), and primary residences use 0.5 to 0.75 AFY. xvii

The County should heed the findings of the Napa Report

https://www.winebusiness.com/content/file/9111_Report_082019.pdf

Cumulative water demand must be assessed: Many operations harvest 2-3 times annually, the County must determine cumulative impact for current permitted acreage at 1-3 million gallons/acre/year, assess water availability and then set acreage caps by watershed or groundwater basin.

Water related permitting criteria should exclude water scarce groundwater zones 3 and 4 and impaired watersheds. Catchment basins are not adequate mitigation as water scarce areas have confined aquifers subject to overdraft and reduced groundwater replenishment.

2. What would a successful cannabis operation look like that protects our water resources?

For new cannabis permits in ALL groundwater zones, use permit conditions must follow the State Agency requirement that hydrogeologist reports, in addition to well pumping tests, are necessary to determine long-term water availability. All tests and reports are to meet industry standards and performed under the direction of licensed professionals.

Per the GP Ag Resource Element, a new commercial cannabis use would constitute a detrimental concentration, triggering denial, if the well draws from the same aquifer or is located within the zone of influence of area wells. Must be adequate protection against well interference. Deny a new use permit if the hydrogeology report demonstrates the project water demands draw from the zone of influence of neighboring wells or if there is any drawdown on neighboring wells.

The Department of Water Resources criteria applicable to priority groundwater basins should apply to all new use permits. Hydrogeologic report prepared by a qualified professional must demonstrate and conclude that commercial cannabis water use will not result in 1. . Chronic lowering of groundwater levels; 2. Reduction of groundwater storage; 3. Seawater intrusion; 4. . Degraded water quality as may happen with recycled water; 5. . Land subsidence; or 6. Depletions of interconnected surface water.

Require verified reports that meet all water use requirements of the State Water Resources Control Board, including demonstration of long-term water availability.

No trucking of water to cannabis operations, as long-term availability of on-site water supply must be proven. No recycled wastewater trucking as the nitrates and other unprocessed chemicals may degrade confined aquifers, impairing the health of residential well users.

3. What would successfully protecting natural habitats and species look like when it comes to cannabis cultivation?

The California Department of Fish and Wildlife's (CDFW) March 18, 2021 letter warned that Sonoma County has a high density of sensitive species, essential habitat areas and over-drafted groundwater basins that require State regulatory oversight. Thus, the siting and permitting of cannabis cultivation in Sonoma County will continue to be limited.

The EIR must assess impacts to wildlife and public trust resources. A significant concern are hoop houses and other uses of plastic in our natural environment. We trust the EIR will address the issues raised in this CDFW study on the impacts from cannabis cultivation to fish and wildlife.

5. What would successful water conservation efforts for cannabis cultivation look like in normal years?

All water users must conserve to the full extent possible in all years.

Net Zero Water Plans and the viability of catchment basins have not been adequately studied – they may interfere with groundwater recharge and impact neighboring wells: Conservation mitigation is not enforceable, especially given water self-reporting. Studies must verify that conservation or catchment can reduce a water demand of over 1 million gallons per acre per harvest to 'net zero' – these types of mitigations are not allowed under CEQA.

8. **What additional feedback would you like to provide regarding your thoughts on what would make a successful cannabis program from a water perspective?**

Limiting cannabis operations to commercial and industrial zoned lands is important as these areas can be served by water and wastewater facilities. The EIR must assess increased public costs for public utilities, such as the need to upgrade water supply and conveyance facilities, wastewater treatment plants, landfills and compost facilities. The County has many separate Sanitation Districts, some with limited capability to deal with industrial waste streams, such as pesticide residue or high organic constituents from hydroponic operations that generate large quantities of wastewater.

Water Quality Control Board requirements are another reason to cluster cannabis cultivation, processing and manufacturing on commercial or industrial zoned land with adequate wastewater treatment facilities. The EIR must assess County and city investments in upgrades to accommodate treatment of excess irrigation water or industrial process water at many existing wastewater treatment plants.

Wastewater discharge is a significant issue and unmitigated impact. The County's current permitting requirements do not appear to comply with NCRWQCB requirements, which prohibit discharge into septic systems or on-site treatment systems primarily used on Ag land.

NCRWQCB requirements are another incentive to cluster cannabis cultivation, processing and manufacturing on commercial or industrial zoned land with adequate wastewater treatment facilities. The EIR must assess County and city investments in upgrades to accommodate treatment of excess irrigation water or industrial process water at many existing wastewater treatment plants.

March 18, 2021 NCRWQCB Letter – Page 4: "The Cannabis General Order implements general and specific requirements for cannabis cultivation activities, as listed in Attachment A of the Cannabis Policy. General Term 27 of Attachment A prohibits the discharge of industrial wastewater (e.g. excess irrigation water, effluent, process water, or graywater) to an onsite wastewater treatment system (e.g. septic tank), to surface water, or to land (e.g. via irrigation or bio-retention treatment systems) without a separate individual or general permit from the Water Boards.

Separate waste discharge requirements (i.e. an individual or general permit) or waiver thereof can be sought for the discharge of cannabis wastewater into a septic system or to land. **However, it is unlikely the Regional Water Board would issue such a permit. Since the adoption of the original Cannabis Policy and General Order in 2017, the Regional Water Board has yet to approve a request for such a permit.** Additionally, the Water Boards consider excess irrigation water, effluent, and process water from commercial cannabis cultivation to be industrial process waters, which are prohibited to be discharged to onsite wastewater treatment systems (OWTS) by the Water Boards OWTS Policy. As such, the Regional Water Board requests the **County revise the requirements of the wastewater management plan to acknowledge that the discharge of cannabis cultivation wastewater to septic (or**

similar) systems is generally prohibited unless an appropriate waste discharge permit is sought from the Regional Water Board."

Visual Considerations

1. **What do you value about the look and feel of Sonoma County that we should be protecting when considering where cannabis cultivation is located and how it is operated?**

   Our General Plan has goals for city-centered growth, protection of our agricultural resources and preservation of rural character. Authentic rural character is Sonoma County's differentiating asset – multiple surveys have found this is the primary reason tourists visit Sonoma County. Our scenic landscapes give us a competitive advantage; thus, the quality of the tourist experience is an economic imperative.

   In setting cannabis program policy, Sonoma County supervisors need to make an informed decision based on potential impacts to assets valued by visitors: 1) a quality wine experience; 2) scenic beauty; and 3) rural character and small-town charm.

   Businesses with large scale buildings and parking lots already disrupt the visual landscape – this current reality must be factored into visual impact cumulative impact analyses before cannabis operations are sited throughout the landscape.

   Siting criteria and visual mitigations must be rigorously applied before our ag lands experience irreparable impacts. Again, the EIR must assess the cumulative impacts to ag zoned lands from non-crop commercial and visitor serving development – our Ag and open space lands are dying the death of 1000 cuts. For example, the General Plan EIR projected 239 winery/tasting rooms on ag land by 2020; yet, the County has approved close to 500 commercial tasting or processing establishments. Analyses conducted in 2016 revealed upwards of 2,500 use permitted events, winery and tasting room building sizes more than double the size assumed in the Gen Plan EIR, and that large scale parking lots, taking land out of Ag production, were not even assessed.

2. **What are the types of places where cannabis cultivation would detract from the visual beauty of our county?**

Throughout the open space and rural landscapes so valued by Sonoma County citizens who have repeatedly voted for taxes to pay for open space and parks, and overwhelming supported community separators.

By definition a landscape interrupted by industrial-looking cannabis operations and ever more intensive commercial uses will degrade rural character. Rural Character can be defined as … encompassing open space and agrarian landscapes, with low density, low intensity development, and yielding low traffic volumes.

3. **What are the characteristics of the types of places where cannabis cultivation, supply chain, and retail operations wouldn't be a good fit?**

Sonoma County's commercial cannabis program must rest on the foundation of environmental and fiscal impact review – including potential impacts to the wine industry and tourism.

Not in the "view or odor-scape" of existing, permitted hospitality-related businesses -the pungent "skunk-like" odor drifting to tasting areas may detrimentally impact their business; thus, the EIR must determine adequate setbacks from property lines.

At a March 2nd Napa hearing, Napa's Farm Bureau, vintner, grape grower and *Visit Napa Valley* organizations strongly supported their Supervisors' decision to deny commercial cannabis cultivation on ag and watershed lands. Napa's leaders commissioned a thorough study and made a finding that cannabis cultivation poses a threat to both vineyard and tourism businesses.

Additional research is needed on potential conflicts between vineyard and cannabis cultivation; minimal 100-foot property line setbacks are likely ineffective. Napa's and Santa Barbara's grape growers have identified reasons why vineyard operator conflicts with cannabis cultivation, resulting in vineyard operators having to change to less effective farming practices and compete for increasingly scarce water resources.

4. What does successfully separating cannabis cultivation operations visually from the surrounding area look like? What would a cultivation site that isn't separated well look like?

Both separation and scale are important mitigations: Retain the 1-acre maximum size limit: Scenes from Santa Barbara with acres of industrial-scale developments, many with unsightly plastic hoop house structures, demonstrate the potential degradation of our scenic landscapes, and potential depletion of localized water resources by high water-demand cannabis operations.

6. **How do you think successful reporting, monitoring, and accountability would look regarding the visual aspects of all parts of the cannabis supply chain**?

One area of accountability has to do with the consolidation of the cannabis industry and the possibility of operator bankruptcy. Accountability means the County requiring the posting of a $50k mitigation bond upon issuance of each permit to cover the costs of removing structures, fencing and trash if the operator abandons a site.

7. **What additional feedback would you like to provide regarding your thoughts on what would make a successful cannabis program from a visual perspective**?

If County officials will not heed warnings from the residents who are most impacted by the commercialization of Ag land, Supervisors' may heed the warnings from the 2016 Silicon Valley Bank report relative to unintended economic impacts of a degraded tourist experience.

Please heed the warning of financial experts: "My belief is that tourists come to wine country because it is beautiful. … If wine country gets crowded and loses its charm – whether from locals or from tourists – we will be killing the goose that laid the golden egg."
Source: EVP Rob McMillan - Wine Division, Silicon Valley Bank – Advisor/Lender to the California wine industry

California Highway Patrol Sonoma County accident statistics

	Year	DUI accidents	DUI fatalities	DUI injuries	Speeding accidents	Speeding fatalities	Speeding injuries
	2001	699	25	443	2,164	9	1,426
	2002	664	20	426	2,309	3	1,341
	2003	645	22	429	2,309	8	1,398
	2004	684	21	400	2,225	2	1,284
	2005	626	23	369	2,138	11	1,267
	2006	588	15	348	1,877	7	1,044
	2007	696	21	340	1,829	2	978
	2008	600	20	307	1,549	2	848
	2009	594	11	318	1,604	11	944
	2010	475	14	243	1,670	4	1,013
	2011	518	2	248	1,613	2	942
	2012	538	2	300	1,429	5	922
	2013	544	9	257	1,653	2	1,104
	2014	588	16	298	1,695	8	1,038
	2015	594	17	303	1,527	6	977
5 months only	2016	258	6	127	737	1	472
totals		**9,311**	**244**	**5,156**	**28,328**	**83**	**16,998**
per cent of accidents causing death			*3%*			*0.29%*	
per cent causing injury		*600.71*		*55%*	*1,888.53*		*60%*

Note: DUI fatalities percentage wise are 10 times those of speeding.

		DUI Related Fatalities	
		327	0.74617737
	14 yr total	297	0.74410774

SOURCE: http://iswitrs.chp.ca.gov/Reports/jsp/userLogin.jsp
CHP Statistics for 2001 to 2014 % of Total Crashes with Fatalities

SOURCE: 2013 CHP Statewide Integrated Traffic Records System (SWIRTS) Report

	2009	2010	2011	2012	2013	5 yr Avg
Sonoma Total Injuries	2072	1976	2063	2040	2217	
Sonoma DUI Related	291	238	246	277	264	
DUI % of Total	14.04	12.04	11.92	13.58	11.91	12.70
CA Total Injuries	232777	229354	225602	226544	223128	
CA DUI related	17976	16884	16568	16615	16060	
% of Total	7.7	7.4	7.3	7.3	7.2	7.38

From: Joe
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 1:15:49 PM

Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the cannabis industry.

We are not only in a drought, climate change is impacting us on many levels both obvious and also not yet realized.
We need long term vision here, not business as usual thinking. We must realize our biosphere is changing and what we once took for granted as stable, is no longer so, eg.fires, droughts are much more severer just to name the obvious. What other problems are be lurking out there?

EIR is crucial for us all
As Supervisors, you have a greater responsibility to everyone who lives, works and visits this beautiful county, not just the cannabis producers.

Also, I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Thank You
Joe Pereira and Theresa Beldon

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Jared Rivera
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 7:19:16 PM

EXTERNAL

Greetings, Jared Rivera here writing on behalf of my family.

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: judith Rousseau
To: Cannabis
Subject: Cannabis EIR
Date: Friday, August 13, 2021 2:30:12 PM

Supervisors:

Please limit cannabis cultivation to areas in the county that will not affect watersheds, wildlands, suburban and rural neighborhoods and riparian and other sensitive habitats.

A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry. Foresight from our leaders is crucial during this tenuous time in human history.

Sincerely,

Judith Rousseau
Graton

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Janet Waring
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 3:35:57 PM

Dear Board of Supervisors,

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Additionally, concerns about crime need to be addressed. Cannabis grows and neighborhoods are not compatible because of the numerous safety issues that come with a highly valuable product that is easily resold. Growers are arming themselves because their commercial operations are valued in the millions of dollars and it's a cash business.

Thank you,

Janet Waring

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Janet
To: Cannabis
Subject: Thoughts on cannabis cultivation in Sonoma County
Date: Friday, August 13, 2021 7:43:13 PM

Hi there -

I'd like to share my thoughts on the proposed cannabis cultivation in Sonoma County.

Cannabis cultivation and processing should be limited to areas that do not create safety, odor, noise, and light nuisances to residents. They should not be in high fire risk zones or areas with neighborhoods and families. They should not be in public view. Cannabis production should only be permitted in designated commercial or industrial zoned land. There should be full transparency on the process for permits, with clear regulations that must be met in advance. There needs to be a process and funds to ensure continued compliance (e.g. surprise visits) and the ability to revoke permits for repeat offenses.

Thank you for considering my point of view.

best,
Janet

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kent Dellinger
To: Cannabis
Subject: County cannabis input
Date: Friday, August 13, 2021 6:07:49 AM

As a homeowner in Sonoma County for over 20 years, we recognize non traditional industries are needed to add to the county's tax base. But many factors need to be considered for cannabis cultivation:
-quality of life impacts. Commercial cultivation should not be placed in residential areas. Instead, farms should be limited to industrial/commercial zoned areas.
-access to water. Farms should be limited to areas with sufficient water which will not deplete areas with wells that support residential use.
-transportation access. Farms should be restricted from areas that do not support close access to freeways, rail or other commercial distribution. Quality of road surfaces in Sonoma County is a current problem. Additional commercial use in residential areas must be considered.
-safety and security. Cannabis cultivation requires heightened security factors. Farms need to be limited to areas that can support this and not impact residential areas negatively.

Thank you for your thoughtful consideration of these issues.

Kelly and Kent Dellinger
2864 Bardy Rd
Santa Rosa
Sent from my iPhone

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Kelsey Nicholson
To: Cannabis
Subject: PUBLIC COMMENTS
Date: Friday, August 13, 2021 5:49:55 PM

Dear Sonoma County Board of Supervisors:

I wanted to add a few comments in addition to my participation during the Town Hall meetings this week.

I urge you adopt a moratorium on any decision making regarding cannabis in our county until a full Environmental Impact Report can be completed.

The county needs to address the following issues, especially regarding rural residential and denser rural township areas where the impact to residents is greater.

- Noise impact
- Odor impact
- Water use impact especially within rural residential areas.
- Water use impact reports that project long term usage with climate change models to address our drought realities and fragile aquifers.
- Wildlife impacts from land use, noise, artificial light, and traffic.
- High risk fire zone issues.
- Traffic issues in both safety and road accessibility issues
- To prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that:
    - do not create noise and odor nuisances for residents
    - are not in public view
    - are not in impaired watersheds
    - do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads.
- Permit cannabis processing only on designated commercial and industrial zoned land.
- Any new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.
- Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Thank you for your time and arranging public input.

Kelsey Nicholson
6691 Moro St.
Bloomfield (Petaluma), CA 94952

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Laurel Anderson
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 1:24:03 PM

To the Cannabis Commission and County Representatives:

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. As a resident of Palmer Creek outside of Healdsburg, we have already been personally impacted by development proposals that would go into our high fire risk, ecological sensitive, and impaired watershed area, where there is nothing like it in the neighborhood. Not only would such development be completely out of step and incompatible with our neighborhood, it would also increase the risk to our safety and demands on water in unacceptable ways. We need our government to create common sense rules about appropriate locations for cannabis cultivation, as our situation has been a case study in how that hadn't happened yet.

Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Best,
Laurel Anderson
Healdsburg, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Chris Stover & Lorraine Bazan
To: Cannabis
Subject: Comments for Visioning Workshops
Date: Friday, August 13, 2021 4:45:48 PM

EXTERNAL

Please ensure that cannabis cultivation and processing is only allowed in locations that do not create noise and odor nuisances for residents. In addition, cannabis operations should be prohibited in wetlands, environmentally sensitive lands, impaired watersheds or water scarce areas.

Cannabis processing should be designated to commercial and industrial zoned land. This will ensure that crime does not increase in rural areas where police resources are not readily available.

It is critical to assess cannabis cultivation in terms of cumulative impact, particularly as Sonoma County like many other neighboring counties, experiences increasingly arid conditions because of climate change and water scarcity.

Please adopt a moratorium until an EIR to assess environmental conditions has been completed and appropriate standards can be determined for a cannabis industry.

Sincerely,

Chris Stover
Lorraine Bazan
1357 Ferguson Road
Sebastopol, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Lindsay Blyth
To: Cannabis
Subject: A Letter Regarding Ordinance Updates
Date: Friday, August 13, 2021 3:27:49 PM
Attachments: Elyon-OrdinanceUpdateResponse08.2021.pdf

EXTERNAL

Hello,

We at Elyon Cannabis wanted to share a letter we have written to give input on the current proceedings within the County.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Thank you,

Lindsay Blyth

Elyon Cannabis
5355 Skylane Blvd Ste A
Santa Rosa, CA 95403

Dear Sonoma County Supervisors,

We are a local cannabis company that grows organic, outdoor flowers exclusively in Sonoma County. We have a vested interest in the future of the County and the ordinances that are being discussed. Since we have years of experience in the industry, we are a professional group who understands the importance of this ordinance revision, and have a deep knowledge of the industry and how it impacts where we live.

Unfortunately, it seems there has been quite a bit of misinformation and fear mongering being spread throughout the County with the goal of sidelining the cannabis ordinance update, and controlling the narrative. It has been difficult to refute biased and misleading information via a chatroom over Zoom, and we would like to be very clear about our intentions and who we are publicly.

Under the Elyon Cannabis brand, we are independently owned business operators who are residents of Sonoma County. We are job creators for Sonoma County, and are proud of where we live and work. We want nothing but the best for the County, and the cannabis industry within it. We aspire to create a level competitive playing field with other cultivators in the state of California so that Sonoma can be recognized as producing the best outdoor grown cannabis, bolstering our already healthy tourism industry.

Following are key points that we would like to ensure are taken into account as cannabis ordinance EIR process moves forward:

1. All prior letters, email communications, and cannabis ad hoc committee member notes provided over the past two years to the county, the board of supervisors, PRMD and the board of commissioners for the process of the cannabis ordinance update should be made a part of the EIR so as not to lose all of the efforts previously put into the cannabis ordinance update already undertaken by the board of supervisors cannabis ad hoc committee.
2. The prior draft cannabis ordinance should be the foundation of any ordinance update moving forward. Updates or revisions should only be made in consideration to any special findings in the EIR.
3. Any and all potential mitigations that cultivators can implement must also be taken into consideration with respect to any special findings in the EIR.
4. Cannabis cultivators are subject to multiple layers of state regulations and enforcement through the Department of Cannabis Control *(Formerly CDFA CalCannabis, Bureau of Cannabis Control and California Department of Health separately regulated cultivation, manufacturing and distribution now merged to DCC),* in addition to California State Water Resources Control Board and Department of Fish and Wildlife which provide stringent environmental oversight. The County should seek to align as closely with state regulations that are already in place and effective to maintain streamlined inspections and enforcement systems.
5. Cultivators are currently subject to having biotic resources studies, cultural resource studies, and hydrogeological resource studies. The reports provided by qualified professionals for the permitting and state licensing process for cultivators should drive where cannabis is located on a site-by-site basis. If a cultivator can provide mitigations - such as eliminating some other irrigation use on a property - for “Net Zero” classification in Zone 3 or 4 water areas, this should be taken into consideration as a positive land use.

5355 SKYLANE BLVD, SUITE A SANTA ROSA, CA 95403
707.709.6040 OFFICE@ELYONCANNABIS.COM
ELYONCANNABIS.COM

6. The alignment of county regulations with state regulations to allow for temporary hoop structures, tarps and low wattage lighting as in Tier 1 Mixed Lighting classification should be allowed so that cultivators can protect their crops from contaminants and help provide the best quality possible. Sustainable farming practices to increase product quality and yields can set Sonoma County at the forefront of a developing industry as a major player.
7. Hoop structures help to mitigate odor drift and improve security through visual screening of cannabis crops. For these same reasons hoops structures should be required for outdoor cultivation and allowed to be kept up for longer than 180 days.
8. Sonoma County's seal reads "Agriculture, Industry, Recreation" therefore all agriculture including cannabis should be provided by the county a fair and equitable set of regulations and path to permitting that is not mired down by politics.

Respectfully,

The team at Elyon Cannabis

5355 SKYLANE BLVD, SUITE A SANTA ROSA, CA 95403
707.709.6040 OFFICE@ELYONCANNABIS.COM
ELYONCANNABIS.COM

From: Lisa Mathiesen
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 7:19:02 PM

EXTERNAL

To Whom It May Concern:

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Thank you for your thoughtful consideration of these issues,

Lisa Mathiesen
PO Box 94
Graton, CA 95444

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Lorrane Knapp Pascarella
To: Cannabis
Subject: Letter attached Cannabis Ordinance update
Date: Friday, August 13, 2021 1:52:44 PM
Attachments: Cannabis EIR letter LKKP.pdf

EXTERNAL

Hello. Please see attached letter regarding the Sonoma Couty cannabis ordinance.

Thank you

Lori Knapp Pascarella

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Lori Pascarella
636 Sunny Manor Way
Santa Rosa, CA 95403

August 13, 2021

Sonoma County Permit Resource Management Department- Cannabis
4550 Ventura Blvd
Santa Rosa, CA 95403

RE: Cannabis ordinance update

Dear Sonoma County Board of Supervisors and PRMD Cannabis staff,

Hello. I am a resident of Sonoma County since 1997 who up until 2019 worked in the wine industry here before transitioning to working in the cannabis industry. I see cannabis where the wine industry was when I first moved here. Sonoma was becoming the premier wine appellation in America, second in recognition only to Napa. The Board of Supervisors and PRMD staff hold in their hands the ability to foster a great economic future with jobs growth, and increased tourism directly in association with the cannabis industry. Or, potentially kill the industry by not drafting an ordinance that is fair and equitable to both cannabis cultivators, and Sonoma county residents.

The work put in over the past nearly two years by the Board of Supervisors Cannabis Ad Hoc committee created a good working draft ordinance. All information that was part of generating said draft ordinance must be made part of the record for the EIR process so the County can waste as little time, and resources as possible while it moves forward with the EIR and ordinance update. The Sonoma County cannabis industry has already been penalized long enough by County's continued delays in updating the cannabis ordinance.

Cannabis cultivators are already subject to more oversight than any other industry through local and state regulatory requirements, permitting/licensing requirements, and inspections and enforcement from all of the following agencies: California State Water Resources Control Board, CA Department of Fish and Wildlife, the Department of Cannabis Control (Consolidated state regulatory entities CDFA CalCannabis, Bureau of Cannabis Control and CA Department of Health Cannabis division) the CA Department of Pesticide Regulations; Sonoma County Department of Agriculture, Weights/Measures; and, Sonoma County PRMD Code Enforcement.) Making any of this process more complicated for cannabis cultivators in Sonoma County would be a significant disservice to the county, it's residents and the cannabis industry.

Existing processes and pathways to permitting and licensing should be made simpler, and align as closely with the state as possible. All capabilities available to cultivators in other jurisdictions should be available to Sonoma County cultivators so that they may compete on a level playing field. This includes use of temporary hoops structures, and practices allowed in the state's Tier 1

Mixed Lighting category. The County should have all cultivation practices in the new ordinance, corresponding to the state ordinance.

Existing riparian, residence and property line setbacks and slope requirements are more than adequate and should not be changed as they already severely restrict potential cultivation sites within the county. The zoning restrictions, and the requirements of biotic resource studies, hydrogeological resource studies and cultural resource studies should be what is used to decide feasibility of a proposed cannabis site. This is more than adequate means to meet CEQA requirements and ensure sites are appropriately located.

If a site is proposed in Zone 3 or Zone 4 groundwater, then hydrogeological studies should show “Net Zero " increase in groundwater use either by replacement of existing agricultural uses with cannabis, or use of recycled water for irrigation. The land owner should be allowed to determine if they are willing to remove orchards, vineyards or other crops and supplement with cannabis cultivation, and should not be restricted from diversification of agricultural uses on their land in order to be more sustainable. Cannabis as an agricultural crop should be afforded the same considerations as all other agriculture as provided in the RIght to Farm act.

With respect to concerns over water availability, and land use concerns; the county absolutely must stop rezoning agricultural designated lands in order to increase residential developments. This is far more damaging to Sonoma County resources than cannabis cultivation could ever be.

Respectfully,

Lori Pascarella

From: Mindy Barrett
To: Cannabis
Subject: cannabis permits
Date: Friday, August 13, 2021 12:19:22 PM

Board of Supervisors,

We are extremely concerned about the permitting process for cannabis, particularly in Franz Valley.

There are currently 4 applications for 3 adjacent parcels with one owner that seem to be under a loop hole in the process. They should be required to have public notice, public hearing and EIRs.

We are in an area with marginal ground water. Will there be studies on how local wells will be affected. Who will pay if wells go dry. After all, we are in a major drought.

We live in a small valley with swirling wind currents. Will there be a study to determine if there will be odor, pesticides, fertilizers or other hazardous materials in our air?

Our 3 narrow roads are County designated Scenic By-Ways. I can't imagine hoop structures and odors enhancing the drive.

Will there be a traffic study on increased traffic?

We are in a hazardous fire zone. What will be released into the air if a fire should burn acres of cannabis?

Have there been studies on the impact of crime in other areas? It would take a sheriff 30 minutes to respond here.

Do you have a breathalyzer or other method to check for cannabis use?

How often will the county check sites for compliance and will they be by appt. or surprise visits?

Will there be postings and follow up for violations?

Will the county have enough staff to do the job as promised?

How will you monitor CASH flow to gather the taxes you're hoping will come?

Is the revenue and cannabis industry clouding and putting pressure to accelerate the

permitting process before it's fully examined?

What is the hurry? Wouldn't it be prudent to see what other counties are dealing with and learn from their mistakes?

Who will be held resonsible if air is tainted, water polluted or wells go dry to name a few possibilities? It will be easier to do it right than to try and fix it later. The residents of this county deserve this to be a thoughtful process.

Thank You,
Brad and Mindy Barrett

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don’t know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mike Baldus
To: Cannabis
Subject: objection
Date: Friday, August 13, 2021 3:03:54 PM

Respectfully, please limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not located in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire-safe roads.

Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

I am completely opposed to growing, selling and consuming cannabis as it is an addictive and psychoactive drug. However, if there is going to be cannabis grown in our county, I urge clear and restrictive limitations on its cultivation and sales.

Thank you for considering my point of view as a taxpayer and long-time Sonoma County resident.

Mike Baldus
Sebastopol Resident

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Marshall Behling
To: Cannabis; THOMAS ABRAMS
Subject: Re: Cannabis Management
Date: Friday, August 13, 2021 6:47:46 AM

Tom & Anne: This is so well written! Thank you for your efforts.

The visioning sessions have been so frustrating. The County's questions are focused solely thru the cannabis lens rather than the neighborhood compatibility lens. Every question asks how we can accommodate cannabis, not how cannabis can be regulated to lessen negative compatibility issues and use of resources.

The cannabis industry acts both entitled and victimized that they aren't getting their way. The cannabis people have not recognized their impacts and how they can mitigate them. This one enlightenment in their industry would have made their access easier and we all wouldn't have to be spending our time defending our right to health, safety and welfare in our homes. Supervisor Rabbitt on a radio show with pro-cannabis people, said as much. That their life would be easier if they wouldn't try to locate next to residential uses!

MB

On Thursday, August 12, 2021, 10:53:07 PM PDT, THOMAS ABRAMS <tga3seb@comcast.net> wrote:

Thank you for extending the opportunity to comment on integration of cannabis operations within the County.
This is a complex challenge, requiring consideration of concerns of a variety of disparate perspectives. I do not envy those charged with finding a way to balance those.
Our belief is that insofar as possible, cannabis cultivation should be restricted to areas removed from residential properties, and restricted in industrially zoned areas. We are especially concerned about the very high water demands of grow operations in areas where that demand has high potential to negatively affect nearby wells. We believe it is imperative that any permitted or proposed grow operation must be contingent on evidence that adequate water exists for the operation without endangering water supplies of neighboring wells. We believe for example that physical inspections of grower identified water sources be conducted prior to permit issuance or re issuance.
Further, it is absolutely essential that when policies and regulations are drafted and implemented that they be applied rigorously and consistently and effectively enforced. We are well aware of the County's failure to respond to extensively documented violations of permit conditions and it's abject failure to apply meaningful sanctions in the face of repeated non compliance by a grower.
This repeated indulgence of non compliant activity serves not only to invite additional violation, but corrodes reasonable expectations of residents that the regulatory mechanisms are anything but window dressing and a charade.

We do not possess the technical, engineering and other analytical skills and knowledge to offer specific procedures to ensure that grow operations are sited and operated in environmentally sustainable and responsible fashion. We believe that expertise is, or should be, the province of the County authorities, and we believe it is incumbent on the County do develop those policies and practices and to ensure they are complied with.
Thank you for your consideration of these views.
Tom and Anne Abrams
1702 Barlow Ln.
Sebastopol

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Marshall Behling
To:	Cannabis
Subject:	Security/Safety visioning session - Robbery threat to growers is real according to lawsuit
Date:	Friday, August 13, 2021 7:46:45 AM
Attachments:	Claim against PRMD for weapons violation.pdf

The attached legal filing from July 6th demonstrates how concerned cannabis growers are of the threat they live with daily because of the high dollar value of their grow and the increased chance that they will be robbed.

Cannabis grows and neighborhoods are not compatible because of the numerous safety issues that come with a highly valuable product that are easily resold.

The grower, Nicolas Bettencourt, alleges that his cannabis operation was broken into six times and there was no assistance from law enforcement. Growers are arming themselves because their commercial operations are valued in the millions of dollars and it's still a cash business. The county tried to mitigate this threat by requiring significant security infrastructure at the permitted site. The County then tried to mitigate the threat to neighbors by banning firearms and weapons. This obviously hasn't worked for the growers who feel threatened and neighborhoods who are being threatened.

The grower in our neighborhood has armed himself and periodically discharges his guns in the middle of the night. This suggests even more strongly that cannabis needs to be located far away from residences. Industrial/commercial zones are a solution.

Reference: Nicolas Bettencourt vs. Sonoma County, BOS, PRMD and Code Enforcement

Thank you for your consideration, MB

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

FW-003 Order on Court Fee Waiver (Superior Court)

Clerk stamps date here when form is filed.

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/14/2021 1:35 PM
Arlene D. Junior, Clerk of the Court
By: Angela Mendia, Deputy Clerk

(1) Person who asked the court to waive court fees:
Name: Nicholas Bettencourt
Street or mailing address: 218 Pleasant Avenue
City: Santa Rosa State: CA Zip: 95403

(2) Lawyer, if person in (1) has one *(name, firm name, address, phone number, e-mail, and State Bar number):*
Richard Sax 80632
Law Office of Richard Sax
P.O. Box 1236
Santa Rosa, CA 95402

707-525-1824

Fill in court name and street address:
Superior Court of California, County of
Sonoma
600 Administration Drive
600 Administration Drive
Santa Rosa, CA 95403
Civil Division

(3) A request to waive court fees was filed on *(date):*

☐ The court made a previous fee waiver order in this case on *(date):*

Fill in case number and name:
Case Number:

Case Name:
Bettencourt v. Sonoma County

Read this form carefully. All checked boxes ☑ are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for **$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

(4) After reviewing your: ☒ *Request to Waive Court Fees* ☐ *Request to Waive Additional Court Fees*
the court makes the following orders:

Submitted for judicial review more than 5 days after filed. Application is deemed granted by operation of law. Govt Code 68634.

a. ☒ The court **grants** your request, as follows:

(1) ☐ **Fee Waiver.** The court grants your request and waives your court fees and costs listed below *(Cal. Rules of Court, rule 3.55 and 8.818.)* You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department
- Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835

[redacted] 7/14/2021

(2) ☐ **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. *(Cal. Rules of Court, rule 3.56.)* You do not have to pay for the checked items.

☐ Jury fees and expenses
☐ Fees for court-appointed experts
☐ Other *(specify):*
☐ Fees for a peace officer to testify in court
☐ Court-appointed interpreter fees for a witness

Your name: Nicholas Bettencourt

Case Number:

b. ☐ The court **denies** your fee waiver request because:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

(1) ☐ Your request is incomplete. You have **10 days** after the clerk gives notice of this Order (see date of service on next page) to:

- Pay your fees and costs, or
- File a new revised request that includes the incomplete items listed:
  ☐ Below ☐ On Attachment 4b(1)

(2) ☐ The information you provided on the request shows that you are not eligible for the fee waiver you requested for the reasons stated: ☐ Below ☐ On Attachment 4b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Superior Court)* (form FW-006). You have **10 days** after the clerk gives notice of this order (see date of service below) to:

- Pay your fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. *(Use form FW-006 to request hearing.)*

c. (1) ☐ The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about the questions regarding your eligibility that are stated:
☐ Below ☐ On Attachment 4c(1)

(2) ☐ Bring the items of proof to support your request, if reasonably available, that are listed:
☐ Below ☐ On Attachment 4c(2)

Your name: Nicholas Bettencourt

Case Number:

Name and address of court if different from above:

Hearing Date → Date: _____ Time: _____

Dept.: _____ Room: _____

Warning! If item c(1) is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay your fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

Date: _____

Signature of (check one): ☐ *Judicial Officer* ☐ *Clerk, Deputy*

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and *(check one)*:

☐ I handed a copy of this Order to the party and attorney, if any, listed in (1) and (2), at the court, on the date below.

☐ This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in (1) and (2), from *(city)*: _____, California on the date below.

☐ A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy

Name: _____

This is a Court Order.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
Richard Sax, 80632 Law Office of Richard Sax 448 Sebastopol Avenue Santa Rosa, CA 95401 ATTORNEY FOR (Name): Petitioner	(707)525-1824 Ext 18 Ref. No. or File No.	ELECTRONICALLY FILED Superior Court of California County of Sonoma 8/5/2021 10:38 AM Arlene D. Junior, Clerk of the Court By: Branden Rasmussen, Deputy Clerk
Insert name of court, judicial district or branch court, if any: Sonoma 600 Administration Dr. Santa Rosa, CA 95403-2818		
PLAINTIFF: Nicholas Bettencourt		
DEFENDANT: County of Sonoma Board of Supervisors, et al.		
PROOF OF SERVICE BY MAIL		CASE NUMBER: SCV-268744

BY FAX

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 1400 N. McDowell Blvd, Petaluma, CA 94954.

On 07/14/2021, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCP 4(e)(2)(B) or FRCP 4(h)(1)(B) was made (if applicable), I mailed copies of the:

Civil Case Cover Sheet, Summons Issued, Petition for Writ of Mandate, Memorandum of P&A's in Support of Application for Writ of Mandate, ,

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Petaluma, California, addressed as follows:

County of Sonoma Permit and Resource Management Department Code Enforcement Division

Sonoma County Board of Supervisors

575 Administration Dr, Room 100A

Santa Rosa, CA 95403

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Fee for Service: $ 62.50

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 07/14/2021 at Petaluma, California.

[redacted]

Travis Carpenter

OL# 16571513

One Legal - P-000618-Sonoma

1400 North McDowell Blvd, Ste 300

Petaluma, CA 94954

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA CIVIL DIVISION 600 ADMINISTRATION DRIVE, ROOM 107-J SANTA ROSA, CALIFORNIA 95403-2878 (707) 521-6500 http://www.sonoma.courts.ca.gov Bettencourt vs County of Sonoma Board of Supervisors	(FOR COURT USE ONLY) FILED JUL 06 2021 Clerk of the Superior Court of California County of Sonoma By [redacted] Deputy Clerk
NOTICE OF ASSIGNMENT TO ONE JUDGE FOR ALL PURPOSES, NOTICE OF CASE MANAGEMENT CONFERENCE, and ORDER TO SHOW CAUSE	Case number: SCV-268744

A COPY OF THIS NOTICE MUST BE SERVED WITH THE SUMMONS AND COMPLAINT AND WITH ANY CROSS-COMPLAINT

1. **THIS ACTION IS ASSIGNED TO HON. JENNIFER V DOLLARD FOR ALL PURPOSES.** Pursuant to California Rules of Court, Rule 2.111(7), the assigned judge's name must appear below the number of the case and the nature of the paper on the first page of each paper presented for filing.

2. EACH DEFENDANT MUST FILE A WRITTEN RESPONSE TO THE COMPLAINT AS REQUIRED BY THE SUMMONS.

A Case Management Conference has been set at the time and place indicated below:

Date: Tuesday, 01/18/2022	Time: 3:00 PM	Courtroom 18
Location: 3055 Cleveland Avenue, Santa Rosa, CA 95403		

3. No later than 15 calendar days before the date set for the case management conference or review, each party must file a case management statement [Judicial Council form #CM-110] and serve it on all other parties in the case. In lieu of each party's filing a separate case management statement, any two or more parties may file a joint statement.

4. At the conference, counsel for each party and each self-represented party must appear personally or by telephone [California Rules of Court, Rule 3.670(c)(2)]; must be familiar with the case; and must be prepared to discuss and commit to the party's position on the issues listed in California Rules of Court, Rule 3.727.

5. Pre-approved dispositions are recorded three (3) court days prior to the case management conference. These may be obtained by calling (707) 521-6883 or by going to http://sonoma.courts.ca.gov/online-services/tentative-rulings.

ORDER TO SHOW CAUSE

To Plaintiff(s), Cross-complainants, and/or their attorneys of record:
If, on the date shown above, you are not in compliance with the requirements stated in the California Rules of Court, rules 2.30, 3.110, and/or 3.720 through 3.771 inclusive, you must then and there show cause why this court should not impose monetary and/or terminating sanctions in this matter.

Pursuant to California Rule of Court, rule 3.221(b), information and forms related to Alternative Dispute Resolution are available on the Court's website at http://www.sonoma.courts.ca.gov/self-help/adr.

ELECTRONIC SERVICE OF DOCUMENTS

Enabled by Local Rule 18.16

Voluntary e-service is available in Sonoma County. The Court has pre-approved a Stipulation for cases in which the attorneys or parties choose e-service. A copy of the Stipulation is available under the "Civil" section in the "Division" tab of the Court website: http://www.sonoma.courts.ca.gov. The advantages of e-service to the parties include:

SAVE MONEY	Reduction in costs related to photocopying, retrieving, storing, messenger and postage fees. No special software is needed to use e-service
SAVE TIME	Instant service of your documents on all parties
SAVE SPACE	With 24/7 internet access to all documents, you do not need to house paper copies
GAIN CERTAINTY	Immediate confirmation of service for your records. Documents are not delayed in the mail or blocked by email spam blockers and firewalls

To take advantage of e-service, select an e-service provider and file the signed Stipulation with the Court. Parties can then e-serve documents through the selected provider. Information about e-service providers is available at the website for the Sonoma County Bar Association: http://www.sonomacountybar.org. The Court does not endorse one provider over another.

To learn more about available e-service providers and their fees, please visit their website

***Note**: Hard-copy pleadings are required to be filed with the Court in accordance with applicable provisions of the Code of Civil Procedure, California Rules of Court and local rules. You do not need to provide a courtesy copy of a served document to the specific department in which the matter has been assigned.*

DISCOVERY FACILITATOR PROGRAM

Effective January 1, 2008, the Sonoma County Superior Court promulgated Sonoma County Local Rule 4.14 which established the Discovery Facilitator Program. Participation in the Discovery Facilitator Program shall be deemed to satisfy a party's obligation to meet and confer under Sonoma County Local Rule 5.5 and applicable provisions of the Code of Civil Procedure and California Rules of Court. This program has been providing assistance in resolving discovery disputes and reducing the backlog of matters on the law and motion calendars in our civil law departments. The Sonoma County Superior Court encourages all attorneys and parties to utilize the Discovery Facilitator Program in order to help resolve or reduce the issues in dispute whether or not a discovery motion is filed.

There is a link to Local Rule 4.14 and the list of discovery facilitator volunteers on the official website of the Sonoma County Superior Court at http://www.sonoma.courts.ca.gov. On the home page, under the "AVAILABLE PROGRAMS & HELP" section, click on »Discovery Facilitator Program. You can then click on either "Local Rule 4.14" to obtain the language of the local rule, or "List of Facilitators" for a list of the volunteer discovery facilitators and accompanying contact and biographical information.

Pursuant to Local Rule 5.1.C:

The moving party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of any motion filed. The responding party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of all opposition papers. Finally, the moving party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of all reply papers.

Pursuant to Local Rule 5.1.C.1:

If any matter scheduled on the law and motion calendar is resolved, dismissed, settled or becomes moot for any reason, the moving party shall immediately notify the judicial assistant for the Assigned Judge if the motion is to be dropped from the law and motion calendar. Said notification may be made by telephone, followed by a letter of confirmation.

SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
County of Sonoma Board of Supervisors, County of Sonoma Permit & Resource Management Department Code Enforcement Division

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):
Nicholas Bettencourt, Petitioner
Joanne Bettencourt: Real Party In Interest

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center *(www.courtinfo.ca.gov/selfhelp)*, your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site *(www.lawhelpcalifornia.org)*, the California Courts Online Self-Help Center *(www.courtinfo.ca.gov/selfhelp)*, or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ***¡AVISO!*** *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), *en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.*

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), *en el Centro de Ayuda de las Cortes de California,* (www.sucorte.ca.gov) *o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de $10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.*

CASE NUMBER
(Número del Caso): SCV-268744

The name and address of the court is:
(El nombre y dirección de la corte es):
Sonoma County Superior Court
600 Administration Drive
Santa Rosa, CA 95403

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Richard Sax 80632 Law Office of Richard Sax
P.O. Box 1236 707-525-1824
Santa Rosa, CA 95409

DATE:
(Fecha) 7/6/2021 4:04 PM ARLENE D. JUNIOR Clerk, by *(Secretario)* [redacted], Deputy *(Adjunto)*
Janie Dorman

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, *(POS-010)).*

[SEAL]

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify):*
3. ☐ on behalf of *(specify):*
   under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
   ☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
   ☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
   ☐ other *(specify):*
4. ☐ by personal delivery on *(date):*

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]
CEB ceb.com | Essential Forms

SUMMONS

Code of Civil Procedure §§ 412.20, 465
www.courtinfo.ca.gov

Nicholas Bettencourt

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Richard Sax 80632
Law Office of Richard Sax
P.O. Box 1236
Santa Rosa, CA 95409
TELEPHONE NO.: 707-525-1824 FAX NO.: 707-525-8119
ATTORNEY FOR (Name): Nicholas Bettencourt

FOR COURT USE ONLY

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sonoma
STREET ADDRESS: 600 Administration Drive
MAILING ADDRESS: 600 Administration Drive
CITY AND ZIP CODE: Santa Rosa, CA 95403
BRANCH NAME: Civil Division

CASE NAME: Bettencourt v. County of Sonoma Board of Supervisors, et al.

CIVIL CASE COVER SHEET
☒ Unlimited (Amount demanded exceeds $25,000) ☐ Limited (Amount demanded is $25,000 or less)

Complex Case Designation
☐ Counter ☐ Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: SCV-268744
JUDGE:
DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment
☐ Wrongful termination (36)
☐ Other employment (15)

Contract
☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property
☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer
☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review
☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☒ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint
☐ RICO (27)
☐ Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
☐ Partnership and corporate governance (21)
☐ Other petition *(not specified above)* (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. ☐ Large number of separately represented parties
   b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. ☐ Substantial amount of documentary evidence
   d. ☐ Large number of witnesses
   e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action *(specify)*: 1
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: 7/6/2021

Richard Sax
(TYPE OR PRINT NAME)

[redacted]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Nicholas Bettencourt

Richard Sax (SBN 80632) *richard@rsaxlaw.com*
LAW OFFICES OF RICHARD SAX
P. O Box 1236
Santa Rosa, CA. 95402
Telephone: (707) 525-1824
Facsimile: (707) 525-8119

Attorney for Petitioner,
Nicholas Bettencourt

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SONOMA

NICHOLAS BETTENCOURT,

Plaintiff,

v.

COUNTY OF SONOMA BOARD OF SUPERVISORS, COUNTY OF SONOA PERMIT & RESOURCE MANAGEMENT DEPARTMENT CODE ENFORCEMENT DIVISION,

Defendants.

SCV-268744 JD
CASE NO.: ~~SCV-263072~~

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF APPLICATION FOR WRIT OF MANDATE

Date:
Time:
Dept:

I. INTRODUCTION

This court should issue a writ of mandate compelling respondent to refrain from enforcing an ordinance and to determine the ordinance to be unconstitutional because respondent is an inferior tribunal or Board and Petitioner is beneficially interested and has no plain, speedy and adequate remedy in the ordinary course of law.

II. FACTS OF THE CASE

Petitioner, Nicholas Bettencourt (Bettencourt or petitioner), alleges:

1. Petitioner holds Zoning Permit Number APC20-0106 that allows the cultivation of 2500 square feet of cannabis at the Property.

2. Respondents are the County of Sonoma Board of Supervisors and the County of Sonoma Permit & Resource Management Department Code Enforcement Division.

3. Real party in interest is Joanne Bettencourt who has an interest that is directly affected by this proceeding in that she owns the real property where petitioner was cultivating commercial cannabis.

4. On April 5, 2021 An Administrative Hearing Decision and Order was made upholding a November 04, 2020 Notice of Proposed Action issued by the County of Sonoma that stated Sonoma County Code SCC section 26-88-254(f)(21) was violated for prohibited "weapons and firearms at the cultivation site" and imposed civil penalties. A copy of the Administrative Hearing Decision and Order is attached as Exhibit 1. The Decision and Order was mailed to petitioner on April 6, 2021.

5. Petitioner seeks a writ of mandate enjoining respondent from enforcing the Order.

6. The Order should be enjoined because the hearing officer determined that she could not rule on the constitutional issues that were raised by petitioner at the administrative hearing and because the ordinance is unconstitutional. The hearing officer stated in relevant part as follows:

"It is critical to note that this Hearing Officer does not possess the authority to refuse to enforce the prohibition and/or fines based upon the Permit Holder's constitutional arguments. Pursuant to Sonoma County Code Enforcement Hearing procedure 7-0-16 a hearing officer has no power to declare a statute or ordinance unenforceable or unconstitutional, unless an appellate court has made that determination. (Citing to California Constitution, Article III, Section 3.5. Administrative Hearing Decision and Order pp. 4-5.

7. Petitioner alleges that the ordinance is unconstitutional for the following reasons:

A. The ordinance violates equal protection under the 14th Amendment of the United States Constitution and the California Constitution and is arbitrary and capricious in that it prohibits firearms and weapons at an outdoor cannabis cultivation site but not at other cannabis businesses regulated by the Sonoma County Ordinance; and

B. The ordinance violates petitioner's second amendment right to bear arms for self-defense guaranteed by the Second Amendment of the United States Constitution.

8. Since petitioner was granted his cannabis cultivation permit in June 2019 his commercial operation was broken into and vandalized on six (6) different occasions and there was no assistance from law enforcement. Petitioner alleges that he has the right to possess weapons and/or firearms at the cultivation site for self-defense. Furthermore, many tools such as knives and scissors are used in the cannabis cultivation enterprise.

9. Petitioner has a beneficial interest in the issuance of the writ because he had a commercial cannabis license and a commercial permit from Sonoma County to grow cannabis outdoors. His cannabis business for profit has been destroyed.

10. Petitioner has performed all conditions precedent to the filing of this petition by exhausting all his administrative remedies.

11. Notwithstanding such ability to exercise its discretion not to enforce the ordinance against petitioner respondent continues to do so.

12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, other than the relief sought in this petition, in that otherwise petitioner has been put out of business and his economic losses are difficult to quantify.

13. Respondent's action has damaged petitioner in a sum according to proof.

III. LAW OF THE CASE

A. When Writ of Mandate May Issue. A writ of mandate may issue from any court to any inferior tribunal, corporation, board, or person to compel the performance of an act that the law specifically enjoins as a duty from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled and from which the party is unlawfully precluded. The writ must be issued on the verified petition of the party beneficially interested, when there is no plain, speedy, and adequate remedy in the ordinary course of the law (Code Civ. Proc. §§ 1085, 1086).

B. Petition For Writ of Mandate Is Timely.

The Writ was filed within the 90-day period. CCP 1094.6(b).

IV. CONCLUSION

Based upon the foregoing facts and law it is respectfully submitted that the court should issue the requested Writ of Mandate.

Dated: July 6, 2021

LAW OFFICES OF RICHARD SAX

[redacted]

RICHARD SAX, Attorney for Petitioner

Richard Sax, SBN 80632
P. O. Box 1236
Santa Rosa, California 95402
Telephone: 707-525-1824
Fax: 707-525-8119
Email: richard@rsaxlaw.com
Attorney for Petitioner

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SONOMA

Nicholas Bettencourt,

Petitioner

vs.

County of Sonoma Board of Supervisors, County of Sonoma Permit and Resource Management Department Code Enforcement Division,

Respondent

Joanne Bettencourt:

Real Party In Interest

CASE NO.: SCV-268744

PETITION FOR WRIT OF MANDATE

Petitioner, Nicholas Bettencourt ("Bettencourt" or "Petitioner"), alleges:

1. Petitioner holds Zoning Permit Number APC20-0106, which allows the cultivation of 2,500 square feet of cannabis at the subject real property ("Property"), located at 490 Pleasant Avenue, Santa Rosa, in the County of Sonoma, State of California.

2. Respondents are the County of Sonoma Board of Supervisors and the County of Sonoma Permit and Resource Management Department Code Enforcement Division.

3. Real Party In Interest is Joanne Bettencourt, who has an interest that is directly affected by this proceeding, in that she owns the Property where Petitioner was cultivating commercial cannabis.

4. On April 5, 2021, an Administrative Hearing Decision and Order was made upholding a November 04, 2020, Notice of Proposed Action issued by the County of Sonoma, which stated that Sonoma County Code SCC § 26-88-254(f)(21) was violated for prohibited "weapons and firearms at the cultivation site," and imposed civil penalties. A copy of the Administrative Hearing Decision and Order ("Order") is attached as Exhibit 1. The Order was mailed to Petitioner on April 6, 2021.

5. Petitioner seeks a writ of mandate enjoining respondent County of Sonoma Board of Supervisors, County of Sonoma Permit and Resource Management Department Code Enforcement Division ("Respondent"), from enforcing the Order.

6. The Order should be enjoined because the hearing officer determined that she could not rule on the constitutional issues that were raised by Petitioner at the Administrative Hearing, and because the ordinance, Sonoma County Code SCC § 26-88-254(f)(21) ("Ordinance"), is unconstitutional. The hearing officer stated in relevant part as follows:

> "It is critical to note that this Hearing Officer does not possess the authority to refuse to enforce the prohibition and/or fines based upon the Permit Holder's [Petitioner's] constitutional arguments. Pursuant to Sonoma County Code Enforcement Hearing procedure 7-0-16, a hearing officer has no power to declare a statute or ordinance unenforceable or unconstitutional, unless an appellate court has made that determination." (Citing to California Constitution, Article III, Section 3.5. Administrative Hearing Decision and Order ["Order"] pp. 4-5.)

7. Petitioner alleges that the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), is unconstitutional for the following reasons:

A. The Ordinance violates equal protection under the 14th Amendment of the United States Constitution and the California Constitution and is arbitrary and capricious, in that it prohibits firearms and weapons at

an outdoor cannabis cultivation site, but not at other cannabis businesses regulated by the Sonoma County Ordinance; and,

B. The Ordinance violates Petitioner's second amendment right to bear arms for self-defense, guaranteed by the Second Amendment of the United States Constitution: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed."

8. Since Petitioner was granted his cannabis cultivation permit in June of 2019, his commercial operation was broken into and vandalized on six (6) different occasions, and there was no assistance on Petitioner's behalf from law enforcement. Petitioner alleges that he has the right to possess weapons and/or firearms at the cultivation site for self-defense. Furthermore, many tools such as knives and scissors are used in the cannabis cultivation enterprise.

9. Petitioner has a beneficial interest in the issuance of this writ of mandate, because previous to the issuance of the Order, Petitioner had a commercial cannabis license and a commercial permit from Sonoma County to grow cannabis outdoors. His cannabis business for profit has been destroyed since the issuance of the Order.

10. Petitioner has performed all conditions precedent to the filing of this petition for a writ of mandate, by exhausting all of his administrative remedies.

11. Notwithstanding Respondent's ability to exercise its discretion not to enforce the Ordinance against Petitioner, Respondent continues to do so.

12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, other than the relief sought in this petition for a writ of mandate, in that otherwise, Petitioner has been put out of business and his economic losses are difficult to quantify.

13. Respondent's actions have damaged Petitioner in a sum according to proof.

//

//

WHEREFORE, Petitioner prays:

1. That the Court issue a peremptory writ in the first instance commanding Respondent not to enforce the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), against Petitioner;
2. That the Court declare the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), to be unconstitutional;
3. For damages in a sum according to proof; and,
4. For costs of this proceeding, and for such other and further relief as the Court deems just and proper.

Dated: July 6, 2021

[redacted]

Richard Sax,
Attorney for Petitioner

VERIFICATION

I, Nicholas Bettencourt, am the Petitioner in this proceeding. I have read the foregoing Petition for Writ of Mandate, and know its contents. The facts stated therein are true, and are within my personal knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Verification was signed at Windsor, California on July 06, 2021.

[redacted]

Nicholas Bettencourt

From: Moira Jacobs
To: Cannabis
Subject: Cost of marijuana promotion programs?
Date: Friday, August 13, 2021 10:01:41 AM

EXTERNAL

Hello,

Could you please tell me following:

1) How many applications have you and dept of Ag received in total for all marijuana related operations in Sonoma County since 2016? Please note how many are from same person or same group, LLC. I'd like just two numbers: 1) how many applications in total, and 2) how many of the total applications are from same person or same group. Please also provide list of names of companies on the applications.

2) Please tell me the total cost estimate of this program since 2016, including: number of staff dedicated to it full and part time, all admin/operational costs, law enforcement costs, code enforcement costs, legal costs, fire department related, public health related costs - including emergency room, health clinic visits with marijuana related event and cost of marijuana education programs, traffic safety related (Duids with marijuana), trash removal costs for derelict sites, estimates of environmental impacts of new traffic to production sites (net new car/truck trips).

3) Please note: there is a very large commercial THC drug production site in Bennett Valley at wellspring road that is visible from the Sonoma Mountain County park public trails system, it is very large and includes unsightly debris and large RV trailer that may be housing workers onsite. This is all visible from Sonoma Mountain county park trails. It also appears to be emitting light pollution at night which many neighbors have already complained about.

Thank you,
Moira Jacobs

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Moira Jacobs
To:	Susan Gorin; Lynda Hopkins; district3; district4; David Rabbitt; Cannabis
Subject:	Comments for Marijuana Ordinance/EIR
Date:	Friday, August 13, 2021 4:21:23 PM

Dear Supervisors and County staff,

This week I participated in the four community outreach sessions you held as part of the planned EIR. I remain very concerned that Sonoma County is continuing down the wrong path with your policy towards commercial marijuana development. Here are my main concerns and observations:

1) **You have no voter mandate for the aggressive marijuana promotion policy you've adopted since 2016.** Prop 64 simply decriminalized the personal use and possession of marijuana. It provided no mandate for promoting the commercial marijuana industry. The new law specifically stated all counties had the explicit right to ban commercial production and sales completely.

2) Most counties in California have continued to ban large scale commercial production and retail sales. While a number have created ordinances that allow limited commercial activities, only a handful have embarked on the aggressive promotion of the industry in their communities such as Sonoma County. Again, doing so with NO voter mandate.

3) Napa has adopted a "go slow" approach, and has kept its ban in place. Supervisor Ryan Gregory of Napa County, upon attending marijuana policy conference for county leaders, observed:

"The biggest thing I left with was start slow, limit it to a handful of permits, and see how you can try to make it work in your community," he said just before the vote. "And then require use permit compliance and performance along the way to make sure that it does fit your community before you open the door to wide open."

4) Sonoma County has tried to "fast track" this policy from day one, catering its policy to the wishes of a small yet powerful special interest group. The county has received about 400 applications for permits to engage in commercial marijuana production and sales/distribution since 2016. Many of these applicants were not even residents of Sonoma County, many from out of state. **With a population of 500,000 these individuals represent about .0008 of the county's population. This is a very small yet clearly powerful special interest group.**

5) **On the other hand, in 2018 77% of Sonoma County residents stated they didn't want a commercial marijuana facility placed anywhere near them**, no less than one mile. See reference to PD poll below. By implementing a hastily formed policy and ordinance, the county has created nothing but conflict with the rural residential communities negatively impacted.

See PD poll: Guy Kovner, June 3, 2018, Press Democrat,

"Press Democrat Poll finds sharp division in Sonoma County over cannabis"

Note: Guy had his headline wrong, that's not a "sharp division", that's overwhelming opposition to commercial pot production near residential areas. Yet the PD is a propaganda arm of the marijuana lobby, it's owner a conflicted investor.

6) **There was a significant material change in January 2020 that should have prompted a review and rewrite of the original ordinance,** triggering a required EIR for the original phase I ordinance. This significant material change was the State of CA addition of THC to the Prop 65 list of toxins. THC is the main chemical substance of marijuana exploited and marketed commercially. This significant change was completely ignored by Sonoma County. The change has many implications related to impacts on the environment, public health, and worker safety.

7) **The current EIR process now unfolding is rife with problems:** First, it is an attempt to support a "Phase II Ordinance" to further a massive expansion of a county sanctioned and financed marijuana promotion program. This latest process also demonstrates various problems, including: conflicts of interest with staff and supervisors, inadequate review of public safety implications, inadequate review of public health concerns, and inadequate review of financial risks.

8) Now that the many elements of industrial scale commercial marijuana production is well known by thousands of rural residential citizens, **the consensus is clear: these belong in commercial industrial zones, or in water rich industrial Ag zones, away from rural residential areas.** The noxious fumes, the fans, light pollution, heavy daily traffic, electrical demands, carbon footprint impacts, intensive water resources demands, 24/7 x 365 daily production activity, impacts on flora/fauna resources, etc, all point to this being a quasi industrial operation rather than "traditional Ag." In fact, the State of CA does not recognize this as traditional Ag.

Moreover, most commercial outdoor marijuana production in Sonoma County is grown in pots above ground, not even in the Sonoma soil, instead from specially "treated" soils, requiring complex irrigation, and heavy use of water resources. Evaporation from containers above ground is much higher than anything in the ground so it's a very wasteful use of already scarce water resources.

9) **Public safety -FIRE safety:** the current ordinance is completely disregarding State of CA regulations regarding fire safe roads. This issue has been well documented. It's outrageous that this county, ravaged so many times by deadly wildfires, has been criminally negligent on this aspect alone.

10) **Public safety - DUID and violent crime:** As best communicated to me by a leader in law enforcement:

Quote from Law Enforcement leader in Sonoma County:
"Police Chiefs and Sheriffs were very concerned when all of marijuana laws changed and pointed to the challenge in determining intoxication levels in the field as a major obstacle that had not been addressed. **We still do not have a good scientific field test today.** Finally, the important thing to keep in mind is that criminals do not differentiate between legal marijuana and illegal marijuana when committing crime. We have had violent robberies and homicides

related to marijuana and cash rip-offs, the people who commit these crimes do no care if the location is licensed or unlicensed, all they want is the marijuana and the cash."

11) **Financial risks:** As Colorado has experienced, 4 years ahead of California in the grand marijuana legalization experiment, the costs far exceed the tax revenues. When the County honestly tabulates ALL the costs, this is a net drain on county finances (operational, admin, permitting, enforcement, fire safety, law enforcement, public health costs, education costs, water resource management costs, legal, environmental damages, impacts on refuse/dumping of plastics, fumes, etc). A followup comment on "all-in" costs will be provided.

A Much Better Vision than the current POTMANIA

If Sonoma County is sincere about doing the right thing here, then it ought to completely scrap the idea of creating some Mecca for marijuana production, purchasing and consumption here. You need to get over this current Potmania delirium and face reality.

The first step to a better marijuana public policy is to include public health and safety policy as part of the solution. You must be honest about what this actually is: a drug industry endeavor, the production and marketing of THC and CBD based drug products.

The THC drug products are being developed for two very different purposes:

1) primarily "recreational" for those who wish to damage their cognitive capabilities in order to "enjoy" an altered consciousness, and
2) secondarily for so called "medicinal" purposes, yet so far prescribed in a highly unscientific method and in totally unregulated ways. No consumer safety protocols are used so it's purely a "buyer beware/user beware" market.

The CBD related products are used for various therapies to treat pain relief, anxiety, and many other stated therapies by the CBD industry, all of which are also so far untested and unregulated for product safety or efficacy. Kaiser recently issued a public statement warning to all its patients regarding CBD.

As for hemp, that's another set of issues altogether. Yet it also remains a plant best grown in industrial Ag areas, away from residential areas, in water rich regions of the USA (not ideal for Sonoma County, better fit for Kentucky).

Therefore, since so much is still completely unknown about the full scope of the harms, or benefits, of both THC and CBD, much testing and R&D is needed. Sonoma County could create the conditions to become the center of legitimate marijuana R&D. One highly secure complex sited in an industrial zone could produce enough marijuana for collocated nationally recognized testing labs, as well as plenty for local demand. Since it would be indoor it would use water resources very efficiently.

This same site could provide a coop opportunity for local participants in marijuana production and distribution in good standing with the county.

If marijuana is to be legalized nationally and taken off schedule one, which may or may not happen as all scientific testing has kept it a schedule one substance, a national testing lab will be needed. In any case, a lab is needed at the very least for CBD based products. If indeed

various new useful CBD therapies are proven, an FDA process will eventually be required.

Therefore, if Sonoma County Supervisors and staff sincerely believe THC and CBD products are safe and healthy for human consumption, then prove it. Don't promote a totally new industry before you even know if it's safe for the public. If you think you know more than the FDA scientists who've looked at this for over 60 years, then please prove it. Please follow the science!

Conclusion:

The original ordinance remains deeply flawed and must be rewritten to reflect the interests of the majority of Sonoma County rural residential citizens who oppose the siting of industrial scale commercial marijuana production sites all over rural Sonoma County.

The County should use this opportunity of the current EIR process to also go back and correct the original phase I ordinance. Otherwise, continued conflicts between rural residential neighborhoods and these industrial operations will continue and worsen.

Notes:

Schedule 1 Federal Policy:
"Although some states within the United States have allowed the use of marijuana for medicinal purpose, it is the U.S. Food and Drug Administration that has the federal authority to approve drugs for medicinal use in the U.S. To date, **the FDA has not approved a marketing application for any marijuana product for any clinical indication**. Consistent therewith, the FDA and DEA have concluded that marijuana has no federally approved medical use for treatment in the U.S. and thus it remains as a Schedule I controlled substance under federal law.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Moira Jacobs
To:	Susan Gorin; Lynda Hopkins; district3; district4; David Rabbitt; Cannabis
Subject:	Re: Comments for Marijuana Ordinance/EIR
Date:	Friday, August 13, 2021 6:40:52 PM

Please add this comment to my submission:

We must have a moratorium now on all new licenses until this EIR is completed and all issues below are addressed.

> Dear Supervisors and County staff,
>
> This week I participated in the four community outreach sessions you held as part of the planned EIR. I remain very concerned that Sonoma County is continuing down the wrong path with your policy towards commercial marijuana development. Here are my main concerns and observations:
>
> 1) **You have no voter mandate for the aggressive marijuana promotion policy you've adopted since 2016.** Prop 64 simply decriminalized the personal use and possession of marijuana. It provided no mandate for promoting the commercial marijuana industry. The new law specifically stated all counties had the explicit right to ban commercial production and sales completely.
>
> 2) Most counties in California have continued to ban large scale commercial production and retail sales. While a number have created ordinances that allow limited commercial activities, only a handful have embarked on the aggressive promotion of the industry in their communities such as Sonoma County. Again, doing so with NO voter mandate.
>
> 3) Napa has adopted a "go slow" approach, and has kept its ban in place. Supervisor Ryan Gregory of Napa County, upon attending marijuana policy conference for county leaders, observed:
>
> "The biggest thing I left with was start slow, limit it to a handful of permits, and see how you can try to make it work in your community," he said just before the vote. "And then require use permit compliance and performance along the way to make sure that it does fit your community before you open the door to wide open."
>
> 4) Sonoma County has tried to "fast track" this policy from day one, catering its policy to the wishes of a small yet powerful special interest group. The county has

received about 400 applications for permits to engage in commercial marijuana production and sales/distribution since 2016. Many of these applicants were not even residents of Sonoma County, many from out of state. **With a population of 500,000 these individuals represent about .0008 of the county's population. This is a very small yet clearly powerful special interest group.**

5) **On the other hand, in 2018 77% of Sonoma County residents stated they didn't want a commercial marijuana facility placed anywhere near them**, no less than one mile. See reference to PD poll below. By implementing a hastily formed policy and ordinance, the county has created nothing but conflict with the rural residential communities negatively impacted.

See PD poll: Guy Kovner, June 3, 2018, Press Democrat,
"Press Democrat Poll finds sharp division in Sonoma County over cannabis"

Note: Guy had his headline wrong, that's not a "sharp division", that's overwhelming opposition to commercial pot production near residential areas. Yet the PD is a propaganda arm of the marijuana lobby, it's owner a conflicted investor.

6) **There was a significant material change in January 2020 that should have prompted a review and rewrite of the original ordinance,** triggering a required EIR for the original phase I ordinance. This significant material change was the State of CA addition of THC to the Prop 65 list of toxins. THC is the main chemical substance of marijuana exploited and marketed commercially. This significant change was completely ignored by Sonoma County. The change has many implications related to impacts on the environment, public health, and worker safety.

7) **The current EIR process now unfolding is rife with problems:** First, it is an attempt to support a "Phase II Ordinance" to further a massive expansion of a county sanctioned and financed marijuana promotion program. This latest process also demonstrates various problems, including: conflicts of interest with staff and supervisors, inadequate review of public safety implications, inadequate review of public health concerns, and inadequate review of financial risks.

8) Now that the many elements of industrial scale commercial marijuana production is well known by thousands of rural residential citizens, **the consensus is clear: these belong in commercial industrial zones, or in water rich industrial Ag zones, away from rural residential areas.** The noxious fumes, the fans, light pollution, heavy daily traffic, electrical demands, carbon footprint impacts, intensive water resources demands, 24/7 x 365 daily production activity, impacts on flora/fauna resources, etc, all point to this being a quasi industrial operation rather than "traditional Ag." In fact, the State of CA does not recognize this as traditional Ag.

Moreover, most commercial outdoor marijuana production in Sonoma County is grown in pots above ground, not even in the Sonoma soil, instead from specially "treated" soils, requiring complex irrigation, and heavy use of water resources. Evaporation from containers above ground is much higher than anything in the

ground so it's a very wasteful use of already scarce water resources.

9) **Public safety -FIRE safety:** the current ordinance is completely disregarding State of CA regulations regarding fire safe roads. This issue has been well documented. It's outrageous that this county, ravaged so many times by deadly wildfires, has been criminally negligent on this aspect alone.

10) **Public safety - DUID and violent crime:** As best communicated to me by a leader in law enforcement:

Quote from Law Enforcement leader in Sonoma County:
"Police Chiefs and Sheriffs were very concerned when all of marijuana laws changed and pointed to the challenge in determining intoxication levels in the field as a major obstacle that had not been addressed. **We still do not have a good scientific field test today.** Finally, the important thing to keep in mind is that criminals do not differentiate between legal marijuana and illegal marijuana when committing crime. We have had violent robberies and homicides related to marijuana and cash rip-offs, the people who commit these crimes do no care if the location is licensed or unlicensed, all they want is the marijuana and the cash."

11) **Financial risks:** As Colorado has experienced, 4 years ahead of California in the grand marijuana legalization experiment, the costs far exceed the tax revenues. When the County honestly tabulates ALL the costs, this is a net drain on county finances (operational, admin, permitting, enforcement, fire safety, law enforcement, public health costs, education costs, water resource management costs, legal, environmental damages, impacts on refuse/dumping of plastics, fumes, etc). A followup comment on "all-in" costs will be provided.

A Much Better Vision than the current POTMANIA

If Sonoma County is sincere about doing the right thing here, then it ought to completely scrap the idea of creating some Mecca for marijuana production, purchasing and consumption here. You need to get over this current Potmania delirium and face reality.

The first step to a better marijuana public policy is to include public health and safety policy as part of the solution. You must be honest about what this actually is: a drug industry endeavor, the production and marketing of THC and CBD based drug products.

The THC drug products are being developed for two very different purposes:

1) primarily "recreational" for those who wish to damage their cognitive capabilities in order to "enjoy" an altered consciousness, and
2) secondarily for so called "medicinal" purposes, yet so far prescribed in a highly unscientific method and in totally unregulated ways. No consumer safety protocols are used so it's purely a "buyer beware/user beware" market.

The CBD related products are used for various therapies to treat pain relief, anxiety, and many other stated therapies by the CBD industry, all of which are

also so far untested and unregulated for product safety or efficacy. Kaiser recently issued a public statement warning to all its patients regarding CBD.

As for hemp, that's another set of issues altogether. Yet it also remains a plant best grown in industrial Ag areas, away from residential areas, in water rich regions of the USA (not ideal for Sonoma County, better fit for Kentucky).

Therefore, since so much is still completely unknown about the full scope of the harms, or benefits, of both THC and CBD, much testing and R&D is needed. Sonoma County could create the conditions to become the center of legitimate marijuana R&D. One highly secure complex sited in an industrial zone could produce enough marijuana for collocated nationally recognized testing labs, as well as plenty for local demand. Since it would be indoor it would use water resources very efficiently.

This same site could provide a coop opportunity for local participants in marijuana production and distribution in good standing with the county.

If marijuana is to be legalized nationally and taken off schedule one, which may or may not happen as all scientific testing has kept it a schedule one substance, a national testing lab will be needed. In any case, a lab is needed at the very least for CBD based products. If indeed various new useful CBD therapies are proven, an FDA process will eventually be required.

Therefore, if Sonoma County Supervisors and staff sincerely believe THC and CBD products are safe and healthy for human consumption, then prove it. Don't promote a totally new industry before you even know if it's safe for the public. If you think you know more than the FDA scientists who've looked at this for over 60 years, then please prove it. Please follow the science!

Conclusion:

The original ordinance remains deeply flawed and must be rewritten to reflect the interests of the majority of Sonoma County rural residential citizens who oppose the siting of industrial scale commercial marijuana production sites all over rural Sonoma County.

The County should use this opportunity of the current EIR process to also go back and correct the original phase I ordinance. Otherwise, continued conflicts between rural residential neighborhoods and these industrial operations will continue and worsen.

Notes:

Schedule 1 Federal Policy:
"Although some states within the United States have allowed the use of marijuana for
medicinal purpose, it is the U.S. Food and Drug Administration that has the federal authority to approve drugs for medicinal use in the U.S. To date, **the FDA has not approved a marketing application for any marijuana product for any**

clinical indication. Consistent therewith, the FDA and DEA have concluded that marijuana has no federally approved medical use for treatment in the U.S. and thus it remains as a Schedule I controlled substance under federal law.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Morgan McLintic
To: Cannabis
Subject: Cannabis comment
Date: Friday, August 13, 2021 7:09:33 PM

Hi,

I know you are seeking community input to the cannabis program in Sonoma County so wanted to echo this perspective:

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

Morgan McLintic

C - 415 412 1098

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mare O"Connell
To: Cannabis
Subject: Feedback after visioning sessions
Date: Friday, August 13, 2021 5:42:28 PM

When the people voted for legalization of cannabis, they did not also vote for commercial cultivation.

I favor a total ban on commercial cannabis cultivation in Sonoma County. We should join our neighbors in Marin and Napa counties in doing so. This has been a largely failed experiment, causing community conflict, crime (violent and nonviolent), an influx of nonlocal money whose only goal is profit at any cost to our county, and further imperiling scare water resources, our fragile environment, our scenic beauty, and our quality of life. To add to our woes, enforcement has been inadequate.

That said, should the commercial cannabis program continue in any form, it should be far from schools, residences, parks, public use areas, scenic vistas, etc in remote rural locations or industrial zones only.

Commercial cultivation imperils the safety, security, scarce water resources, air quality (odor), traffic and a whole raft of negatives from which the overwhelming majority of residents do not benefit. If allowed at all, it should be severely restricted, and a very small part of our economy and landscape. Let's get it right this time.

I plan to follow this issue as it unfolds over the next few years and participate when appropriate.

Thank you for this opportunity to weigh in on this important issue. And thank you for the presenters who did a great job.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Ian Ramos
To: Cannabis
Subject: Cannabis
Date: Friday, August 13, 2021 2:16:56 PM

Respectfully, please limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads.

Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

I am completely opposed to growing, selling and consuming cannabis as it is an addictive and psychoactive drug, however if there is going to be cannabis grown in our county, I urge clear and restrictive limitations on its cultivation and sales.

Thank you,
Michelle Ramos
Sebastopol Resident

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mercy Sidbury
To: Cannabis
Subject: Cannabis ordinance visioning response
Date: Friday, August 13, 2021 6:28:10 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.
Thank you.
Mercy Sidbury

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Matt Walters
To: Cannabis
Subject: response to public input
Date: Friday, August 13, 2021 6:23:07 PM

Hi,

First, I want to thank you for taking the time to gather input from residents of Sonoma County regarding cultivation of cannabis in our neighborhoods and next to our homes. It's a very sensitive issue for us, especially those of us with children.

I think most issues could be avoided if we simply permit cannabis growing only on commercial and industrial zoned land. I believe that all other neighborhood issues would go away if the county adopted this policy.

Thank you for your time.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nancy and Brantly Richardson
To: Cannabis
Subject: SAFETY VISIONING WORKSHOP: Robbery threat to growers is real according to lawsuit
Date: Friday, August 13, 2021 3:44:27 PM

SAFETY – VISIONING WORKSHOPS – PUBLIC COMMENT

We would like to remind officials that public safety is our local government's primary responsibility. The lawsuit, Nicholas Bettencourt vs. Sonoma County, BOS, PRMD and Code Enforcement, demonstrates that neighbors' concerns about safety are not a figment of their imagination.

Robbery threats to growers is real according to the lawsuit. No "farmer of a crop" needs weapons to protect their harvest. If constitutional law does not allow local enforcement to cite gun violations, then, the county has a public duty to site cannabis operations away from residences as well as other sensitive receptors.

We would also like to note that certain behaviors exhibited on this week's public visioning workshops sessions were ample warning to officials that merely citing a Good Neighbor Policy will not protect public safety.

Nancy and Brantly Richardson

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Nicholas Anderson
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 3:22:27 PM

Hello,

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Thank you,

Nic Anderson
5356 Mill Creek Road
Healdsburg, CA 95448

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Neighborhood Coalition Sonoma County
To:	Cannabis
Subject:	Letter from Neighborhood Coalition re Cannabis
Date:	Friday, August 13, 2021 3:22:06 PM
Attachments:	Neighborhood Coalition Letter - Environmental Framework for CUP Ordinance.pdf

---

EXTERNAL

To whom it may concern,

Ahead of the September 28, 2021 Board of Supervisors meeting,
Neighborhood Coalition Sonoma County would like to enter the following
letter into the public record.

Please see attached.

Thank you,
Neighborhood Coalition Sonoma County
https://www.neighborhoodcoalitionsonomacounty.com/

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

August 13, 2021

Sonoma County Board of Supervisors
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

RE: Environmental Process for New or Modified Cannabis Use Permit Ordinance

Dear Supervisors:

We represent a coalition of neighbors and environmental activists who are trying to preserve what makes Sonoma County so special: our scenic beauty and precious natural resources. The solution is limited cannabis grows away from residences, not in public view, and not creating noise or odor nuisances. We participated fully in the most recent countywide cannabis ordinance public process, and support the County's decision to set the proposed ministerial ordinance aside. It is our understanding that all current applications are being processed through the County's Conditional Use Permit process, as required by State law. As this is not what cannabis industry officials are currently advocating for, we are entering the following into the public record.

As the County proceeds through its Visioning Sessions on cannabis permitting and ahead of the September 28, 2021 Board of Supervisors meeting, we'd like to take this opportunity to express our view on the issue. Simply put, our goal is to limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residences, are not in public view and that don't impact our visual resources, have adequate water and are not in impaired watersheds or water scarce zones 3 or 4, and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. We support permitting cannabis processing, manufacturing and indoor cultivation only on designated commercial and industrial zoned land, as these zones have adequate power, wastewater processing capability and police protection.

This goal can be broken down into several specific issues, some of which have been discussed in this week's Visioning Sessions:

1) <u>Land Use</u>
   Cannabis program Ordinances / zoning code updates will be based on facts used to create findings, criteria and standards from the full Programmatic Environmental Impact Report. The County's decision-making regarding amendments to existing Ordinances, the zoning code or any new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts.

   Moving forward, we believe that fiscal and environmental prudence supports a Board decision to address PRP applications with a temporary pause on new cannabis grow applications until the Environmental Impact Report that analyzes the impacts of the proposed full Cannabis Program is completed. For example, recently released reports on climate indicate a long-term drought is increasingly likely, which makes issuing new permits prior to completing water availability scenarios irresponsible.

2) <u>Proactive Environmental Review</u>

The County must conduct a full Programmatic Environmental Impact Report, per State CEQA and CalCannabis requirements, and has agreed to do just that. Under these requirements the County must:

- Prepare an accurate, stable and finite Project Description defining all the activities and uses within the scope of the comprehensive cannabis permitting program.
- Prepare the baseline existing conditions identifying all known cannabis cultivation and processing operations: PRP operations, existing cannabis permits and applications in process by square footage of cultivation type, location, intensity, zoning code, and identify their location in Groundwater Zone 1, 2, 3 or 4.
- Prepare an environmental or regional setting document that fully addresses existing conditions, especially those related to public utilities, groundwater, surface water, and public safety services. This must include identifying water availability and current water allocations based on historic records as well as a continued drought scenario, defining the capacity of fire and police services to address additional commercial development in high fire severity zones and remote areas accessed by legal fire safe roads, evaluating the availability of adequate power to serve new uses, evaluating the capability of the landfill to handle the needs of new uses, and evaluating the capability of wastewater services to handle the needs of new uses.
- Use technical analyses, siting criteria, performance standards, setbacks and acreage caps for outdoor (including meeting state appellation criteria), indoor and mixed light (greenhouses only) to proactively and specifically identify the most suitable locations for cannabis cultivation.
- Ensure all findings, siting criteria, setbacks and mitigation measures are based on facts, reasonable assumptions predicated upon facts and expert opinion supported by facts. Mitigation measures must be adequate, measurable, and enforceable.
- Complete cumulative impact assessment based on definition and analyses of the full development potential of all uses and activities within the cannabis cultivation and processing program.

In addition to CEQA, the County must also ensure compliance of applications with California state regulations, including:

- Prop 64: CalCannabis regulations implemented by the CA Department of Food and Agriculture, which requires site-specific CEQA evaluation for each project prior to permitting and cumulative impact analyses
- Fire Safe Roads, evacuation and public safety requirements as implemented by the Board of Forestry
- Water availability, water demand, wastewater disposal and water quality protections as regulated by the State Water Resources Control Board and the Department of Water Resources
- Setbacks, groundwater pumping limits and other protections for biotic resources, riparian habitats and special status species as regulated by the CA Department of Fish and Wildlife and State Water Resources Control Board.

3) <u>Conditional Use Permit Ordinance</u>

After the EIR defines fact-based siting criteria, and is in alignment with clearly identified State permit requirements – including project-specific environmental review – the County must determine specific areas suitable for cannabis operations based on evaluation of:

- Water availability, including groundwater overdraft and reduced recharge
- Proximity to sensitive receptors: residential homes and other living facilities (eg, assisted living), schools/children, parks/recreation, class I bike trails

- Waste stream impacts from excess wastewater, plastic hoop houses, used soil
- Protect conservation easements, designated open space, scenic resources, and community separators
- Wildfire and evacuation risks on roads that do not meet fire safe standards
- Endangered or sensitive species, wildlife corridors, riparian corridors, wetlands
- Historic/archeological/cultural resource sites
- Adequate public safety and accessibility by police and fire public services
- And, then make project determinations based on the Mandatory Findings of Significance, which protects nearby adjacent property owner's rights to health, safety and the peaceful enjoyment of their properties.

4) Curtail Ministerial Permitting**:**
Projects resulting in fencing, 24-hour security, nuisance lighting, odor emissions, and increased traffic on substandard rural roads are by definition changing their surrounding environment and thus trigger project-specific CEQA requirements.

There are many instances where discretionary decision making by the Planning Department or Ag Department is required: Applicants must submit assessments "demonstrating" certain findings as to water availability, wastewater management and discharge to satisfy State and County requirements – these assessments must be reviewed and a determination made as to adequacy, thus negating a ministerial permit because discretion was applied.

Please eliminate the practice of issuing multiple ministerial permits to separate growers on the same or adjacent parcels. This is "piecemealing" and is violating environmental laws. This loophole leads to unstudied parcel-specific impacts, circumvents the cumulative impact analyses, confuses the liability for violations, and does not comply with project-specific CEQA review as required by State law and CalCannabis guidelines.

We also encourage the County to evaluate streamlined permitting for indoor or greenhouse cultivation, processing and manufacturing in industrial and commercial zones with adequate water availability, wastewater treatment capacity and power infrastructure.

We recognize that cannabis operations in Sonoma County may represent a substantial financial opportunity for our community. We are not against cannabis, yet we strongly believe that there must be a way to balance this burgeoning industry with the widespread desire to protect Sonoma County's quality of life, including our many small pockets of neighborhoods, the families who live here, and our public trust resources.

Thank you.

Sincerely,

Neighborhood Coalition Sonoma County
neighborhoodcoalitionsonomacounty.com

From: Pamela Angleman
To: Cannabis
Subject: re: Cannabis Comments for the September 28. 2021 Cannabis EIR meeting
Date: Friday, August 13, 2021 6:15:27 PM

Dear Members of the Sonoma County Board of Supervisors,

I am a sixth generation ranch owner in West County who has experienced illegal cannabis grows on my property and legal grows near my ranch. I know first hand the vulnerability that exists on a personal and environmental level for legal and illegal cannabis because unfortunately it is still not legal on a Federal level. It is undeniable that even with legal grows protections such as dogs, lights etc. exist due to the continued black market and do impact neighbors and the community as a whole. I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. I believe it is paramount that a new ordinance must be community and science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Respectfully,

Pamela

Pamela Angleman
PO Box 10 15015 Bodega Highway
Bodega, CA 94922

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Pamela Stevens
To: Cannabis
Subject: Public Comment for the Visioning Workshops
Date: Friday, August 13, 2021 1:17:27 PM

To Whom it May Concern,

Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an Ordinance to set standards for the industry or water will go to cannabis without regulation. It is important to prioritize neighborhood compatibility by limiting cannabis cultivation and processing areas to those areas that do not create noise and odor for residents and are not in the public view. Cannabis cultivation and processing should also not be allowed in impaireed watersheds or water scarce zones 3-4. Cannabis cultivation and processing should only be done in areas that can be accessed by legal fire safe roads so public safety is not impacted.

No permits should be given in high fire risk zones or on remote roads with evacuation challenges. Cannabis should only be processed on designated commercial and industrial zoned land.

A new ordinance must be science- based so ensure cannabis operation permitting does not create individual or cumulative impacts

Thank you,

Pamela E. Stevens

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Ron Ferraro
To: Cannabis
Subject: Elyon Hoop Structure support letter.pdf
Date: Friday, August 13, 2021 1:57:19 PM
Attachments: ATT00001.htm
Elyon Hoop Structure support letter.pdf

This message and any attachments are intended for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, notify the sender immediately by return email and delete the message and any attachments from your system.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Elyon Cannabis

August 12, 2021

Sonoma County Permit Resource Management Department
Cannabis
2550 Ventura Ave
Santa Rosa, CA, 95403

Re: Cannabis Ordinance Update & Temporary Cannabis Hoop Structures

Dear Sonoma County Supervisors and Staff,

As a cultivator and distributor of Sonoma County outdoor grown cannabis, we are able to provide specific information pertinent to the use of temporary cannabis hoop structures in outdoor cannabis cultivation. The needs and benefits of the temporary hoop structure in cannabis cultivation are many, and are not limited to benefitting the cultivators. They also benefit the community, the local economy, and save precious water and protect crops from irreparable damage.

Below, please find benefits of continuing to allow temporary hoop houses, which we urge you to study as part of the EIR process:

- Sonoma County is a leading recognized wine appellation in the world, and soon will be recognized as a leading cannabis appellation. Cannabis cultivators should have all of the tools and resources available in California state regulations so they can grow the best flowers, just as the vineyards grow the best grapes to produce the best wines.
- Cultivators in Sonoma County should be able to compete on a level playing field in terms of use of agricultural technology that improves crop quality and yield; therefore, Sonoma county regulations should align with the state and numerous local jurisdictions throughout California.
- Hoop structures provide not just crop protection and quality enhancement capabilities, but also provide visual screening of the cultivation area thus enhancing security. They can also be screened themselves with fencing, shrubs and trees.
- Cannabis crop quality and yield is improved due to protection from excess heat or solar radiation during high heat index days. Improved quality and yield results in better sales revenues, and ultimately tax revenues to county and state. Hoop houses protect cannabis from excess heat or solar radiation.
- Hoop houses protect crop quality from neighboring agricultural use spray-drift. Cultivators should be allowed to protect their crops with hoop houses because cannabis is subject to very stringent testing requirements, and any pesticides residues could cause failed testing and destruction of product.

- Hoop houses protect crop quality from other airborne contaminants such as smoke, dust, pollen, mold and other particulate matter that could potentially cause failed testing.
- Hoop houses should be allowed the use of minimal lighting as in Tier 1 Mixed Lighting state licensing (less than 6 watts per square foot). This allows for improvements in quality and yield by allowing the cultivator to minimally enhance available lumens during foggy, cloudy or otherwise low light days.
- All practices allowed in Tier 1 Mixed Lighting under the state regulations, under the California Department of Food & Agriculture CalCannabis Division program which has merged with other state cannabis regulatory and enforcement agencies as the Department of Cannabis Control, should not be eliminated or restricted in the Sonoma County Cannabis Ordinance as all farmers should have the capabilities to compete equally with other cultivators in the state.
- Use of black out tarps or minimal lighting as in the state category Tier 1 Mixed Lighting allows the cultivator to manipulate the plant growing and flowering cycle to help address operation's issues such as a shortage of labor at harvest season.
- Use of Tier 1 Mixed Light practices allows for two crop cycles of full term cannabis sativa, indica or hybrid plants resulting in better quality and ultimately higher yield for the cultivator.
- Currently, without Tier 1 category in Sonoma County, cultivators must plant a lower quality strain that automatically flowers at 8-12 weeks, regardless of the seasonal light cycle at the time, so they have cash flow to maintain leases and other operations costs while waiting to plant a full term cannabis crop. Autoflowers, which are mainly used for manufacturing extracts, typically get the lowest price per pound of any cannabis.

It is with all of these considerations in mind that Bango Distribution, parent company of the recognized Sonoma County outdoor grown Elyon cannabis brand, requests that the Sonoma County cannabis ordinance be aligned with that of the state of California. Please study the issue in the EIR and document how allowing temporary hoop houses is the superior environmental alternative.

Respectfully,

Ron Ferraro, CEO
Elyon Cannabis

5355 SKYLANE BLVD, SUITE A SANTA ROSA, CA 95403
707.709.6040 OFFICE@ELYONCANNABIS.COM
ELYONCANNABIS.COM

From: Rachel Zierdt
To: Cannabis; district2; district3; district4; district5; Susan Gorin
Subject: An inconvenient truth about cannabis grows -
Date: Friday, August 13, 2021 12:18:55 PM

Huge users of water and energy. Take time to see this…its even from Fox which is usually so conservative.

https://www.foxnews.com/media/cannabis-marijuana-growing-industry-environmental-problems

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: oakparknews@mac.com
To: Cannabis
Subject: Cannabis and Neighborhood Compatibility
Date: Friday, August 13, 2021 2:33:40 PM
Attachments: Claim against PRMD for weapons violation.pdf
Potential impacts of plastic from cannabis cultivation.pdf

Dear Sonoma County staff,

Living in a rural, quiet, bucolic Sonoma county DA neighborhood with a cannabis grower - I will say that only persons who could think that cannabis grows are compatible in our rural neighborhoods are persons who haven't lived adjacent one or nearby.

Sonoma county's current setback rules of 100 ft to a neighbor property line and 300 fit to a residence are completely inadequate. There is the smell, the visual blight of hoop houses, the increased general noise, increased traffic on very small rural lanes not designed for industrial traffic. Besides the grow itself the grower can have many activities and structures where workers are busy and noisy right next to a neighbor fence line. Unsightly shipping containers or other structures are allowed to be a minimal few foot setback from a neighbor fence line.

Maybe the most critical (literally) is neighbors concern for safety. Numerous times in the past few months high caliber gun shots appear to come from the property of our cannabis grower neighbor. The neighbors aren't sure if there is robbery going on or what.

I am attaching a writ of mandate recently filed of a law suit against the county for a cannabis grower who demands to have weapons on his property to defend against the 6 recent burglary attempts at this grow. These are the problems the county is bringing into rural neighborhoods.

Cannabis is more of an industrial product and would be best suited for industrial areas set up properly to grow it. Forcing a fit into rural neighborhoods is the worst idea. The second worst is having it grown in our rural scenic corridors that make Sonoma county a lovely place to live and attracts tourists from all over the world. Allowing cannabis hoop houses, security fences, night lights, etc to spread out into our county's scenic vistas would be tragic, as has occurred in Santa Barbara and other counties and the reason Napa, Yolo, Marin, San Mateo, etc. are not allowing outdoor cannabis grows.

Cannabis expansion also adds more water intensive crops in the midst of historic drought conditions that are not likely to ease much with climate change issues. Also cannabis outdoor in plastic hoop houses leave an environmental mess with tons of plastic that has to be put into land fills. See attachment below from CFW.

Please don't be seduced by some great promise of tax revenues from cannabis. It's not worth it and likely a big illusion as to the true environmental and practical $ cost, which will likely be clearly revealed by a high quality EIR, which the county is to be commended for initiating.

Thank you,

R.N.N

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

FW-003 Order on Court Fee Waiver (Superior Court)

Clerk stamps date here when form is filed.

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/14/2021 1:35 PM
Arlene D. Junior, Clerk of the Court
By: Angela Mendia, Deputy Clerk

(1) Person who asked the court to waive court fees:
Name: Nicholas Bettencourt
Street or mailing address: 218 Pleasant Avenue
City: Santa Rosa State: CA Zip: 95403

(2) Lawyer, if person in (1) has one *(name, firm name, address, phone number, e-mail, and State Bar number):*
Richard Sax 80632
Law Office of Richard Sax
P.O. Box 1236
Santa Rosa, CA 95402

707-525-1824

Fill in court name and street address:
Superior Court of California, County of
Sonoma
600 Administration Drive
600 Administration Drive
Santa Rosa, CA 95403
Civil Division

(3) A request to waive court fees was filed on *(date):*

☐ The court made a previous fee waiver order in this case on *(date):*

Fill in case number and name:
Case Number:

Case Name:
Bettencourt v. Sonoma County

Read this form carefully. All checked boxes ☑ are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for **$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

(4) After reviewing your: ☒ *Request to Waive Court Fees* ☐ *Request to Waive Additional Court Fees*
the court makes the following orders:

Submitted for judicial review more than 5 days after filed. Application is deemed granted by operation of law. Govt Code 68634.

a. ☒ The court **grants** your request, as follows:

(1) ☐ **Fee Waiver.** The court grants your request and waives your court fees and costs listed below *(Cal. Rules of Court, rule 3.55 and 8.818.)* You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department
- Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835

[redacted] 7/14/2021

(2) ☐ **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. *(Cal. Rules of Court, rule 3.56.)* You do not have to pay for the checked items.

☐ Jury fees and expenses
☐ Fees for court-appointed experts
☐ Other *(specify):*
☐ Fees for a peace officer to testify in court
☐ Court-appointed interpreter fees for a witness

Your name: Nicholas Bettencourt

Case Number:

b. ☐ The court **denies** your fee waiver request because:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

(1) ☐ Your request is incomplete. You have **10 days** after the clerk gives notice of this Order (see date of service on next page) to:

- Pay your fees and costs, or
- File a new revised request that includes the incomplete items listed:
  ☐ Below ☐ On Attachment 4b(1)

(2) ☐ The information you provided on the request shows that you are not eligible for the fee waiver you requested for the reasons stated: ☐ Below ☐ On Attachment 4b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Superior Court)* (form FW-006). You have **10 days** after the clerk gives notice of this order (see date of service below) to:

- Pay your fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. *(Use form FW-006 to request hearing.)*

c. (1) ☐ The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about the questions regarding your eligibility that are stated:
☐ Below ☐ On Attachment 4c(1)

(2) ☐ Bring the items of proof to support your request, if reasonably available, that are listed:
☐ Below ☐ On Attachment 4c(2)

Your name: Nicholas Bettencourt

Case Number:

Name and address of court if different from above:

Hearing Date → Date: _____ Time: _____

Dept.: _____ Room: _____

Warning! If item c(1) is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay your fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

Date: _____

Signature of (check one): ☐ *Judicial Officer* ☐ *Clerk, Deputy*

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and *(check one)*:

☐ I handed a copy of this Order to the party and attorney, if any, listed in (1) and (2), at the court, on the date below.

☐ This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in (1) and (2), from *(city)*: _____, California on the date below.

☐ A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy

Name: _____

This is a Court Order.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
Richard Sax, 80632 Law Office of Richard Sax 448 Sebastopol Avenue Santa Rosa, CA 95401 ATTORNEY FOR (Name): Petitioner	(707)525-1824 Ext 18 Ref. No. or File No.	ELECTRONICALLY FILED Superior Court of California County of Sonoma 8/5/2021 10:38 AM Arlene D. Junior, Clerk of the Court By: Branden Rasmussen, Deputy Clerk
Insert name of court, judicial district or branch court, if any: Sonoma 600 Administration Dr. Santa Rosa, CA 95403-2818		
PLAINTIFF: Nicholas Bettencourt		
DEFENDANT: County of Sonoma Board of Supervisors, et al.		
PROOF OF SERVICE BY MAIL		CASE NUMBER: SCV-268744

BY FAX

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 1400 N. McDowell Blvd, Petaluma, CA 94954.

On 07/14/2021, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCP 4(e)(2)(B) or FRCP 4(h)(1)(B) was made (if applicable), I mailed copies of the:

Civil Case Cover Sheet, Summons Issued, Petition for Writ of Mandate, Memorandum of P&A's in Support of Application for Writ of Mandate, ,

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Petaluma, California, addressed as follows:

County of Sonoma Permit and Resource Management Department Code Enforcement Division

Sonoma County Board of Supervisors

575 Administration Dr, Room 100A

Santa Rosa, CA 95403

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Fee for Service: $ 62.50

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 07/14/2021 at Petaluma, California.

[redacted]

Travis Carpenter

OL# 16571513

One Legal - P-000618-Sonoma

1400 North McDowell Blvd, Ste 300

Petaluma, CA 94954

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA CIVIL DIVISION 600 ADMINISTRATION DRIVE, ROOM 107-J SANTA ROSA, CALIFORNIA 95403-2878 (707) 521-6500 http://www.sonoma.courts.ca.gov Bettencourt vs County of Sonoma Board of Supervisors	(FOR COURT USE ONLY) FILED JUL 06 2021 Clerk of the Superior Court of California County of Sonoma By [redacted] Deputy Clerk
NOTICE OF ASSIGNMENT TO ONE JUDGE FOR ALL PURPOSES, NOTICE OF CASE MANAGEMENT CONFERENCE, and ORDER TO SHOW CAUSE	Case number: SCV-268744

A COPY OF THIS NOTICE MUST BE SERVED WITH THE SUMMONS AND COMPLAINT AND WITH ANY CROSS-COMPLAINT

1. **THIS ACTION IS ASSIGNED TO HON. JENNIFER V DOLLARD FOR ALL PURPOSES.** Pursuant to California Rules of Court, Rule 2.111(7), the assigned judge's name must appear below the number of the case and the nature of the paper on the first page of each paper presented for filing.

2. EACH DEFENDANT MUST FILE A WRITTEN RESPONSE TO THE COMPLAINT AS REQUIRED BY THE SUMMONS.

A Case Management Conference has been set at the time and place indicated below:

Date: Tuesday, 01/18/2022	Time: 3:00 PM	Courtroom 18
Location: 3055 Cleveland Avenue, Santa Rosa, CA 95403		

3. No later than 15 calendar days before the date set for the case management conference or review, each party must file a case management statement [Judicial Council form #CM-110] and serve it on all other parties in the case. In lieu of each party's filing a separate case management statement, any two or more parties may file a joint statement.

4. At the conference, counsel for each party and each self-represented party must appear personally or by telephone [California Rules of Court, Rule 3.670(c)(2)]; must be familiar with the case; and must be prepared to discuss and commit to the party's position on the issues listed in California Rules of Court, Rule 3.727.

5. Pre-approved dispositions are recorded three (3) court days prior to the case management conference. These may be obtained by calling (707) 521-6883 or by going to http://sonoma.courts.ca.gov/online-services/tentative-rulings.

ORDER TO SHOW CAUSE

To Plaintiff(s), Cross-complainants, and/or their attorneys of record:
If, on the date shown above, you are not in compliance with the requirements stated in the California Rules of Court, rules 2.30, 3.110, and/or 3.720 through 3.771 inclusive, you must then and there show cause why this court should not impose monetary and/or terminating sanctions in this matter.

Pursuant to California Rule of Court, rule 3.221(b), information and forms related to Alternative Dispute Resolution are available on the Court's website at http://www.sonoma.courts.ca.gov/self-help/adr.

ELECTRONIC SERVICE OF DOCUMENTS

Enabled by Local Rule 18.16

Voluntary e-service is available in Sonoma County. The Court has pre-approved a Stipulation for cases in which the attorneys or parties choose e-service. A copy of the Stipulation is available under the "Civil" section in the "Division" tab of the Court website: http://www.sonoma.courts.ca.gov. The advantages of e-service to the parties include:

SAVE MONEY	Reduction in costs related to photocopying, retrieving, storing, messenger and postage fees. No special software is needed to use e-service
SAVE TIME	Instant service of your documents on all parties
SAVE SPACE	With 24/7 internet access to all documents, you do not need to house paper copies
GAIN CERTAINTY	Immediate confirmation of service for your records. Documents are not delayed in the mail or blocked by email spam blockers and firewalls

To take advantage of e-service, select an e-service provider and file the signed Stipulation with the Court. Parties can then e-serve documents through the selected provider. Information about e-service providers is available at the website for the Sonoma County Bar Association: http://www.sonomacountybar.org. The Court does not endorse one provider over another.

To learn more about available e-service providers and their fees, please visit their website

***Note**: Hard-copy pleadings are required to be filed with the Court in accordance with applicable provisions of the Code of Civil Procedure, California Rules of Court and local rules. You do not need to provide a courtesy copy of a served document to the specific department in which the matter has been assigned.*

DISCOVERY FACILITATOR PROGRAM

Effective January 1, 2008, the Sonoma County Superior Court promulgated Sonoma County Local Rule 4.14 which established the Discovery Facilitator Program. Participation in the Discovery Facilitator Program shall be deemed to satisfy a party's obligation to meet and confer under Sonoma County Local Rule 5.5 and applicable provisions of the Code of Civil Procedure and California Rules of Court. This program has been providing assistance in resolving discovery disputes and reducing the backlog of matters on the law and motion calendars in our civil law departments. The Sonoma County Superior Court encourages all attorneys and parties to utilize the Discovery Facilitator Program in order to help resolve or reduce the issues in dispute whether or not a discovery motion is filed.

There is a link to Local Rule 4.14 and the list of discovery facilitator volunteers on the official website of the Sonoma County Superior Court at http://www.sonoma.courts.ca.gov. On the home page, under the "AVAILABLE PROGRAMS & HELP" section, click on »Discovery Facilitator Program. You can then click on either "Local Rule 4.14" to obtain the language of the local rule, or "List of Facilitators" for a list of the volunteer discovery facilitators and accompanying contact and biographical information.

Pursuant to Local Rule 5.1.C:

The moving party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of any motion filed. The responding party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of all opposition papers. Finally, the moving party shall, on the date of filing, hand-deliver to the Assigned Judge a courtesy copy, which need not be file-endorsed, of all reply papers.

Pursuant to Local Rule 5.1.C.1:

If any matter scheduled on the law and motion calendar is resolved, dismissed, settled or becomes moot for any reason, the moving party shall immediately notify the judicial assistant for the Assigned Judge if the motion is to be dropped from the law and motion calendar. Said notification may be made by telephone, followed by a letter of confirmation.

SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
County of Sonoma Board of Supervisors, County of Sonoma Permit & Resource Management Department Code Enforcement Division

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):
Nicholas Bettencourt, Petitioner
Joanne Bettencourt: Real Party In Interest

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center *(www.courtinfo.ca.gov/selfhelp)*, your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site *(www.lawhelpcalifornia.org)*, the California Courts Online Self-Help Center *(www.courtinfo.ca.gov/selfhelp)*, or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ***¡AVISO!*** *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), *en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.*

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), *en el Centro de Ayuda de las Cortes de California,* (www.sucorte.ca.gov) *o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de $10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.*

CASE NUMBER
(Número del Caso): SCV-268744

The name and address of the court is:
(El nombre y dirección de la corte es):
Sonoma County Superior Court
600 Administration Drive
Santa Rosa, CA 95403

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Richard Sax 80632 Law Office of Richard Sax
P.O. Box 1236 707-525-1824
Santa Rosa, CA 95409

DATE:
(Fecha) 7/6/2021 4:04 PM

ARLENE D. JUNIOR Clerk, by *(Secretario)* [redacted], Deputy *(Adjunto)*
Janie Dorman

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, *(POS-010)).*

[SEAL]

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify):*
3. ☐ on behalf of *(specify):*
   under: ☐ CCP 416.10 (corporation)
   ☐ CCP 416.20 (defunct corporation)
   ☐ CCP 416.40 (association or partnership)
   ☐ other *(specify):*
   ☐ CCP 416.60 (minor)
   ☐ CCP 416.70 (conservatee)
   ☐ CCP 416.90 (authorized person)
4. ☐ by personal delivery on *(date):*

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]
CEB ceb.com | Essential Forms

SUMMONS

Code of Civil Procedure §§ 412.20, 465
www.courtinfo.ca.gov

Nicholas Bettencourt

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Richard Sax 80632
Law Office of Richard Sax
P.O. Box 1236
Santa Rosa, CA 95409
TELEPHONE NO.: 707-525-1824 FAX NO.: 707-525-8119
ATTORNEY FOR (Name): Nicholas Bettencourt

FOR COURT USE ONLY

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sonoma
STREET ADDRESS: 600 Administration Drive
MAILING ADDRESS: 600 Administration Drive
CITY AND ZIP CODE: Santa Rosa, CA 95403
BRANCH NAME: Civil Division

CASE NAME: Bettencourt v. County of Sonoma Board of Supervisors, et al.

CIVIL CASE COVER SHEET
☒ Unlimited (Amount demanded exceeds $25,000) ☐ Limited (Amount demanded is $25,000 or less)

Complex Case Designation
☐ Counter ☐ Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: SCV-268744
JUDGE:
DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment
☐ Wrongful termination (36)
☐ Other employment (15)

Contract
☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property
☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer
☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review
☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☒ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint
☐ RICO (27)
☐ Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
☐ Partnership and corporate governance (21)
☐ Other petition *(not specified above)* (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. ☐ Large number of separately represented parties
   b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. ☐ Substantial amount of documentary evidence
   d. ☐ Large number of witnesses
   e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action *(specify)*: 1
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: 7/6/2021

Richard Sax
(TYPE OR PRINT NAME)

[redacted]
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Nicholas Bettencourt

Richard Sax (SBN 80632) *richard@rsaxlaw.com*
LAW OFFICES OF RICHARD SAX
P. O Box 1236
Santa Rosa, CA. 95402
Telephone: (707) 525-1824
Facsimile: (707) 525-8119

Attorney for Petitioner,
Nicholas Bettencourt

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SONOMA

NICHOLAS BETTENCOURT,

Plaintiff,

v.

COUNTY OF SONOMA BOARD OF SUPERVISORS, COUNTY OF SONOA PERMIT & RESOURCE MANAGEMENT DEPARTMENT CODE ENFORCEMENT DIVISION,

Defendants.

SCV-268744 JD
CASE NO.: ~~SCV-263072~~

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF APPLICATION FOR WRIT OF MANDATE

Date:
Time:
Dept:

I. INTRODUCTION

This court should issue a writ of mandate compelling respondent to refrain from enforcing an ordinance and to determine the ordinance to be unconstitutional because respondent is an inferior tribunal or Board and Petitioner is beneficially interested and has no plain, speedy and adequate remedy in the ordinary course of law.

II. FACTS OF THE CASE

Petitioner, Nicholas Bettencourt (Bettencourt or petitioner), alleges:

1. Petitioner holds Zoning Permit Number APC20-0106 that allows the cultivation of 2500 square feet of cannabis at the Property.

2. Respondents are the County of Sonoma Board of Supervisors and the County of Sonoma Permit & Resource Management Department Code Enforcement Division.

3. Real party in interest is Joanne Bettencourt who has an interest that is directly affected by this proceeding in that she owns the real property where petitioner was cultivating commercial cannabis.

4. On April 5, 2021 An Administrative Hearing Decision and Order was made upholding a November 04, 2020 Notice of Proposed Action issued by the County of Sonoma that stated Sonoma County Code SCC section 26-88-254(f)(21) was violated for prohibited "weapons and firearms at the cultivation site" and imposed civil penalties. A copy of the Administrative Hearing Decision and Order is attached as Exhibit 1. The Decision and Order was mailed to petitioner on April 6, 2021.

5. Petitioner seeks a writ of mandate enjoining respondent from enforcing the Order.

6. The Order should be enjoined because the hearing officer determined that she could not rule on the constitutional issues that were raised by petitioner at the administrative hearing and because the ordinance is unconstitutional. The hearing officer stated in relevant part as follows:

"It is critical to note that this Hearing Officer does not possess the authority to refuse to enforce the prohibition and/or fines based upon the Permit Holder's constitutional arguments. Pursuant to Sonoma County Code Enforcement Hearing procedure 7-0-16 a hearing officer has no power to declare a statute or ordinance unenforceable or unconstitutional, unless an appellate court has made that determination. (Citing to California Constitution, Article III, Section 3.5. Administrative Hearing Decision and Order pp. 4-5.

7. Petitioner alleges that the ordinance is unconstitutional for the following reasons:

A. The ordinance violates equal protection under the 14th Amendment of the United States Constitution and the California Constitution and is arbitrary and capricious in that it prohibits firearms and weapons at an outdoor cannabis cultivation site but not at other cannabis businesses regulated by the Sonoma County Ordinance; and

B. The ordinance violates petitioner's second amendment right to bear arms for self-defense guaranteed by the Second Amendment of the United States Constitution.

8. Since petitioner was granted his cannabis cultivation permit in June 2019 his commercial operation was broken into and vandalized on six (6) different occasions and there was no assistance from law enforcement. Petitioner alleges that he has the right to possess weapons and/or firearms at the cultivation site for self-defense. Furthermore, many tools such as knives and scissors are used in the cannabis cultivation enterprise.

9. Petitioner has a beneficial interest in the issuance of the writ because he had a commercial cannabis license and a commercial permit from Sonoma County to grow cannabis outdoors. His cannabis business for profit has been destroyed.

10. Petitioner has performed all conditions precedent to the filing of this petition by exhausting all his administrative remedies.

11. Notwithstanding such ability to exercise its discretion not to enforce the ordinance against petitioner respondent continues to do so.

12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, other than the relief sought in this petition, in that otherwise petitioner has been put out of business and his economic losses are difficult to quantify.

13. Respondent's action has damaged petitioner in a sum according to proof.

III. LAW OF THE CASE

A. When Writ of Mandate May Issue. A writ of mandate may issue from any court to any inferior tribunal, corporation, board, or person to compel the performance of an act that the law specifically enjoins as a duty from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled and from which the party is unlawfully precluded. The writ must be issued on the verified petition of the party beneficially interested, when there is no plain, speedy, and adequate remedy in the ordinary course of the law (Code Civ. Proc. §§ 1085, 1086).

B. Petition For Writ of Mandate Is Timely.

The Writ was filed within the 90-day period. CCP 1094.6(b).

IV. CONCLUSION

Based upon the foregoing facts and law it is respectfully submitted that the court should issue the requested Writ of Mandate.

Dated: July 6, 2021

LAW OFFICES OF RICHARD SAX

[redacted]

RICHARD SAX, Attorney for Petitioner

Richard Sax, SBN 80632
P. O. Box 1236
Santa Rosa, California 95402
Telephone: 707-525-1824
Fax: 707-525-8119
Email: richard@rsaxlaw.com
Attorney for Petitioner

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
7/6/2021 4:04 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA
COUNTY OF SONOMA

Nicholas Bettencourt,

Petitioner

vs.

County of Sonoma Board of Supervisors, County of Sonoma Permit and Resource Management Department Code Enforcement Division,

Respondent

Joanne Bettencourt:

Real Party In Interest

CASE NO.: SCV-268744

PETITION FOR WRIT OF MANDATE

Petitioner, Nicholas Bettencourt ("Bettencourt" or "Petitioner"), alleges:

1. Petitioner holds Zoning Permit Number APC20-0106, which allows the cultivation of 2,500 square feet of cannabis at the subject real property ("Property"), located at 490 Pleasant Avenue, Santa Rosa, in the County of Sonoma, State of California.

2. Respondents are the County of Sonoma Board of Supervisors and the County of Sonoma Permit and Resource Management Department Code Enforcement Division.

3. Real Party In Interest is Joanne Bettencourt, who has an interest that is directly affected by this proceeding, in that she owns the Property where Petitioner was cultivating commercial cannabis.

4. On April 5, 2021, an Administrative Hearing Decision and Order was made upholding a November 04, 2020, Notice of Proposed Action issued by the County of Sonoma, which stated that Sonoma County Code SCC § 26-88-254(f)(21) was violated for prohibited "weapons and firearms at the cultivation site," and imposed civil penalties. A copy of the Administrative Hearing Decision and Order ("Order") is attached as Exhibit 1. The Order was mailed to Petitioner on April 6, 2021.

5. Petitioner seeks a writ of mandate enjoining respondent County of Sonoma Board of Supervisors, County of Sonoma Permit and Resource Management Department Code Enforcement Division ("Respondent"), from enforcing the Order.

6. The Order should be enjoined because the hearing officer determined that she could not rule on the constitutional issues that were raised by Petitioner at the Administrative Hearing, and because the ordinance, Sonoma County Code SCC § 26-88-254(f)(21) ("Ordinance"), is unconstitutional. The hearing officer stated in relevant part as follows:

> "It is critical to note that this Hearing Officer does not possess the authority to refuse to enforce the prohibition and/or fines based upon the Permit Holder's [Petitioner's] constitutional arguments. Pursuant to Sonoma County Code Enforcement Hearing procedure 7-0-16, a hearing officer has no power to declare a statute or ordinance unenforceable or unconstitutional, unless an appellate court has made that determination." (Citing to California Constitution, Article III, Section 3.5. Administrative Hearing Decision and Order ["Order"] pp. 4-5.)

7. Petitioner alleges that the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), is unconstitutional for the following reasons:

A. The Ordinance violates equal protection under the 14th Amendment of the United States Constitution and the California Constitution and is arbitrary and capricious, in that it prohibits firearms and weapons at

an outdoor cannabis cultivation site, but not at other cannabis businesses regulated by the Sonoma County Ordinance; and,

B. The Ordinance violates Petitioner's second amendment right to bear arms for self-defense, guaranteed by the Second Amendment of the United States Constitution: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed."

8. Since Petitioner was granted his cannabis cultivation permit in June of 2019, his commercial operation was broken into and vandalized on six (6) different occasions, and there was no assistance on Petitioner's behalf from law enforcement. Petitioner alleges that he has the right to possess weapons and/or firearms at the cultivation site for self-defense. Furthermore, many tools such as knives and scissors are used in the cannabis cultivation enterprise.

9. Petitioner has a beneficial interest in the issuance of this writ of mandate, because previous to the issuance of the Order, Petitioner had a commercial cannabis license and a commercial permit from Sonoma County to grow cannabis outdoors. His cannabis business for profit has been destroyed since the issuance of the Order.

10. Petitioner has performed all conditions precedent to the filing of this petition for a writ of mandate, by exhausting all of his administrative remedies.

11. Notwithstanding Respondent's ability to exercise its discretion not to enforce the Ordinance against Petitioner, Respondent continues to do so.

12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, other than the relief sought in this petition for a writ of mandate, in that otherwise, Petitioner has been put out of business and his economic losses are difficult to quantify.

13. Respondent's actions have damaged Petitioner in a sum according to proof.

//

//

WHEREFORE, Petitioner prays:

1. That the Court issue a peremptory writ in the first instance commanding Respondent not to enforce the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), against Petitioner;
2. That the Court declare the Ordinance, Sonoma County Code SCC § 26-88-254(f)(21), to be unconstitutional;
3. For damages in a sum according to proof; and,
4. For costs of this proceeding, and for such other and further relief as the Court deems just and proper.

Dated: July 6, 2021

[redacted]

Richard Sax,
Attorney for Petitioner

VERIFICATION

I, Nicholas Bettencourt, am the Petitioner in this proceeding. I have read the foregoing Petition for Writ of Mandate, and know its contents. The facts stated therein are true, and are within my personal knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Verification was signed at Windsor, California on July 06, 2021.

[redacted]

Nicholas Bettencourt

Examples of plastic trash on or near the banks of streams at cannabis cultivation sites in the Emerald Triangle (Humboldt, Mendocino, and Trinity Counties), CA, 2018–2019. Photo Credit: Kalyn Bocast, CDFW (top and center); CDFW staff (bottom)

California Fish and Wildlife, Cannabis Special Issue; 121-131; 2020

Potential impacts of plastic from cannabis cultivation on fish and wildlife resources

LINDSEY N. RICH[1]*, MARGARET MANTOR[2], ERIN FERGUSON[3], ANGE DARNELL BAKER[2], AND ERIN CHAPPELL[1]

[1] California Department of Fish and Wildlife, Nongame Wildlife Program, 110 Riverside Parkway, West Sacramento, CA 95605, USA

[4] California Department of Fish and Wildlife, Habitat Conservation and Planning Branch, 110 Riverside Parkway, West Sacramento, CA 95605, USA

[3] California Department of Fish and Wildlife, Fisheries Branch, 110 Riverside Parkway, West Sacramento, CA 95605, USA

**Corresponding Author: Margaret.mantor@wildlife.ca.gov*

Plastic is commonly used in many applications for the cultivation of cannabis. This document provides a synthesis of available scientific literature on how plastic, particularly that used in cannabis cultivation, may detrimentally affect wildlife, fish, and associated ecosystems, including entanglement and ingestion, leaching of chemicals into the environment, and alteration of soil properties.

Key words: cannabis, chemical additives, entanglement, fish, microplastics, monofilament netting, plastic, soil properties, wildlife

---

Plastic is a chemically diverse group of synthetic polymer-based materials. Over 320 million tons of plastic are produced annually worldwide in sizes ranging from microplastics (< 5 mm in diameter; Barnes et al. 2009; Wagner et al. 2014; World Economic Forum 2018) to macroplastics (>20 mm in diameter). Because plastics are virtually non-biodegradable, they are mechanically broken down (e.g., physical fragmentation from weather such as hail) and are eventually released into terrestrial and aquatic ecosystems (Horton et al. 2017; Steinmetz et al. 2016; de Souza Machado et al. 2017). Given the mass production of plastic and its durability, plastic pollution has been identified as one of the most widespread and long-lasting anthropogenic changes to our planet's surface (Barnes et al. 2009). This anthropogenic change is a growing hazard for fish, wildlife, and the habitats upon which they depend.

This review provides a synthesis of available scientific literature on how plastic use in agriculture may impact wildlife, fish, and associated ecosystems to help identify the potential impact of plastic use from cannabis agriculture. The use of plastic materials in agriculture was first introduced in 1948 in the United States to cover greenhouses with cellophane (Scarascia-Mugnozza et al. 2011). The use of plastic in agriculture is now extensive and expanding. Plastic films (e.g., greenhouses, tunnels, and mulching) are used to protect

crops from the environment and to create a controlled growing environment. Plastics are used to shield plants from extreme temperatures, wind, hail, wildlife damage, and to provide shading. Plastics are also used in piping, irrigation and drainage. Some reported benefits of using plastic in agricultural applications include increased yields, earlier harvests, reduction of herbicide and pesticide consumption, frost protection and water conservation, and preservation, transportation, and commercialization of food products (Scarascia-Mugnozza et al. 2011).

There is limited published information on outdoor cannabis cultivation practices. This review assumes that largely, cannabis cultivation is similar to other agricultural practices. At outdoor cannabis cultivation sites, cultivators may use, for example, plastic mulching to protect seedlings and shoots, polyvinyl chloride (PVC) pipes to transport water, plastic monofilament for plant support or erosion control, plastic netting to exclude birds and other wildlife, and an array of additional plastic products (e.g., fertilizer bags and pots). Polyolefins (i.e., plastics used for hoop houses) encompass both polyethylene (PE) and polypropylene (PP), with low-density PE being the largest component of plastic produced globally and one of the most common polymers recovered as aquatic debris (Rochman et al. 2013). Polyolefins degrade extremely slowly, meaning they can survive in the environment for 10s to 100s of years (World Economic Forum 2018).

Agricultural areas in particular, have been identified as a major entry point for plastics into continental systems (Horton et al. 2017). However, research on the impacts of plastics on the environment has predominantly focused on marine aquatic systems, with freshwater and terrestrial ecosystems only being considered in recent years (Wagner et al. 2014; Horton et al. 2017; de Souza Machado et al. 2017). Freshwater bodies often have comparable amounts of plastic to marine waters and approximately 80% of plastic pollution in the ocean comes from land via wind, direct runoff following rainstorms, and wastewater (Dris et al. 2015; Jambeck et al. 2015; Holland et al. 2016).

This review categorizes the harmful impacts of plastic use on the into three pathways: entanglement and ingestion by wildlife, leaching of harmful chemical additives into the environment, and alteration of soil properties. The review aims to serve as a starting point in documenting complex interactions between an emerging agricultural product and the environment. We have included examples from species that reside in and outside of California given many non-resident species share similar life history traits to resident species.

ENTANGLEMENT AND INGESTION BY WILDLIFE

UV radiation and temperature fluctuations fragment plastics on land while waves, wind, and UV fragment them in the ocean and freshwater lakes, creating smaller and smaller plastic particles. As the size of the plastic decreases, the number of wildlife species that could potentially ingest the plastic increases (Barnes et al. 2009; Horton et al. 2017). When plastics are ingested, they may clog feeding appendages or the digestive system, be retained in the gut, cross the gut wall into other body tissues, or be excreted at higher concentrations than when they were ingested (Barnes et al. 2009; Lwanga et al. 2017). Further, large plastic material (e.g., plastic mulch) can fragment into microplastics that are ingestible by a wider range of species, in turn facilitating their accumulation in the environment and in the food web (Barnes et al. 2009; Oehlmann et al. 2009; Steinmetz et al. 2016; Lwanga et al. 2017). In a farming landscape, for example, microplastic concentrations increased from soil to earthworm casts to chicken feces (Lwanga et al. 2017).

Wildlife species ranging from zooplankton to American robins (*Turdus migratorius*) to bull snakes (*Pituophis catenifer*) may ingest or become entangled in plastic, which may pose a considerable threat to the species (Barnes et al. 2009; Rehse et al. 2016; Gil-Delgado et al. 2017; Holland et al. 2016). Plastic that gets entangled around wildlife species' legs and feet may in time, tighten in response to swelling and can lead to necrosis of the limb (Burton and Doblar 2004). Entanglement may also result in severe lacerations, reduced mobility, or death (e.g., from strangulation or being trapped in the sun; Burton and Doblar 2004; Kapfer and Paloski 2011; Stuart et al. 2001). Table 1 includes examples from the available scientific literature of wildlife using plastic, becoming entangled in plastic, or ingesting plastic, and the effect of doing so.

Table 1. Examples of wildlife using plastic, becoming entangled in plastic, or ingesting plastic.

Taxa	Species	Effect	Source
Birds	Mourning dove (*Zenaida macroura*)	Documented becoming entangled in monofilament and then dying.	Parker and Blomme 2007
	Northern gannets (*Sula bassana*)	In two colonies of gannets, 97% of nests sampled had plastic incorporated in them including rope/line/netting (78%), plastic package strapping (12%), bags or sheets (7%) and hard plastic (3%).	Montevecchi 1991
	European coot (*Fulica atra*), mallard (*Anas platyrhynchos*), and shelduck (*Tadorna tadorna*)	There was a high prevalence of plastics in the birds' feces.	Gil-Degado et al. 2016
	Osprey (*Pandion haliaetus*)	Nestlings can become entangled in the bailing twine that has been incorporated into their nests and perish.	Blem et al. 2002
	Mallard (*A. platyrhynchos*), American black duck (*A. rubripes*), and common eider (*Somateria mollissima*)	Plastic was found in the stomachs of 46% of mallards, 7% of black ducks, and 2% of eiders analyzed.	English et al. 2015
	American crow (*Corvus brachyrhynchos*)	85% of crow nests along an urban to agricultural gradient contained anthropogenic material; the amount of material was higher in nests in agricultural areas than urban areas; all entangled nestlings failed to fledge.	Townsend and Barker 2014
	Ducks, geese, American robins (*Turdus migratorius*), and Eastern bluebirds (*Sialia sialis*)	Monofilament can become entangled around the distal legs and feet, where it tightens in response to swelling. This can lead to necrosis of the limb and eventual amputation.	Blem and Doblar 2004

Taxa	Species	Effect	Source
	California condor (*Gymnogyps californianus*)	Ingestion of anthropogenic garbage, including plastic, has slowed the development of feathers in some nestlings and resulted in the death of others; nestlings may be physiologically less able to regurgitate pellets or other indigestible material than adults.	Mee et al. 2007
	Great tit (*Parus major*)	Appeared to preferentially seek out anthropogenic material for nests; more anthropogenic material was associated with lower general arthropod diversity and higher levels of Siphonaptera (fleas).	Hanmer et al. 2017
Herpetofauna	Leatherback sea turtle (*Dermochelys coriacea*)	Ingested plastic can result in esophageal and gastrointestinal blockage and death.	Starbird and Audel 2000
	Coachwhips (*Masticophis flagellum*) and bullsnake (*Pituophis catenifer*)	Have become entangled in plastic netting, sometimes leading to death (e.g., from overheating after being entrapped in full sunlight).	Stuart et al. 2001
	Common gartersnake (*Thamnophis sirtalis*), northern watersnake (*Nerodia sipedon*), Western fox snake (*Pantherophis vulpinus*)	Have been found entangled in plastic netting.	Kapfer and Paloski 2011
Invertebrates	Earthworms (*Lumbricus terrestris*)	In a lab, there was a significant reduction in growth rates when exposed to microplastics; mortality was also observed with mortality increasing as concentration of microplastics increased; there were negative effects on burrow construction.	Lwanga et al. 2016
	Earthworms	Earthworm casts contained concentrated amounts of microplastics. This is a consequence of their direct ingestion of the soil.	Lwanga et al. 2017
	Earthworm (*Eisenia andrei*)	In a lab, worms were exposed to different concentrations of microplastics. There were no significant effects on survival or reproduction but there was damage to the gut and immune system.	Rodriguez-Seijo et al. 2017
	Zooplankton (*Daphnia magna*)	Ingestion of plastic particles at high doses lead to immobilization.	Rehse et al. 2016
Fish	Freshwater and marine teleost fishes	In natural settings, microplastics have been found to be ingested by several fish species, no matter the size, life stage or life history.	Hoss and Settle 1989; Eerkes-Medrano et al. 2015; Collicutt et al. 2019

LEACHING OF HARMFUL CHEMICAL ADDITIVES

Chemical additives such as Bisphenol-A (BPA), polybrominated diphenyl ethers (PBDE), or phthalate acid esters (PAE) are added to plastics to increase their functionality (e.g., elasticity, rigidity, and UV stability). Over half of all plastics are associated with hazardous monomers, additives, and/or chemical byproducts (Rochman et al. 2013). These hazardous monomers and additives are weakly bound or not bound at all to the polymer molecule (i.e., to the plastic) meaning that over time, they will leach out of the plastic and into surface waters, wastewater, groundwater, sediment, and soil (Clara et al. 2010; Steinmetz et al. 2016; Horton et al. 2017). Leached chemical additives may be carcinogenic or toxic and many function as endocrine disruptors that negatively impact developmental,

Table 2. Examples of how the leaching of chemical additives from plastics may impact wildlife.

Taxa	Species	Effect	Source
Mammals	Rats and mice	In a lab, adult exposure to BPA affected the male reproductive tract; developmental exposure affected the brain and metabolic processes.	Richter et al. 2007
	Rats	In a lab, high doses of DEHP led to rapid and severe changes in the testes of adult male rats and adverse responses in females (following pre- and post-natal exposure).	Talsness et al. 2009
	Mice, guinea pigs, and ferrets	In a lab, exposure to phthalates sometimes induced testicular injury.	Oehlmann et al. 2009
Herpto-fauna	African clawed frog (*Xenopus laevix*)	In a lab, BPA exposure led to teratogenic effects like crooked vertebrae, abnormal development of head and abdomen, and death of cells in the central nervous system.	Oka et al. 2003
	Moor frog (*Rana arvalis*)	In a lab, exposure to DEHP via sediment resulted in decreased successful hatchings with increasing concentrations.	Larsson and Thurén 1987
	Japanese wringled frog (*Rana rugosa*)	In a lab, DBP exposure caused delayed gonadal development in male tadpoles.	Ohtani et al. 2000
Inverte-brates	Ramshorn snails (*Marisa cornuarietis*)	In a lab, exposure to BPA caused superfeminization syndrome (i.e., additional sex organs, enlarged accessory sex glands, enhanced egg production) outside of spawning season and increased female mortality.	Oehlmann et al. 2000

Table 2. continued.

Taxa	Species	Effect	Source
	Crickets	In a lab, ingestion of polyurethane foam led to bioaccumulation of chemical additives in crickets.	Gaylor et al. 2012
	Lugworms (*Arenicola marina*)	In a lab, worms that were fed polystyrene with sorbed chemical additives bioaccumulated the chemical additives.	Besseling et al. 2013
	Annelid (*Capitella capitata*)	In a lab, exposure to BPA caused premature metamorphosis of larvae.	Biggers and Laufer 2004
	Chironomid larvae (*insect*)	In a lab, exposure to BPA caused delayed larval emergence.	Watts et al. 2003
Fish	Carp, fathead minnow, rainbow trout	In a lab, BPA exposure had feminizing effects in vivo, induced synthesis of zona radiata proteins, and induced alterations in gonadal development and gamete quality.	Oehlmann et al. 2009
	Fathead minnow (*Pimephales promelas*)	In a lab, exposure to BPA increased percentage of spermatocytes.	Sohoni et al. 2001
	Common carp (*Cyprinus carpio*)	In a lab, exposure to BPA caused alterations in the gonadal structure of males and in some instances, intersex.	Oehlmann et al. 2009
	Common carp	In a lab, exposure to DEP caused changes in general behavior.	Barse et al. 2007
	Common carp	in lab, exposure to BPA caused gonad structural changes in males and decreased estrogen to androgen ratios in blood.	Mandich et al. 2007
	Brown trout (*Salmo trutta f. fario*)	In a lab, exposure to BPA caused reduced sperm quality, delayed ovulation in females, and inhibition of ovulation in females.	Lahnsteiner et al. 2005
	Brown trout (*Salmo trutta f. fario*)	In a lab, low exposure to BPA caused reduced sperm quality and delayed ovulation; higher exposure caused complete inhibition of ovulation.	Lahnsteiner et al. 2005
	Atlantic salmon (*Salmo salar*)	In a lab, exposure to DEHP in food during early life resulted in a small incidence of intersex.	Norman et al. 2007
	Three-spined stickleback (*Gasterosteus aculeatus*)	In a lab, exposure to phthalates caused alterations in shoaling and feeding behavior.	Wibe et al. 2004
	Fish in general	Phthalates have been detected in wild fish and have been found to bioconcentrate in the body tissues of some fish.	Oehlmann et al. 2009

metabolic, and reproductive processes (Richter et al. 2007; Oehlmann et al. 2009; Talsness et al. 2009; Flint et al. 2012; Lü 2018; Teuten et al. 2009). The adverse impacts of chemical additives can be even more acute in developing organisms given their greater sensitivity to drug and chemical exposure (Talsness et al. 2009). Exposure to very low doses of BPA (i.e., doses lower than those studied for toxicological risk assessment purposes) has been found to negatively impact experimental mammals, crustaceans, aquatic insects, and fish (Richter et al. 2007; Oehlmann et al. 2009). Phthalates like diethyl phthalate (DEP), diethylhexyl phthalate (DEHP), and dibutyl phthalate (DBP), alternatively, are known to negatively affect reproduction, to impair development, and/or to induce genetic aberrations in wildlife groups like molluscs, crustaceans, and amphibians (Oehlmann et al. 2009). Smaller-sized plastic has a greater likelihood of leaching chemical additives into the environment, owing to their larger surface to volume ratio (de Souza Machado et al. 2017). Table 2 includes examples from the available scientific literature of how the leaching of chemical additives from plastics may impact wildlife.

ALTERATION OF SOIL BIOGEOCHEMISTRY AND BIOPHYSICAL PROPERTIES

Plastic placed on top of soil (e.g., plastic mulch or monofilament erosion control), as well as other plastic used in cannabis cultivation (e.g., fertilizer bags and pots) have the potential to alter the soil's biogeochemistry and biophysical properties (Steinmetz et al. 2016; Horton et al. 2017; de Souza et al. 2018). Plastic mulches, for example, may induce changes in the soil microbial community. They may modify microclimate conditions (e.g., temperature and moisture), which in turn may increase biological degradation of litter and soil organic matter that in turn, deplete soil nutrients like carbon, alter root or soil fungi relationships, and decrease the abundance of ecosystem engineers like earthworms and nematodes (Steinmetz et al. 2016). Plastic mulches may also impact cannabis cultivation sites by enhancing water runoff into furrows or un-mulched areas. This has multiple impacts including increasing the areas' susceptibility to soil erosion, decreasing soil structural stability, and elevating pesticide loads in these bare ground areas (Steinmetz et al. 2016).

Plastic mulches, plastic monofilament, and the array of other plastic products used on cannabis cultivation sites will fragment over time (e.g., by UV radiation and temperature fluctuations) if they are not cleaned up on a regular basis. Soils will then function as the long-term sink for plastic fragments and debris left behind, with plastics persisting upwards of 100 years in the soil due to low light and oxygen contents (Horton et al. 2017; de Souza et al. 2018). Plastic particles can alter the soil's biophysical environment by changing: 1) soil bulk density- plastics are often less dense than many natural minerals predominant in soils, 2) soil moisture and evapotranspiration – some types of plastic can increase soil's water holding capacity while others can decrease it, 3) microbial activity, and 4) invertebrate activity (Lwanga et al. 2017; de Souza et al. 2018; Zhu et al. 2018). Exposing earthworms (*Lumbricus terrestris*) to microplastics, for example, changed the worms' burrow structure and in turn, soil aggregation and function (Lwanga et al. 2017). Microplastics in soil also impacted the activity of springtails (a hexapod), which then effected the springtails' gut microbiomes and ultimately their growth and reproduction (Zhu et al. 2018).

CONCLUSION

The use of plastic in agriculture is not unique to cannabis cultivation, but information on cannabis cultivation practices in California to date is limited. Although there has not been a formal survey of the use of plastic in cannabis cultivation, it is commonly believed to be widespread. In an online survey conducted in 2018, cannabis growers indicated that most cannabis (41%) was produced outdoors (open air, sunlight), followed by greenhouse (25%; partial or full sunlight) (Wilson et al. 2019). Both methods likely use plastic piping for irrigation and plastic monofilament netting as scaffolding to support plants. Many cannabis growers use hoop houses- greenhouses constructed by placing polyethylene plastic over a PVC arch frame. There are many important gaps in information regarding cannabis cultivation practices that, when answered, will help our understanding of how the environment may be affected by the use of plastic. This review assumes that cannabis cultivation practices are comparable to other agricultural practices. However, further research is required to determine if this assumption is valid. More information is needed on the type, amount, duration, and timing of plastic use on cannabis farms. Research on disposal methods of used plastic is essential. Agricultural plastic products are difficult to collect, recycle, and reuse (Steinmetz et al. 2016). As more information is gathered on the use of plastics in cannabis cultivation, it will be important to continue to synthesize the effects of such materials on wildlife, fish, and associated habitat. This will allow for the development of science-based best management practices to mitigate or avoid detrimental effects.

Author Contributions

Conceived and designed the study: LNR, MM, EF, ADB
Collected the data: LNR, EF, ADB
Performed the analysis of the data: LNR, EF, ADB
Authored the manuscript: LNR, MM, EF, ADB, EC
Provided critical revision of the manuscript: MM, EF, ADB, EC

LITERATURE CITED

Barnes, D. K., F. Galgani, R. C. Thompson, and M. Barlaz. 2009. Accumulation and fragmentation of plastic debris in global environments. Philosophical Transactions of the Royal Society of London B: Biological Sciences 364:1985–1998.

Barse, A. V., T. Chakrabarti, T. K. Ghosh, A. K. Pal, and S. B. Jadhao. 2007. Endocrine disruption and metabolic changes following exposure of *Cyprinus carpio* to diethyl phthalate. Pesticide Biochemistry and Physiology 88:36–42.

Besseling, E., A. Wegner, E. M. Foekema, M. J. Van Den Heuvel-Greve, and A. A. Koelmans. 2012. Effects of microplastic on fitness and PCB bioaccumulation by the lugworm *Arenicola marina* (L.). Environmental Science & Technology 47:593–600.

Biggers, W. J., and H. Laufer. 2004. Identification of juvenile hormone-active alkylphenols in the lobster *Homarus americanus* and in marine sediments. The Biological Bulletin 206:13–24.

Blem, C. R., L. B. Blem, and P. J. Harmata. 2002. Twine causes significant mortality in nestling Ospreys. The Wilson Journal of Ornithology 114:528-529.

Burton, D. L., and K. A. Doblar. 2004. Morbidity and mortality of urban wildlife in the midwestern United States. Pages 171–181 in W. W. Shaw, L. K. Harris, and L. Vandruff, editors. Proceedings of the 4th International Symposium on Urban Wildlife Conservation, Tuscon, AZ, USA.

Clara, M., G. Windhofer, W. Hartl, K. Braun, M. Simon, O. Gans, C. Scheffknecht, and A. Chovanec. 2010. Occurrence of phthalates in surface runoff, untreated and treated wastewater and fate during wastewater treatment. Chemosphere 78:1078–1084.

Collicutt. B., F. Juanes, and S. E. Dudas. 2019. Microplastics in juvenile Chinook salmon and their nearshore environments on the east coast of Vancouver Island. Environmental Pollution 244:135–142.

Dris, R., H. Imhof, W. Sanchez, J. Gasperi, F. Galgani, B. Tassin, and C. Laforsch. 2015. Beyond the ocean: contamination of freshwater ecosystems with (micro-) plastic particles. Environmental Chemistry 12:539–550.

English, M. D., G. J. Robertson, S. Avery-Gomm, D. Pirie-Hay, S. Roul, P. C. Ryan S. I. Wilhelm, and M. L. Mallory. 2015. Plastic and metal ingestion in three species of coastal waterfowl wintering in Atlantic Canada. Marine Pollution Bulletin 98:349–353.

Eerkes-Medrano, D., R. C. Thompson, and D. C. Aldridge. 2015. Microplastics in freshwater systems: A review of the emerging threats, identification of knowledge gaps and prioritization of research needs. Water Research 75:63–82.

Erkekoglu, P., and B. Kocer-Gumusel. 2014. Genotoxicity of phthalates. Toxicology Mechanisms and Methods 24:616–626.

Flint, S., T. Markle, S. Thompson, and E. Wallace. 2012. Bisphenol A exposure, effects, and policy: a wildlife perspective. Journal of Environmental Management 104:19–34.

Gaylor, M. O., E. Harvey, and R. C. Hale. 2012. House crickets can accumulate polybrominated diphenyl ethers (PBDEs) directly from polyurethane foam common in consumer products. Chemosphere 86:500–505.

Gil-Delgado, J. A., D. Guijarro, R. U. Gosálvez, G. M. López-Iborra, A. Ponz, and A. Velasco. 2017. Presence of plastic particles in waterbirds faeces collected in Spanish lakes. Environmental Pollution 220:732–736.

Hanmer, H. J., R. L. Thomas, G. J. Beswick, B. P. Collins, and M. D. Fellowes. 2017. Use of anthropogenic material affects bird nest arthropod community structure: influence of urbanisation, and consequences for ectoparasites and fledging success. Journal of Ornithology 158:1045–1059.

Holland, E. R., M. L. Mallory, and D. Shutler. 2016. Plastics and other anthropogenic debris in freshwater birds from Canada. Science of the Total Environment 571:251–258.

Horton, A. A., A. Walton, D. J. Spurgeon, E. Lahive, and C. Svendsen. 2017. Microplastics in freshwater and terrestrial environments: evaluating the current understanding to identify the knowledge gaps and future research priorities. Science of the Total Environment 586:127–141.

Hoss, D. E., and L. R. Settle. 1989. Ingestion of plastics by teleost fishes. Pages 693–709 in R. S. Shomura and M. L. Godfrey, editors. Proceedings of the Second International Conference on Marine Debris, Honolulu, HI. U.S. Department of Commerce, NOAA Technical Memo, NOAA-TM_NMFS-SWFSC-154.

Jambeck, J. R., R. Geyer, C. Wilcox, T. R. Siegler, M. Perryman, A. Andrady, R. Narayan, and K. L. Law. 2015. Plastic waste inputs from land into the ocean. Science

347:768–771.

Kapfer, J. M., and R. A. Paloski. 2011. On the threat to snakes of mesh deployed for erosion control and wildlife exclusion. Herpetological Conservation and Biology 6:1–9.

Lahnsteiner, F., B. Berger, M. Kletzl, and T. Weismann. 2005. Effect of bisphenol A on maturation and quality of semen and eggs in the brown trout, *Salmo trutta f. fario*. Aquatic Toxicology 75:213–224.

Larsson, P., and A. Thurén. 1987. DI-2-ethylhexylphthalate inhibits the hatching of frog eggs and is bioaccumulated by tadpoles. Environmental Toxicology and Chemistry 6:417–422.

Lwanga, E. H., J. M. Vega, V. K. Quej, J. de los Angeles Chi, L. S. del Cid, C. Chi, G. E. Segura, H. Gertsen, T. Salanki, M. van der Ploeg, A. A. Koelmans, and V. Geissen. 2017. Field evidence for transfer of plastic debris along a terrestrial food chain. Scientific Reports 7:14071.

Lwanga, E. H., H. Gertsen, H. Gooren, P. Peters, T. Salánki, M. van der Ploeg., E. Besseling, A. A. Koelmans, and V. Geissen. 2016. Microplastics in the terrestrial ecosystem: implications for *Lumbricus terrestris* (Oligochaeta, Lumbricidae). Environmental Science & Technology 50:2685–2691.

Lü, H., C. H. Mo, H. M. Zhao, L. Xiang, A. Katsoyiannis, Y. W. Li, Q. Y. Cai, and M. H. Wong. 2018. Soil contamination and sources of phthalates and its health risk in China: a review. Environmental Research 164:417–429.

Mandich, A., S. Bottero, E. Benfenati, A. Cevasco, C. Erratico, S. Maggioni, F. Pedemonte, and L. Vigano. 2007. In vivo exposure of carp to graded concentrations of bisphenol A. General and Comparative Endocrinology 153:15–24.

Mee, A., B. A. Rideout, J. A. Hamber, J. N. Todd, G. Austin, M. Clark, and M. P. Wallace. 2007. Junk ingestion and nestling mortality in a reintroduced population of California Condors *Gymnogyps californianus*. Bird Conservation International 17:119–130.

Miles, C. A., and P. Labine. 1997. Portable field hoophouse. Washington State University Cooperative Extension, Pullman, WA, USA.

Montevecchi, W. A. 1991. Incidence and types of plastic in gannets' nests in the northwest Atlantic. Canadian Journal of Zoology 69:295–297.

Norman, A., H. Börjeson, F. David, B. Tienpont, and L. Norrgren. 2007. Studies of uptake, elimination, and late effects in Atlantic salmon (*Salmo salar*) dietary exposed to di-2-ethylhexyl phthalate (DEHP) during early life. Archives of Environmental Contamination and Toxicology 52:235–242.

Oehlmann, J., U. Schulte-Oehlmann, M. Tillmann, and B. Markert. 2000. Effects of endocrine disruptors on prosobranch snails (Mollusca: Gastropoda) in the laboratory. Part I: Bisphenol A and octylphenol as xeno-estrogens. Ecotoxicology 9:383–397.

Ohtani, H., I. Miura, and Y. Ichikawa. 2000. Effects of dibutyl phthalate as an environmental endocrine disruptor on gonadal sex differentiation of genetic males of the frog *Rana rugosa*. Environmental Health Perspectives 108:1189.

Oka, T., N. Adati, T. Shinkai, K. Sakuma, T. Nishimura, and K. Kurose. 2003. Bisphenol A induces apoptosis in central neural cells during early development of *Xenopus laevis*. Biochemical and Biophysical Research Communications 312:877–882.

Parker, G. H., and C. G. Blomme. 2007. Fish-line entanglement of nesting mourning dove, *Zenaida macroura*. The Canadian Field-Naturalist 121:436–437.

Rehse, S., W. Kloas, and C. Zarfl. 2016. Short-term exposure with high concentrations of

pristine microplastic particles leads to immobilisation of *Daphnia magna*. Chemosphere 153:91–99.

Richter, C. A., L. S. Birnbaum, F. Farabollini, R. R. Newbold, B. S. Rubin, C. E. Talsness, J. G. Vandenbergh, D. R. Walser-Kuntz, and F. S. vom Saal. 2007. *In vivo* effects of bisphenol A in laboratory rodent studies. Reproductive Toxicology 24:199–224.

Rodriguez-Seijo, A., J. Lourenço, T. A. P. Rocha-Santos, J. Da Costa, A. C. Duarte, H. Vala, and R. Pereira. 2017. Histopathological and molecular effects of microplastics in *Eisenia andrei* Bouché. Environmental Pollution 220:495–503.

Rochman, C. M., E. Hoh, T. Kurobe, and S. J. Teh. 2013. Ingested plastic transfers hazardous chemicals to fish and induces hepatic stress. Scientific Reports 3:3263.

Scarascia-Mugnozza, G., C. Sica, and G. Russo. 2011. Plastic materials in European agriculture: actual use and perspectives. Journal of Agricultural Engineering 42:15–28.

Sohoni, P. C. R. T., C. R. Tyler, K. Hurd, J. Caunter, M. Hetheridge, T. Williams, C. Woods, M. Evans, R. Toy, M. Gargas, and J. P. Sumpter. 2001. Reproductive effects of long-term exposure to bisphenol A in the fathead minnow (*Pimephales promelas*). Environmental Science & Technology 35:2917–2925.

de Souza Machado, A. A., C. W. Lau, J. Till, W. Kloas, A. Lehmann, R. Becker, and M. C. Rillig. 2018. Impacts of microplastics on the soil biophysical environment. Environmental Science & Technology 52:9656–9665.

Starbird, C., and H. Audel. 2000. *Dermochelys coriacea* (leatherback sea turtle). Fishing net ingestion. Herpetological Review 31:43.

Steinmetz, Z., C. Wollmann, M. Schaefer, C. Buchmann, J. David, J. Tröger, K. Muñoz, O. Frör, and G. E. Schaumann. 2016. Plastic mulching in agriculture. Trading short-term agronomic benefits for long-term soil degradation? Science of the Total Environment, 550:690–705.

Stuart, J. N., M. L. Watson, T. L. Brown, and C. Eustice. 2001. Plastic netting: an entanglement hazard to snakes and other wildlife. Herpetological Review 32:162–163.

Talsness, C. E., A. J. Andrade, S. N. Kuriyama, J. A. Taylor, and F. S. Vom Saal. 2009. Components of plastic: experimental studies in animals and relevance for human health. Philosophical Transactions of the Royal Society B: Biological Sciences 364:2079–2096.

Teuten, E. L., J. M. Saquing, D. R. Knappe, M. A. Barlaz, S. Jonsson, A. Björn, S. J. Rowland, R. C. Thompson, T. S. Galloway, R. Yamashita, D. Ochi, Y. Watanuki, C. Moore, P. H. Viet, T. S. Tana, M. Prudente, R. Boonyatumanond, M. P. Zakaria, K. Akkhavong, Y. Ogata, H. Hirai, S. Iwasa, K. Mizukawa, Y. Hagino, A. Imamura, M. Saha, and H. Takada. 2009. Transport and release of chemicals from plastics to the environment and to wildlife. Philosophical Transactions of the Royal Society of London B: Biological Sciences 364:2027–2045.

Townsend, A. K., and C. M. Barker. 2014. Plastic and the nest entanglement of urban and agricultural crows. PLoS ONE 9:e88006.

U.S. Environmental Protection Agency (USEPA). 2007. Phthalates. TEACH Chemical Summary, Washington, D.C., USA.

Wagner, M., C. Scherer, D. Alvarez-Muñoz, N. Brennholt, X. Bourrain, S. Buchinger, E. Fries, C. Grosbois, J. Klasmeier, T. Marti, S. Rodrigues-Mozaz, R. Urbatzka, A. D. Vethaak, M. Winther-Nielsen, and G. Reifferscheid. 2014. Microplastics in freshwater ecosystems: what we know and what we need to know. Environmental

From: Sandy M. Kolosey
To: Cannabis
Subject: Listen to to the neighbors
Date: Friday, August 13, 2021 7:43:48 PM
Attachments: canna 81321Sandy and Mike Kolosey.docx

Please see attachment.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

Sandy and Mike Kolosey

P.O. Box 543

Valley Ford, CA 94972

(707) 338-3944

To each of the Sonoma County Board of Supervisors:

Our lives matter.

Your poor planning, lack of attention toward neighbors, neighborhoods and science based, common sense and approaches to managing fall short on every point. Growers appear to be the newest protected social category. Growers are allowed to build, plant, grow, process, drill, build barriers and gates and violate private property rights of adjacent properties, without reprimand or notification of neighbors.

Mock studies and research has been submitted to the board which stresses that all issues which would affect neighbors have been addressed without asking the neighboring property owners. How can this be? Growers have no regard for water usage. They drill 249 feet into the hillside near their property line and feet from their neighbors' wells. Calls for information and assistance from various county offices results in a rote response, "It's legal. It's private property." What will they say when the town is dry, but smothered in pot. Homes without water are considered to be dead homes. Towns without water are ghost towns.

Where is your integrity? Where are your priorities? Do you have a social conscience?

It is impossible to sell a home without water, the easement is barricaded with massive gates and edged with 40 to 50 cars, on one farm to 30 to 40 cars on the next. Fire and emergency equipment cannot penetrate the jungle of fortified, enforced properties. We found out the hard way that we were not privy to being rescued by the first responders. Evidenced which nearly resulted in death.

Crime has come to visit as our quiet hamlet of neighbors helping neighbors. One night someone drilled through a wall type structure to enter a grow and rob. (unreported) Later, the cars belonging to the 30 to 40 workers were robbed (unreported) and the gate to a NON GROWER property was breached and broken.

Another emergency, requiring rapid response would result in a disaster with the conditions that the board supports and promotes. Listen to the neighbors. Listen to your constituents. Our lives matter.

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Victims of your inconsiderate and poorly conceived program.

Hostages on the hill.

Mike and Sandy Kolosey

From: Sara Alexander
To: Cannabis
Subject: Cannabis Comments
Date: Friday, August 13, 2021 3:23:35 PM

Dear SoCo Board of Supervisors:

I urge you to save the peaceful enjoyment of my neighborhood and the health and safety of my town of Graton by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, nor for the general public that make frequent use of the Rodota trail, and other similar trails nearby. The noise, and traffic and odor of Cannabis propagation will hugely degrade the viability and the habitability of this community. I ask you to permit cannabis processing only on land that has already been designated commercial and industrial zoned.

Please establish a new ordinance that is science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. And MOST IMPORTANTLY please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Cannabis growers are aware of the threat they live with daily because of the high dollar value of their grow and the increased chance that they will be robbed. Our concerns about crime have been dismissed with the claim that cannabis crime only happens at illegal grows. Yet local newspaper stories throughout the state of CA disprove that. Cannabis grows come with criminal exposure, inevitably, because it is a highly valuable product that is easily resold, and primarily a cash business.

I know a grower who lives in another county, in an area much less accessible than ours, and his cannabis operation - and those of his fellow farmers - were broken into multiple times. They all own guns. The growers feel threatened and so are their neighborhoods.

Please help keep Sonoma County safe and healthy and well zoned.

Best,
Sara

Sara Alexander
3087 Dyer Ave
Sebastopol, CA 95472
415-606-5335

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: S&K Shop
To: Cannabis
Subject: Morratorium Until Science Based Cannabis Ordinance Please
Date: Friday, August 13, 2021 6:04:24 PM

Hello Sonoma County Board of Supervisors,

I urge you to prioritize *neighborhood compatibility* by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A *new ordinance must be science-based* to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Please adopt a *moratorium* until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Sincerely,

Stephanie L. Hutchins,
Graton, CA

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Suni
To: Cannabis
Subject: Thoughts re cannabis cultivation
Date: Friday, August 13, 2021 2:02:43 PM

To whom it may concern;
I live off Bennett Valley Rd and I am increasingly concerned about proposed large commercial cannabis cultivation in our area as well as in other rural settings and adjacent to neighborhoods as well. We are in a high severity zone of the WUI, and in addition to the high fire risk, we have roadways that are not fire safe for commercial traffic. This is true in many rural parts of the County. I am also concerned regarding the water use necessary to grow cannabis during these times of drought as well as possible impacts to our watershed countywide.

I would like to see commercial cannabis cultivation restricted to areas that are designated commercial and / or industrial with a requirement to do so in the most ecologically sound manner without impacting residents health and safety, wildlife and our natural resources.

One of our neighbors articulated this very well "Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts."

Suni Levi
suni1@comcast.net
707-483-6652

From: Sonia Taylor
To: Cannabis; Crystal Acker; Scott Orr
Subject: Re: Sonoma County Cannabis EIR
Date: Friday, August 13, 2021 6:49:47 PM
Attachments: 8_13_21_EIR_exisiting_conditions_ltr_final_1.pdf

---

EXTERNAL

All, attached is my letter for your consideration as you move forward with public input on the cannabis EIR, in addition to my comments during the "visioning sessions."

Please don't hesitate to contact me if you have any questions or would like additional information.

Sonia

Sonia Taylor
707-579-8875
great6@sonic.net

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected, do not click any web links, attachments, and never give out your user ID or password.

Sonia E. Taylor
306 Lomitas Lane
Santa Rosa, CA 95404
707-579-8875
Great6@sonic.net

13 August 2021

McCall Miller
Crystal Acker
Scott Orr
Sonoma County Planning Department

Re: Cannabis Environmental Impact Report

Gentlepersons:

While I had the opportunity to participate in each of the "visioning session" this week about what a draft cannabis ordinance might look like, I have to object to what seems to be the idea that Sonoma County intends to use a draft cannabis ordinance as the project description for the upcoming Cannabis Environmental Impact Report (EIR).

I do not believe that a draft cannabis ordinance is an adequate project description for this EIR, and unless and until Sonoma County adequately describes the existing conditions in Sonoma County, it will be difficult to develop an acceptable project description for the EIR.

A successful cannabis ordinance EIR will adequately and accurately evaluate existing conditions in Sonoma County, which must include not just listing and taking into account the impacts of all existing legal cannabis operations, but all illegal operations, all operations in the Penalty Relief Program, and all permits under consideration as of the date of commencement of the EIR. It also would be prudent to take into account all permits reasonably foreseeable during the duration of the EIR so that the EIR can adequately evaluate their cumulative impacts.

Further, the EIR must include evaluation of all constraints on our water supply by all users in Sonoma County (including the total water Sonoma County Water Agency (SCWA) has available, identification of how much of that available water SCWA sells, whether inside or outside Sonoma County, identification of all remaining unsold and/or available water SCWA has at its disposal, AND identification of all users in Sonoma County with any water rights, adequately identified so they can be evaluated as a draw on our overall water system), so the EIR can adequately reach a conclusion about how much water is available for any/all new users in the unincorporated areas. This must include all housing units Sonoma County – including the incorporated jurisdictions – will be required to build over the next 20 year period (as assigned by RHNA), as all those housing units will require water resources from both SCWA, the Russian River, and groundwater, leaving less water available for other uses.

Any water evaluation must also include the availability of treated wastewater in the County, including accurate assessment of all Sonoma County users with preexisting rights to any treated wastewater, total amount of available treated wastewater (after preexisting right holders are satisfied), identification of the location of that treated wastewater, and identification of all means of transferring that treated

wastewater to potential end users, such as through existing pipes, through planned new pipes, through trucking, etc.

The evaluation of existing conditions must also include identification of all parcels in Sonoma County that are in very high and high fire danger areas, as well as all uses currently in those areas, reach a conclusion about the adequacy of available fire protection services for existing uses, and then reach a conclusion about the amount of fire protection services capability remaining for new uses. This evaluation must include an accurate evaluation of all roads serving all parcels in very high and high fire danger areas, including whether those roads are legally adequate. In addition, the evaluation of parcels within very high and high fire danger areas must include an evaluation of evacuation routes for those properties and the ability for those properties to safely and timely evacuate any residents, employees and/or guests then on site in the event of an emergency.

Of course, there are many other conditions that also must be adequately and accurately evaluated to establish existing conditions for the cannabis EIR, including but not limited to:

- Establish the location of all sensitive receptors – including residential uses – throughout the County.
- Establish the location of all parks, all lands protected with easements by the Sonoma County Agricultural and Open Space Preservation District, all Community Separators, all Scenic Landscape Units, all Scenic Highways and Corridors and Greenbelts, all Greenways and all Expanded Greenbelts, and set forth the limitations and restrictions on all other county properties as a result of these designations.
- Establish the location of all existing permanent structures on all County properties that are being used or could be used for cannabis cultivation, including the age, condition and size of each such building.
- Accurately set forth the limitations and restrictions imposed by the current Sonoma County General Plan and the current Sonoma County Zoning Code on all County parcels being considered for cannabis operations.
- Work with all Native American tribes and representatives to establish the location and/or probable location of all cultural resources, including possible human remains, on all unincorporated County lands.
- Establish the location of all County lands impacted by endangered, protected and sensitive species, including specific identification of all restrictions and protections imposed on those lands by Federal law, State law and County law, ordinance or regulation.
- Establish the amount of electric power available for all unincorporated lands in Sonoma County, including identification of properties currently served by electric power and whether that power is currently adequate to serve proposed cannabis operations, identification of properties with power adjacent to the property even if not currently available on site, identification of unincorporated properties without either existing electric power or adjacent power lines, and identification of all expansions of electric power planned in the foreseeable future.
- Establish the availability of space in Sonoma County's land fill/dump for all new uses, including but not limited to available space for disposal of plastic sheeting and plastic pipes from hoophouses.
- Evaluate the ability of individual parcels in unincorporated Sonoma County to dispose of wastewater and list the manner each parcel will dispose of wastewater; and evaluate the

capacity of each and every municipal wastewater treatment plant, including their unused capacity to determine the wastewater disposal capacity available for new uses.

- Evaluate the ability of the Sheriff to provide law enforcement services to all existing uses in the County, and their capability remaining to provide law enforcement services to these new proposed uses.[1]

While the "visioning sessions" may have provided interesting information the County was not previously aware of, again, I don't believe that drafting a new proposed cannabis ordinance to use as the project description for the cannabis EIR will be adequate, and would instead encourage the County to take a different path. Commencing the hard work of preparing the existing conditions would seem to be a much better use of time.

Frankly, if Sonoma County had done a parcel by parcel evaluation of all of the unincorporated areas years ago, it would be likely that there would be multiple parcels identified that would be suitable for cannabis operations, which would have been an enormous benefit to all cannabis operators, as well as to all neighbors.

Thank you for your consideration.

Please do not hesitate to contact me if you have any questions or would like additional information.

Very truly yours,

Sonia E. Taylor

[1] As you may be aware, a lawsuit was filed in July, 2021 against Sonoma County where the plaintiff stated that his cannabis operation has been vandalized 6 times over a 2 year period, and that he received "no assistance from law enforcement." While it's unclear why this allegation is being made, it is clear that cannabis operations do have unique public safety issues and can pose a danger to themselves, their employees and all surrounding uses, and adequate law enforcement coverage is necessary to ensure everyone's safety.

From: tboultb (null)
To: Cannabis
Subject: Cannabis "visioning sessions" input as I was unable to attend
Date: Friday, August 13, 2021 5:59:27 PM

---

re: Future Cannabis Ordinance input:

To Whom It May Concern,
I have numerous concerns about the cannabis ordinance now being worked on to replace the previous one which the Board of Supervisors deemed unsatisfactory.
1. Visual Impact on rural settings,
2. Odor - noxious and far-reaching, consider the prevailing wind directions in different county areas - increased setbacks are vital,
3. Safety - Impaired drivers, cyclists, etc. AND impacted roads due to increased traffic, large vehicles and volume, narrow rural roads, emergency access and egress hindrances.
4. Traffic - see 3 above.
5. Change in habitat,
6. Water - usage, disturbance, contamination.

Of great importance, and one which I did not see referenced in your visioning sessions, is the importance of applying (and enforcing) the tenets of various localized Area Plans - not just the General Plan -
to all proposed uses and changes that come before the County.

Responses to:
RE: Visioning Sessions Identified Concerns:
LAND - 1. Good fit to grow areas would be strictly in industrial or commercial areas. NOT inhabited and scenic rural areas.
2. Too big- if it requires hoop houses, etc., particularly in rural and scenic areas,
3. Successful distribution - non-scenic, industrial type areas.
4. Control odor - indoors, no exhaust to outside areas if non-industrial buildings are within 1 mile of location.
5. Noise control would need consistent, on-going monitoring and immediate action should violation occur.
6. Accountability - violations should be addressed immediately and NO operation should occur outside of the industrial/commercial areas. Growers should lose their license if more than one violation occurs even if initially remedied.
7. See 1 above.
SAFETY-1. Located only in industrial/commercial area and within confines of city fire jurisdiction. Unsafe - On site usage, location near flammable items, including trees, open fields, homes, etc.; located on narrow, minor or local roads.
2. Again-location, location, location
3. Even if state "allows" on-site consumption, it doesn't mean that Sonoma County has to follow suit. On-site consumption should not be allowed - it impacts everywhere that user/person goes afterward whether due to impairment or odor on clothes, etc.
4. Meet all conditions, at all times, on any permit. Violations receive possible revocation of permit and monetary fine.
5. Location, strict enforcement.

WATER CONSIDERATIONS:

1. Groundwater tables, individual family wells, lakes and streams.
2. Located in industrial area with commercial water supply where municipalities can regulate usage.
3. No hoop houses in rural areas, scenic backdrops, ridgelines, etc. No nighttime lighting or fan noise, no soil movement, no destruction of natural stand of trees or waterways, no destruction of wildlife habitat . Access only via major roadways and in industrial/commercial areas away from homes, rural and scenic areas.
4. At minimum, quadruple the current grape setbacks, no tree removal or soil removal, no large plant disturbance.
5. Recycle all water usage. Minimize usage, period.
6. Don't think there is any.
7. Must have regular (minimum monthly) reports with sufficient enforcement personnel and strict enforcement of conditions, and accountability.
8. Strict limits on number and size of allowed projects. Minimize.

VISUAL CONSIDERATIONS:

1. a. Open vistas
   b. Mix of tree cover, open fields, hill/mountain backdrops, scenic rural roads, etc.
2. There aren't any.
3. Open spaces, inhabited areas in rural areas, parks, near schools and houses of worship, in close-knit neighborhoods, visual/scenic corridors, ridgetops, etc.
4. Grows should be in Industrial areas in greenhouses or warehouses, apart from homesites, etc. Not separated would be disastrous, impactful and unhealthy.
5. Within city limits, away from areas listed in#3, not in rural or quasi-rural areas. Minimum separation should be increased.
6. If reporting, monitoring and accountability were successfully done there would be no visual impact, period. However, sufficient enforcement staff - well trained - is a must. Additional costs for monitoring and enforcement should be borne by the cannabis project owners.
7. Ideally, locate elsewhere.

In conclusion, Sonoma County should limit any permitted cannabis cultivation and/or processing. The only areas where processing (and potentially most growing) should be permitted is in already zoned commercial and/or industrial areas. Cannabis growing and/or processing should not be allowed in areas where they would visually impact the natural and current scenic quality of Sonoma County nor should it be allowed where it would negatively impact residents with (noxious) odors, noise, traffic and/or night-time light. It should not be allowed in areas where there is risk of wildfire or where the location would have a negative impact on public safety, ie. transportation, nor should it be allowed to impact local wildlife or water supplies.

Thank you for this opportunity to have input on this most important and concerning matter.

Sincerely,
Tamara Boultbee

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Virginia Hair
To: Cannabis
Cc: Virginia Hair
Subject: Cannabis Visioning Sessions
Date: Friday, August 13, 2021 12:53:39 PM
Attachments: Cannabis Visioning Ltr Aug 2021.docx

To Whom It May Concern:
Attached is my input on the topics and issues discussed in the Cannabis Visioning sessions this week.
Please do not post my email address.
Sincerely, Virginia Hair

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

August 13, 2021

Sonoma County Board of Supervisors: Supervisors David Rabbitt, Susan Gorin, Chris Coursey, Lynda Hopkins and James Gore
Sonoma County Cannabis Program

RE: Sonoma County Cannabis Ordinance and EIR

To Whom It May Concern:

We have lived in and been paying property taxes in Sonoma County since 1984. We have spent over half of our lives in this County. We did not anticipate that we would have to spend the latter years of our lives defending the health, safety, peace, comfort, general welfare, and environment of our rural town and the unincorporated areas of the County from the ill conceived Sonoma County Cannabis Ordinance. We are glad that the Board of Supervisors rejected the proposed changes to the Ordinance and the Mitigated Negative Declaration and have finally decided that they need to complete a Project EIR and draft a new Ordinance.

Although the Proposition to legalize cannabis in California passed in Sonoma County, 94,475 people voted against the proposition; that is 40.9% of the residents who voted. Two of our neighboring counties, Marin and Napa, have wisely decided not to allow cannabis cultivation, even though their voters also approved the proposition to legalize cannabis. We wish that Sonoma County had made this same decision.

We strongly disagree with prior Agriculture Commissioner Tony Vinegar's statement to the Press Democrat in December 2019, "We treat cannabis farmers like any other farmers in the county - they're all farmers to us." This quote is in direct contradiction to his previous statement in the newspaper article that they will still be held to additional standards such as security measures required given the high-dollar value and illicit market legacy of the crop. Cannabis is like no other crop in terms of the many problems associated with it's cultivation, such as: crime, groundwater depletion, water pollution, traffic on narrow roads, fire safety, odor pollution, evening operations, noise pollution, light pollution and the property devaluation of nearby homes. It is actually not a crop, it is a product, it is a drug.

We request that the County put a moratorium on all cannabis permits until they complete the Project EIR and draft a new Ordinance that protects all of the residents and Sonoma County.

We believe the biggest threat to our County is the drought and water shortage. We believe this problem has been caused by accelerated climate change and over development in our County. Numerous trees and orchards were cut down to accommodate the wine industry and this has changed the landscape of our County. We do not want to see the County further destroyed by another industry.

The permit process for any cannabis cultivation or processing facility should require:

- All permits must go through PRMD (Permit Sonoma) for a Conditional Use Permit.
- The permit process should require:
    - written notification to any adjacent and nearby property owners within 5000 linear feet;
    - a chance for their objections to be heard and addressed;
    - an Environmental Impact Report or a California Environmental Quality Act (CEQA) review.
- All cultivation should only be allowed in buildings in industrial, commercially zoned areas where they are adequate resources for fire prevention, crime prevention, water and electricity; and noise, light and odor pollution can be adequately controlled.
- All processing facilities should only be allowed in industrial, commercially zoned areas due to the chemicals used in processing, odor pollution, the availability of fire safety resources, and the availability of crime prevention resources.
- All employees involved in the cultivation, processing, site security, transportation, or sale of cannabis must have a background check.
- There must be Accountability in all aspects of the Ordinance: no self reporting, well usage monitoring, no drones, no notice inspections, compliance, code enforcement, and complaints.

If the County decides to allow “outdoor” cultivation in rural Sonoma County, it should only be allowed in greenhouses with carbon filters to control odors and drip irrigation to conserve water usage.

- Hoop houses should not be allowed as they are an environmental nightmare.
- There should be a buffer of a minimum of 5000 feet, property line to property line, from any indoor or outdoor cultivation site to any rural residence to help mitigate the harmful impacts.
- Wells on cultivation sites must have meters on them and usage must be reported to the county and evaluated for groundwater depletion.
- Groundwater availability in all zones must be reassessed.
- There must be a limit on the density of cultivation sites in a geographic area to avoid the cumulative impacts of traffic, odor, water depletion and the rural beauty of an area.
- There should be a buffer of 5000 feet from any unincorporated town.
- The property tax bill of any residences within a mile of an approved cultivation site should be reduced by 20% due to the decreased resale value of the property.
- No cultivation site should be allowed on streets that are too narrow for fire safety.
- Water and chemical/pesticide/fertilizer run off must be contained as it eventually contaminates the environment, and may go into protected watersheds, creeks, rivers, esteros and finally into our federally protected marine sanctuaries.

- All permits should only be allowed for one year at which time the renewal permit application will be evaluated for impacts, complaints, and compliance. This gives the County time to adequately evaluate the program, the ordinance, problems with the program, problems with the individual permit, and to make decisions about needed changes.
- Cannabis tourism should not be allowed.
- Outdoor cultivation runs the risk of killing pets and livestock nearby, especially if animals get onto the property and ingest the cannabis or if seeds from the plant are dispersed and grow on nearby properties and this issue must be addressed.
- The minimum parcel size for any cultivation permit application should be 20 acres, not 10 acres, with a maximum cultivation site of 10,000 sq. ft.
- Setback from schools, playgrounds, parks, trails, streams, rivers, lakes, reservoirs, and cemeteries should be a minimum of one mile.
- No lighting should be allowed from dusk to dawn.
- Riparian corridors and wildlife must be protected.
- Rural areas served only by Volunteer Fire Departments are not manned 24/7. The County needs to address this issue regarding fire safety.

We have read online that cannabis growers decry what they state is the onerous nature of the current ordinance. But, it does not keep them from going through the PRMD Conditional Use Permit process that could take several years and cost a substantial amount of resources. This is because the future potential financial gain from an approved permit is so great. People are coming from other counties and states to take advantage of the County's inadequate Ordinance that does not protect the rural residents of the County who bear the unjust burden of the cultivation provisions of the Ordinance.

We found the letter submitted to the Planning Commissioners by Craig Harrison and Ray Krauss in March 2021 to be a thoughtful and intelligent proposal about how the county should complete the planning process for the cannabis program and ordinance. We hope that everyone at the county involved in this process will actually read their letter, as they begin the process to complete an EIR and draft a new Ordinance.

Thank you for your service.

Sincerely, Virginia Hair

From: Mary Plimpton
To: Cannabis; Crystal Acker
Subject: Fwd: LAST CALL FOR PUBLIC INPUT RE CANNABIS
Date: Sunday, August 15, 2021 2:02:00 PM

Mary,

Please find below my email that I was unable to send.

Supervisor Gore,

The subject of Cannabis permits in Sonoma County has many pros and cons which people on both sides have valid points. With this being said, I strongly urge the County to conduct an EIR before issuing any further permits for the following reasons:

. The county should take a page from the beverage alcohol industry to guide the issuance of permits. For example, vetting the permit applicants, restricting the number of retail outlets, defining the parameters of a safe grow operation to insure public safety, identifying the process by which the county will validate production and the collection of tax revenues are just a few of the areas that should be thoroughly explored and codified.

. Additionally, with respect to retail outlets there currently is no test that can be administered to ascertain “driving under the influence”. How does the county intend to protect public safety ?

. In addition to the point above, an EIR is absolutely necessary to examine the water usage (extremely high) and the impact of cannabis production on the water table and surrounding acreage. A case in point is the current situation of Central Valley farmers and vineyard owners in Sonoma County particularly if the drought continues for any period of time.

. Since cannabis is currently a cash business, given the current lack of federal approval, what is the county’s approach regarding safety and security of cannabis related financial transactions. This is not something that can be glossed over as historically cash businesses tend to gravitate to a harder societal component.

. Furthermore, the current discussion seemingly has not included “hear is what we have learned from other counties in CA and other states (for example CO)”. Accordingly, what are the “lessons learned” and how will the county avoid any missteps ?

In conclusion, I am not opposed to cannabis production but strongly believe the county will be setting itself up for future litigation if the above brief comments are not addressed in a transparent manner.

Thanks you for your consideration,

Jim Bareuther

8507 Franz Valley School Road

Sent from my iPad

Yes, if your email bounced back, go ahead and resend. The County Information Systems Department uses a pretty aggressive SPAM filter, and it often blocks emails with attachments and or/ graphics. Not sure if that's why you couldn't get through, but whatever the reason, go ahead and re-send. We received emails after 8pm and on Saturday also; I'll still include all of those.

crystal

EXTERNAL

Ms. Acker

You are probably aware that the county's cannabis emailbox was apparently overwhelmed last night.

Is it possible for me to submit failed attempts to you for inclusion in the 9/28 report to BoS.

Please confirm - or let me know how to more properly redirect messages.

Thank you

Mary Plimpton

(Franz Valley)

Mary,

Please find below my email that I was unable to send.

Supervisor Gore,

The subject of Cannabis permits in Sonoma County has many pros and cons which people on both sides have valid points. With this being said, I strongly urge the County to conduct an EIR before issuing any further permits for the following reasons:

. The county should take a page from the beverage alcohol industry to guide the issuance of permits. For example, vetting the permit applicants, restricting the number of retail outlets, defining the parameters of a safe grow operation to insure public safety, identifying the process by which the county will validate production and the collection of tax revenues are just a few of the areas that should be thoroughly explored and codified.

. Additionally, with respect to retail outlets there currently is no test that can be administered to ascertain “driving under the influence”. How does the county intend to protect public safety ?

. In addition to the point above, an EIR is absolutely necessary to examine the water usage (extremely high) and the impact of cannabis production on the water table and surrounding acreage. A case in point is the current situation of Central Valley farmers and vineyard owners in Sonoma County particularly if the drought continues for any period of time.

. Since cannabis is currently a cash business, given the current lack of federal approval, what is the county’s approach regarding safety and security of cannabis related financial transactions. This is not something that can be glossed over as historically cash businesses tend to gravitate to a harder societal component.

. Furthermore, the current discussion seemingly has not included “hear is what we have learned from other counties in CA and other states (for example CO)”. Accordingly, what are the “lessons learned” and how will the county avoid any missteps ?

In conclusion, I am not opposed to cannabis production but strongly believe the county will be setting itself up for future litigation if the above brief comments are not addressed in a transparent manner.

Thanks you for your consideration,

Jim Bareuther

8507 Franz Valley School Road

Sent from my iPad

View this email in your browser

SONOMA COUNTY'S CANNABIS EMAILBOX WAS OVERWHELMED

So many people tried to send comments to the County's Cannabis mailbox before 8:p last night that the system went down.

If you tried but were unable to get an email through last night, please forward your message (and, if possible, the system rejection) to me. I will try to get your comments included in the report that will be presented to the BoS on 9/28.

Sorry and Thanks,
Mary
mbplimpton@gmail.com

Copyright © 2021 FV COPE, All rights reserved.
You are receiving this email because you opted in via our website.

Our mailing address is:

FV COPE

418 Viewpark Ct

Mill Valley, CA 94941-4706

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: JERINE RICHARDSON
To: Cannabis
Subject: Cannabis Program
Date: Saturday, August 14, 2021 9:37:16 AM

First of all thank you for taking the time to listen to all the concerns of the people who will be affected by these new rules. We only became residents of Bennett Valley/Glen Ellen area about 3-1/2 yrs ago. One of the main reason we picked the area was because of Sonoma County ordinances. Although some people find them annoying we found them reassuring that the area and the beautiful landscape would remain unspoiled. So we were more than willing to do our part in following the rules and regulations that were so careful thought out.

I think what scares me the most about the cannabis commercial projects is not only the ugly sight of the properties and the smell is horrific but and also the traffic added on the already too narrow and unkept roads. I personally have been forced off the road from oncoming trucks and vehicles of all sized at least 7 times. Luckily, I am a both hands on the wheel and pay close attention person so I have been able to avoid accidents because when my tire caught the uneven asphalt I was able to barely course correct before having an accident. It scares me to see all the cars flying by on these narrow roads along with the bicyclists and workers. To add more commercial trucks without major improvements would be disastrous. Even bringing the current roads to code would not be enough for commercial trucks.

All that said I would love you all to consider the following as you continue on with your reviews and ordinances:

Limit cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts.

Thank you again for taking the time to hear our grievances, we really do appreciate the time and effort you put into our county.

Jerine J. Richardson

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From: Mary Plimpton
To: Crystal Acker
Subject: Fwd: LAST CALL FOR PUBLIC INPUT RE CANNABIS
Date: Saturday, August 14, 2021 2:49:32 PM

Ms. Acker
You are probably aware that the county's cannabis emailbox was apparently overwhelmed last night.
Is it possible for me to submit failed attempts to you for inclusion in the 9/28 report to BoS.
Please confirm - or let me know how to more properly redirect messages.
Thank you
Mary Plimpton
(Franz Valley)

Mary,
Please find below my email that I was unable to send.

Supervisor Gore,
The subject of Cannabis permits in Sonoma County has many pros and cons which people on both sides have valid points. With this being said, I strongly urge the County to conduct an EIR before issuing any further permits for the following reasons:
. The county should take a page from the beverage alcohol industry to guide the issuance of permits. For example, vetting the permit applicants, restricting the number of retail outlets, defining the parameters of a safe grow operation to insure public safety, identifying the process by which the county will validate production and the collection of tax revenues are just a few of the areas that should be thoroughly explored and codified.
. Additionally, with respect to retail outlets there currently is no test that can be administered to ascertain “driving under the influence”. How does the county intend to protect public safety ?
. In addition to the point above, an EIR is absolutely necessary to examine the water usage (extremely high) and the impact of cannabis production on the water table and surrounding acreage. A case in point is the current situation of Central Valley farmers and vineyard owners in Sonoma County particularly if the drought continues for any period of time.
. Since cannabis is currently a cash business, given the current lack of federal approval, what is the county’s approach regarding safety and security of cannabis related financial transactions. This is not something that can be glossed over as historically cash businesses tend to gravitate to a harder societal component.
. Furthermore, the current discussion seemingly has not included “hear is what we have learned from other counties in CA and other states (for example CO)”. Accordingly, what are the “lessons learned” and how will the county avoid any missteps ?

In conclusion, I am not opposed to cannabis production but strongly believe the county will be setting itself up for future litigation if the above brief comments are not addressed in a transparent manner.

Thanks you for your consideration,
Jim Bareuther

8507 Franz Valley School Road

Sent from my iPad

View this email in your browser

SONOMA COUNTY'S CANNABIS EMAILBOX WAS OVERWHELMED

So many people tried to send comments to the County's Cannabis mailbox before 8:p last night that the system went down.

If you tried but were unable to get an email through last night, please forward your message (and, if possible, the system rejection) to me. I will try to get your comments included in the report that will be presented to the BoS on 9/28.

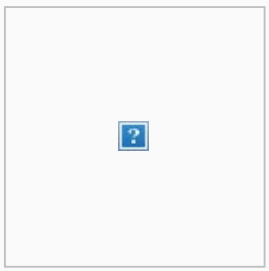
Sorry and Thanks,
Mary
mbplimpton@gmail.com

Copyright © 2021 FV COPE, All rights reserved.
You are receiving this email because you opted in via our website.

Our mailing address is:
FV COPE
418 Viewpark Ct
Mill Valley, CA 94941-4706

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.



THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Marsha Dupre
To:	Cannabis
Cc:	Robert Pittman; Sheryl Bratton; Chris Coursey; David Rabbitt; district4; district5; Susan Gorin
Subject:	CANNABIS EIR - Moratorium Needed - Son. County, CA
Date:	Saturday, August 14, 2021 5:32:16 PM

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

Sincerely,
Marsha

Marsha Vas Dupre, Ph.D.
Former Santa Rosa City Council Vice Mayor, SRJC Trustee
3515 Ridgeview Drive
Santa Rosa, CA 95404
707-528-7146

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.

From:	Crystal Acker
To:	"Christine Marie Field"
Cc:	Cannabis
Subject:	RE: Cannabis
Date:	Sunday, August 15, 2021 5:40:23 PM

Hi Christine,

All County emails end in .org, not .com.

I forwarded this on; we'll still accept it.

crystal

EXTERNAL

CHRISTINE FIELD, *Art Director*
Stanford University | Office of Development

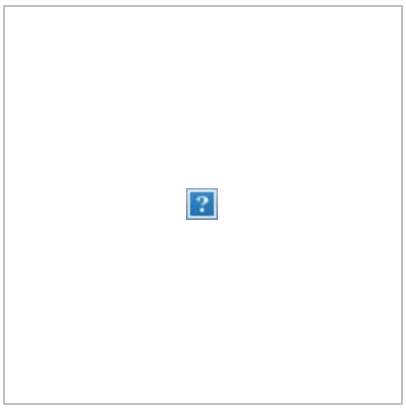
cell: (408) 384-1843

office: (650) 736-8234

email: cmfield@stanford.edu

Historic Campus
Arrillaga Alumni Center | 326 Galvez Street, Stanford CA 94305

giving.stanford.edu



From: Christine Marie Field <cmfield@stanford.edu>
Sent: Sunday, August 15, 2021 4:02 PM
To: scott.orr@sonoma-county.org <scott.orr@sonoma-county.org>; crystal.acker@sonoma-county.or <crystal.acker@sonoma-county.or>
Subject: Cannabis

Hello,

My original email to the county (cannabis@sonoma-county.com) bounced back.
Here it is again:

I urge you to prioritize neighborhood compatibility by limiting cannabis cultivation and processing to areas that do not create noise and odor nuisances for residents, are not in public view, are not in impaired watersheds and do not impact wildfire or public safety such as high fire risk zones or areas without legal fire safe roads. Permit cannabis processing only on designated commercial and industrial zoned land. A new ordinance must be science-based to ensure cannabis operation permitting does not create individual or a cumulative impacts. Please adopt a moratorium until Sonoma County prepares an EIR to determine environmental conditions and an ordinance to set standards for the industry.

CHRISTINE FIELD, ***Art Director***
Stanford University | Office of Development

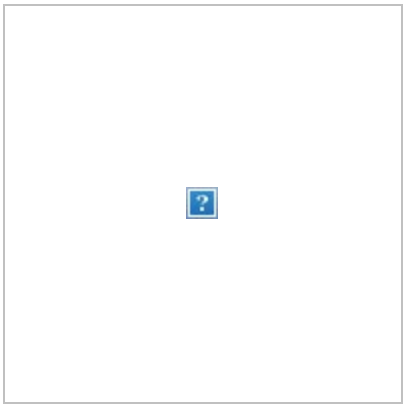
cell: (408) 384-1843

office: (650) 736-8234

email: cmfield@stanford.edu

Historic Campus
Arrillaga Alumni Center | 326 Galvez Street, Stanford CA 94305

giving.stanford.edu



THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.
Warning: If you don't know this email sender or the email is unexpected,
do not click any web links, attachments, and never give out your user ID or password.