



Sent via electronic mail on date shown below

October 12, 2017

Board of Supervisors
Planning Commission
825 5th Street, Room 111
Eureka, CA 95501

Dear Board of Supervisors and Planning Commission,

On behalf of the undersigned organizations and individuals, please accept these comments on the proposed Commercial Cannabis Land Use Ordinance (CCLUO). If followed, CCLUO, together with the mitigation measures identified within the draft environmental impact report, would significantly minimize environmental and social impacts from individual cannabis farms. That said, our organizations have significant concerns about the potential cumulative impact of permitting additional “new” cultivation sites while the county struggles with enforcement against the vast number of operations that are not in compliance with the land use ordinance. Therefore, we urge you to adopt a modified version of Alternative 5 that would prohibit all new operations and limit the expansion of operations into our forestlands.

Humboldt County continues to experience unacceptable impacts, both social and environmental, from the cannabis industry despite the county’s attempts to regulate the medical marijuana industry through the MMLUO. The likely culprit is

inadequate enforcement of the MMLUO, particularly against cannabis grow operations that did not file an application with the county. According to the Draft Environmental Impact Report (DEIR), only 8-13 percent of existing farms—some 2,300 operations—filed an application under the MMLUO for cultivation. That proportion shrinks further when one factors in the number of incomplete applications (~400) and withdrawn applications (~100).¹

We are encouraged by the Board's recent move to decrease the time between a notice of code violation and an abatement order, from 75 to ten days, as well as the Board's approval of a drastically steeper fine schedule, with a total maximum fine increasing from \$10,000 to \$90,000. We are also pleased with the additional county staff who have been hired to both process and enforce the MMLUO. Despite this work, we are still too far from our goal and are making too slow progress.

In short, until we deal with the existing environmental damage and the vast number of operations not in compliance, we should not increase the potential environmental risk by permitting any new grows. Therefore, we urge the Board of Supervisors to adopt a modified version of Alternative 5 that would prohibit the licensing of all new commercial outdoor, mixed light, *and* indoor cultivation that did not exist on or before December 31, 2015 or did not seek a permit under the MMLUO, except under the Retirement, Remediation, and Relocation (RRR) program.

As evaluated in the DEIR, Alternative 5 is the most protective of the evaluated alternatives examined.

Should you have any questions or wish to speak further, please contact us at tom@wildcalifornia.org.

Sincerely,

Tom Wheeler
Executive Director
Environmental Protection Information Center

Larry Glass
Executive Director
The Northcoast Environmental Center
Safe Alternatives for our Forest Environment

¹ As of September 22, 2017.

Hal Genger
President
Redwood Region Audubon Society

Jen Kalt
Director
Humboldt Baykeeper

Carol Ralph
President
North Coast Chapter, California Native Plant Society