

Public Comment Regarding Cannabis Ordinance  
and Program Update

Received March 2022

**From:** [Valorie Dallas](#)  
**To:** [David Rabbitt](#); [Susan Gorin](#); [Lynda.Hopkins@sonoma-county.org](mailto:Lynda.Hopkins@sonoma-county.org); [Chris Coursey](#); [James Gore](#); [Tennis Wick](#); [Cannabis](#)  
**Subject:** 1000 foot setback buffer for commercial cannabis request  
**Date:** Wednesday, March 2, 2022 6:54:09 AM

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Dear Board of Supervisors and Cannabis Department Staff,

Thanks to all the Sonoma County supervisors and county staff for your commitment to create a cannabis ordinance that balances everyone's needs. I was unable to participate in the public comment period at the BOS meeting yesterday, but hoped you could take a few minutes to read my comment now.

I live in Bloomfield. When the proposal for a commercial cannabis farm came to Bloomfield 1 ½ years ago, the residents found ourselves in a position to protect the health and safety of our historic town of 400. Members of our community spent countless hours of time and money learning the county ordinances, talking to those in charge, attempting to communicate with the proposed growers, and raising money for legal advice. Most of this could have been avoided by a required 1000 foot setback buffer from rural enclaves for commercial cannabis permits

Bloomfield provides Sonoma County an opportunity to consider a real time model of cannabis permitting next to a rural enclave. We were the guinea pigs. Learn from us.

Please change the cannabis ordinance to put the health and safety of rural residents first. Enact a 1000 ft set back buffer zone between both rural enclaves and public spaces of Sonoma County and all commercial cannabis.

If the proposed growers in Bloomfield had had this rule in place at the time they considered purchasing the property, they probably would have found a more suitable opportunity. There are many good places for commercial cannabis to be cultivated in the County. Streamline the process for both the growers and residents by creating a 1000 ft set back buffer zone between both rural enclaves and public spaces of Sonoma County and all commercial cannabis.

Thank you for your consideration of this issue. Yay to democracy!

Valorie Dallas  
Bloomfield, Ca

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**From:** [Nancy Richardson](#)  
**To:** [Crystal Acker](#)  
**Cc:** [Scott Orr](#); [Tennis Wick](#); [Christina Rivera](#); [Cannabis](#)  
**Subject:** Re: THE FRAMEWORK APPROVED ON 3/15  
**Date:** Thursday, March 17, 2022 4:23:59 PM

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## EXTERNAL

Crystal, We tht. you did a super job on Tuesday. Thank you (and Scott) for listening to the various neighborhood groups! N. and B.

Sent from my iPhone

On Mar 17, 2022, at 4:06 PM, Crystal Acker <[Crystal.Acker@sonoma-county.org](mailto:Crystal.Acker@sonoma-county.org)> wrote:

Hi Nancy and Brantly,

The economic analysis contract for the cannabis program will be part of a competitive bid process. We do not have any control over which consultants submit proposals to the County, but the cannabis team will be reviewing and vetting them carefully before making a recommendation to move forward with a contract.

As always, thank you for your thoughtful input.

crystal

**Crystal Acker, M.S.**

Supervising Planner

[www.PermitSonoma.org](http://www.PermitSonoma.org)

County of Sonoma

Planning Division | Project Review

2550 Ventura Avenue, Santa Rosa, CA 95403

Direct: 707-565-8357 |

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[<image001.png>](#)

[<image002.png>](#)

[<image003.png>](#)

[<image008.png>](#)

[<image009.jpg>](#)

*Due to the Public Health Orders, online tools remain the best and fastest way to access Permit Sonoma's services like permitting, records, scheduling inspections, and general questions. You can find out more about our extensive online services at [PermitSonoma.org](http://PermitSonoma.org).*

*The Permit Center has reopened with limited capacity Monday, Tuesday, Thursday, Friday from 9:00 AM – 4:00 PM and Wednesday, 10:30 AM – 4:00 PM.*

*Thank you for your patience as we work to keep staff and the community safe.*

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**From:** Nancy and Brantly Richardson <nrchrdsn@sonic.net>

**Sent:** March 17, 2022 2:28 PM

**To:** Scott Orr <Scott.Orr@sonoma-county.org>; Crystal Acker <Crystal.Acker@sonoma-county.org>

**Cc:** Tennis Wick <Tennis.Wick@sonoma-county.org>; Christina Rivera <Christina.Rivera@sonoma-county.org>; Cannabis <Cannabis@sonoma-county.org>

**Subject:** THE FRAMEWORK APPROVED ON 3/15

Hello, Scott and Crystal, We thank you for your presentation of the 16 tenets of the Framework on Tuesday. For the most part the various neighborhood groups are pleased their concerns were addressed and included but hope to further refine some concerns they have as the process continues. Personally Brantly and I are pleased the Board gave a greenlight to tenet #16, an economic report.

We noticed in today's PD that Robert Eyler was commissioned by the County to do an economic report on the vacation rental issue. Perhaps you are both unaware but Eyler and Terry Garrett, a Cannabis Advisory Group member, produced an economic report for the CAG in January 2019. Eyler and Garrett were underwritten by Mercy Wellness, Grow Biz, CannaCraft and NorCal Cannabis. On very short notice the Eyler report was peer reviewed but that peer review report was never submitted to the public by Tim Ricard, the Cannabis Program Manager at the time. Once the peer review was received Eyler's report remained on the Agenda but never brought up for discussion. We have all the evidence if you would like copies. At the time, the peer reviewer, Steve Imbimbo sent this comment to Brantly ...

The key point is that, not trying to be sarcastic, the inflated revenue and jobs figures

ripple out like a stone thrown on a pond and inflate all the figures throughout the report, it is the basic foundation data that is extrapolated from. In this case, more like a virus. Sounds great to run data through the IMPLAN but if the source data is fatally flawed, so is the resultant data.

Brantly served on the CAG for the entire duration of its existence.

It will not go down well if a reputable and unbiased firm is not hired to do the economic analysis. We are not sure if either of you have any control over who the County commissions to write the economic report. Okay to share this email with those who will be making that decision.

Best, Nancy and Brantly Richardson

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**From:** [Nancy and Brantly Richardson](#)  
**To:** [Scott Orr](#); [Crystal Acker](#)  
**Cc:** [Tennis Wick](#); [Christina Rivera](#); [Cannabis](#)  
**Subject:** THE FRAMEWORK APPROVED ON 3/15  
**Date:** Thursday, March 17, 2022 2:28:08 PM

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## EXTERNAL

Hello, Scott and Crystal, We thank you for your presentation of the 16 tenets of the Framework on Tuesday. For the most part the various neighborhood groups are pleased their concerns were addressed and included but hope to further refine some concerns they have as the process continues. Personally Brantly and I are pleased the Board gave a greenlight to tenet #16, an economic report.

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Comprehensive Cannabis Program Update -  
Cannabis Land Use Ordinance Framework:  
Project File No. ORD21-0004

Public Comment Received March 3, 2022  
through March 14, 2022 at 2:30 PM



**From:** [Richard R. Rudnansky](#)  
**To:** [Crystal Acker](#); [Cannabis](#)  
**Cc:** [Susan Gorin](#)  
**Subject:** Cannabis Program Update Framework  
**Date:** Thursday, March 3, 2022 4:34:13 PM

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## EXTERNAL

Ms. Acker

I saw in the paper that the Board of Supervisors will be considering a Resolution of intention and Cannabis Program Update Framework on March 15, 2022. I also understand that the industry's request for tax relief will also be considered.

Please release and post the staff report and materials on these matters as soon as possible and rather than the minimal time required under the Brown Act. Given the complexity of these issues and the previous concerns raised by the public regarding the County's cannabis program, it is important that the public have adequate time to review the materials and provide comments.

Thank you for your attention.

Richard Rudnansky

[rrudnansky@sonic.net](mailto:rrudnansky@sonic.net)

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**From:** [Crystal Acker](#)  
**To:** [Cannabis](#)  
**Subject:** FW: Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (AGENDA ITEM 22 FOR 3/15/22)  
**Date:** Tuesday, March 8, 2022 9:16:42 AM

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**From:** Nancy and Brantly Richardson <nrchrdn@sonic.net>  
**Sent:** March 08, 2022 9:13 AM  
**To:** Susan Gorin <Susan.Gorin@sonoma-county.org>; David Rabbitt <David.Rabbitt@sonoma-county.org>; Chris Coursey <Chris.Coursey@sonoma-county.org>; district4 <district4@sonoma-county.org>; district5 <district5@sonoma-county.org>  
**Cc:** Tennis Wick <Tennis.Wick@sonoma-county.org>; Scott Orr <Scott.Orr@sonoma-county.org>; Crystal Acker <Crystal.Acker@sonoma-county.org>  
**Subject:** Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (AGENDA ITEM 22 FOR 3/15/22)

*Supervisors,*

*The Neighborhood Coalition urges you adopt #16 in the March 15th Cannabis Framework Summary Report and pursue an Economic Analysis preferably before versus concurrent with the programmatic EIR, as recommended by Staff.*

*The Neighborhood Coalition recommends that an unbiased and qualified professional firm (not cannabis advocate Robert Eyer) be selected to complete an in-depth financial analysis and that the resulting report be peer reviewed. The Neighborhood Coalition recommends selection of a reputable firm such as [HDL Companies](#) and Goldfarb & Lipman LLP, co-authors of Napa Vision economic analysis [Napa 9111](#) . The economic analysis should be conducted prior to or concurrently with the programmatic EIR so that the analysis could inform relevant policy decisions and determine Sonoma County's cost/benefit from commercial cannabis cultivation, manufacture and distribution.*

*CEQA requires that all feasible mitigation measures be adopted. A mitigation measure could prove to be infeasible based on economic implications and such a finding would need to be supported by substantial evidence, which would most reliably be in the form of an economic analysis. This information can be used to define the project to*

*be studied in the environmental review process, feasible mitigations to be proposed and the potential economic viability or impacts to public funds of commercial cannabis cultivation, manufacture and distribution in Sonoma County. The result could be applied to land use designations and locations appropriate for commercial cannabis and determine the acres or square feet that can be supported in Sonoma County.*

*The analysis should include, but would not be limited to, an evaluation of all revenues sources including taxes, fines for violations, permit and inspection fees and any other revenue source. The analysis should also include, yet not be limited to all expenses and costs to implement the program including permitting not covered by applicant fees, compliance inspection, code enforcement costs by both Permit Sonoma and the Agriculture Department of Weights and Measures, plus any expenses incurred by the Office of the County Administrator or any other department involved in implementing the cannabis program.*

*It's important that the baseline analysis include how much cannabis is currently being grown in the county, how much is being grown in the state and how much can be sold within the county and within the state since it is illegal to transport cannabis over state lines. The analysis must include an estimation of all County costs involved in the processing of commercial cannabis cultivation applications as well as follow-through on cannabis issues such as violations and adherence to conditions of approval so a cost recovery system can be developed to cover staff efforts on behalf of cannabis applicants and rural neighborhoods. It should also include impacts to public services, such as landfill costs, given information on how cannabis is actually grown—using plastic garbage cans, non-native chemical soils, disposal of fertilizer-intensive soil and hoop house plastics, and how many grows the soil can be used, what happens to it when it cannot be used, where it comes from, what's in it, and any other environmental associated clean-up costs.*

*In order to write regulations, it is necessary to study the entity being regulated and the processes being used in order to have a complete understanding of everything about the cannabis industry both in Sonoma County and state wide. This is based on an economic analysis*

*and forecast. The goal would be to confidently set a target number of acres or square feet so that Sonoma County cannabis will not be overproduced resulting in reduced prices and lost taxes/revenue and in the expense of wasted Staff time.*

*The EIR should not propose objectives that assume an unlimited market or propose mitigations that are economically infeasible. An analysis will help determine how many acres of cannabis can successfully be cultivated and marketed and determine where those properties would best be located in order to protect the environment and the rural residents.*

*If cannabis is federally de-regulated and can be grown anywhere, it is possible that only cannabis with an appellation may be economically feasible for local growers. This possibility must not be ignored in the financial analysis of the future of the commercial cannabis industry in Sonoma County. It is important to ascertain how viable this industry will be in the future and an economic analysis must be a part of the programmatic EIR.*

*It is best to regulate with the knowledge acquired from an economic analysis. An economic analysis best serves the public interest.*

*Nancy and Brantly Richardson - Communications, the Neighborhood Coalition*

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**From:** [Crystal Acker](#)  
**To:** [Cannabis](#)  
**Subject:** FW: Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (AGENDA ITEM 22 FOR 3/15/22)  
**Date:** Wednesday, March 9, 2022 10:05:14 AM

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**From:** Dick and Vi Strain <vcrstrain@yahoo.com>  
**Sent:** March 09, 2022 9:35 AM  
**To:** Susan Gorin <Susan.Gorin@sonoma-county.org>; David Rabbitt <David.Rabbitt@sonoma-county.org>; Chris Coursey <Chris.Coursey@sonoma-county.org>; district4 <district4@sonoma-county.org>; district5 <district5@sonoma-county.org>; Tennis Wick <Tennis.Wick@sonoma-county.org>; Scott Orr <Scott.Orr@sonoma-county.org>; Crystal Acker <Crystal.Acker@sonoma-county.org>  
**Subject:** Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (AGENDA ITEM 22 FOR 3/15/22)

Tues, March 8, 2022

Supervisors,

After reviewing the March 15<sup>th</sup> Cannabis Framework Summary Report, I was heartened to find #16, the staff recommendation to “conduct an economic analysis to inform relevant policy decisions”. I support this recommendation with a caveat that the analysis would be more helpful if conducted early in the process and available to Supervisors when making policy decisions.

Businesses and individuals decide upon moving forward with development plans based on land use designations and the requirements for development. Therefore, Land use decisions are also business decisions. Public Agencies with responsibility for planning and use of resources can improve decision-making by knowing the cost/benefit of their land use designations and guide development to meet goals. A structured approach helps public and private entities by providing a clear picture on how cannabis can be integrated into land use categories.

The vagaries created through adoption of the existing cannabis ordinance are more apparent now and can be addressed in the Environmental Impact Report and proposed ordinance. All areas of the County workforce have

seemed understaffed to accommodate the introduction of cannabis to the County from processing applications to enforcement of conditions of approval and addressing violations. The cost of adequate staffing levels can be addressed in a financial analysis and provide insight in the overall impact of cannabis and where limits may be necessary. It should also include costs of the County Administrator and County Counsel, as they have been heavily involved in the past as during the proposed environmental review and commercial cannabis ordinance that was denied due to rural community activism and potential legal challenges.

Cannabis has now proliferated in many states and other counties in California. For the Supervisors to make sound decisions for Sonoma County it will require an understanding of cannabis beyond the local level to State wide and potentially further afield. An economic analysis and forecast would greatly help in navigating what is required. A worthy goal would be to set a target number of acres or square feet so local cannabis would not be overproduced resulting in reduced prices, lost tax revenue and staffing uncertainty.

Possibly the financial analysis could include the need for neighborhood compatibility to take a higher priority. Research has shown cannabis reduces a homes value by at least 8% and more depending on the type and size of cannabis operations. The current County regulations only provide a 100 ft. setback from a residential property line and 300 ft. from residential homes. This lack of a sufficient buffer between incompatible uses provides a financial benefit to growers while financially harming residential neighborhoods. Certainly for rural homeowners, it reflects negatively on the Supervisors for their lack of protecting their residential constituents investment in their home. A home is usually a family's most valuable asset and reducing a homes value by adopting insufficient setbacks from commercial cannabis operations makes the County vulnerable to a regulatory taking.

I request the Supervisors support the staff request to conduct an Economic Analysis and move the timeframe to earlier in the process. Please retain a firm experienced in Public Agency Finance and create a stand-alone analysis that can be used to inform the required Environmental Impact Report, proposed Ordinance and the provisions of other adopted County plans that must be considered in developing a comprehensive cannabis

ordinance.

Vi Strain

## #16 Excerpt from the March 15<sup>th</sup> Cannabis Framework

Economic Analysis. While an EIR does not require an economic analysis, staff recommend conducting one concurrent with the programmatic EIR, as an economic analysis could help inform relevant policy decisions. For example, CEQA requires that all feasible mitigation measures be adopted. A measure could be infeasible based on economic implications; however, such a finding would need to be supported by substantial evidence, which would most reliably be in the form of an economic analysis. The analysis could include, but would not be limited to: evaluation of cannabis tax collection revenue and method(s); staffing costs to implement the program, including permitting, compliance inspection, and code enforcement; permit and inspection fees and other applicant costs to obtain permits and run permitted operations; and civil penalties. If the Board does not wish to pursue an economic analysis, the Framework will be adopted without this tenet. If this tenet is adopted with the Framework, the economic analysis scope would be added to the EIR consultant selection process.

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**From:** [Richard R. Rudnansky](#)  
**To:** [Susan Gorin](#); [David Rabbitt](#); [Chris Coursey](#); [district4](#); [district5](#); [Tennis Wick](#); [Scott Orr](#); [Crystal Acker](#); [Cannabis](#)  
**Cc:** [Marcie Woychik](#)  
**Subject:** RE: Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (AGENDA ITEM 22 FOR 3/15/22)  
**Date:** Thursday, March 10, 2022 7:49:09 AM  
**Attachments:** [Petition-Names.pdf](#)  
[BRCA Pettition.pdf](#)

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## EXTERNAL

Members of the Board of Supervisors:

Please consider the following comments regarding your consideration of the Cannabis Land Ordinance Framework. Please include these comments as part of the public record.

While I am glad that finally the necessary environmental review is being conducted, in the end it comes down to policy calls by the BOS. I am sure you are brutally aware of the tension between the growers and rural residents. What I am asking, as a rural resident, is that the Board of Supervisors listen to the concerns of rural residents and act in a way that protects our interests and the nature of Sonoma County. Simply put, do not allow commercial cannabis cultivation in areas that are close proximity to rural residential neighborhoods or visible from County roadways.

Here are my comments regarding some of the proposed Tenets

### TENET #5: GENERAL PLAN AMENDMENT

In the staff report and Exhibit A staff proposes that it evaluate whether to include cannabis within the meaning of "Agriculture" and "Agricultural Use as used in the County General Plan. I submit that cannabis cultivation is not and should not be characterized as "agriculture or agricultural use. Cannabis is inconsistent with traditional agriculture and would result in a number of consequences that would have detrimental effects on, among other things, the wine industry, existing true agricultural interests, the environment and housing and may bring cannabis within the Right to Farm Act.

Why would the County consider such a change? Why is it needed or desired? What is the true objective of the change? Why does the cannabis industry want this change? If cannabis is classified as agriculture, it would prohibit or at the very least make it much more difficult for the County and residents to seek redress for nuisance. On May 18, 2018, the Board of Supervisors, apparently realizing the consequences, voted to reject a proposed General Plan Amendment. That was the correct decision then and it is the correct decision now. Please do not classify or have staff spend the time evaluating this.

### TENET #7: NEIGHBORHOOD COMPATIBILITY:

As you know, "**neighborhood separation**" " from commercial cannabis cultivation and other activities has been a major source of tension between growers and the public. There seems to be many ways to address this issue that protects both interests. In this regard, please consider including the following in any draft ordinance:

- (A) Impose at least a 1,000-foot buffer setback between cannabis operators and residential property lines.
- (B) Prohibit commercial cultivation in Rural Residential Zoning District
- (C) Prohibit commercial cultivation in or near neighborhoods that have narrow roads or only one access in and out
- (D) Do not allow commercial cultivation on properties less than 10 acres

With respect to the idea of "**rural neighborhood enclaves**", I assume this is included so that no commercial cultivation would be allowed in such a designated enclave. Bennett Ridge consists of properties on Old Bennett Ridge Road, Rollo Road and Bennett Ridge Road. Bennett Ridge, that is zoned Rural Residential. It is a true neighborhood in every sense of the word. There are residents of all



ages including young children. The small size of Bennett Ridge residential lots in relation to surrounding agricultural properties, the configuration of property lots and the topography result in properties and homes being in close proximity to neighboring lots and other residences. There is only one narrow road in and out of the neighborhood. I welcome and would urge all Supervisors who are not familiar with the Bennett Ridge neighborhood to visit and see just how nonsensical it would be to allow commercial cultivation of any type on Bennett Ridge.

The information above and in the attached petitions would also be a basis for designating Bennett Ridge as an "**Exclusion Zone**". Therefore, please place an Exclusion Zone on Bennett Ridge.

**TENET #9: DEVELOPMENT STANDARDS:**

Please direct staff to include the following:

**Parcel Size:** require that minimum parcel size is at least 10 acres

**Setbacks:** require a minimum 1000-foot buffer set back from cannabis operations to adjacent residential property lines and other sensitive uses (e.g. schools) or farther if odor and lighting analysis would impact adjacent properties.

**Cultivation Size Limits:** If the Board is truly interested in helping the small cultivators and limiting the total acreage for any one operator to a cumulative total of one acre throughout the County, then add a provision that prohibits any one operator from obtaining permits under multiple LLCs and other entities as a few larger growers did under the ministerial permit program

**TENET # 11: TRANSITIONAL PATHWAY:**

I ask that the Board consider the imposition of a moratorium on all NEW cannabis applications. The staff report admits that staff can't keep up with the existing applications "especially related to applications operating under the Penalty Relief Program" and are asking for more staff (two full time planners and one full time clerical support staff) with the attendant costs. Given the backlog of existing applications, the failure to date of an appropriate environmental review for the current ordinance as well as the upcoming EIR, (that presumably is to finally do such an appropriate environmental review) I simply do not understand why the Board will not impose such a moratorium on NEW applications. I have asked the rationale behind this and have never received an answer. Please email me or state publicly your reasons for not imposing such a moratorium on new applications.

**TENET #14: JURISDICTIONAL COMPARISON:**

When the Board initially adopted the cannabis ordinance it did so without any historical perspective of the problems that other jurisdictions were experiencing. Therefore, it is important at this time to do so and not repeat such decisions that have led to such problems. I would urge the staff and the Board to look at other counties to avoid problems they have encountered.

**TENET #16: ECONOMIC ANALYSIS:**

I urge the BOS authorize such an analysis to determine the true and total costs of this industry to the County which should include all staff time for processing applications, inspections, enforcement of ordinance and state law as well as all costs related to the EIR and process leading to final adoption of a revised ordinance) compared to any taxes received or penalties, fines and fees assessed and actually collected to fully understand the economics of the industry and before any final decision to relieve the industry of cannabis taxes.

One of the selling points and rationalization for the legalization of cannabis in California under Prop 64 and the Board's passage of the cannabis ordinance was the tax windfall that was supposed to result. If you go back and read the ballot material for Prop 64 you will see that state taxes and the ability of local government to tax was a key argument for its passage. The County's impartial analysis of measure County Measure A stated that cannabis taxes would be a general tax that "could be used to pay for general County operations and programs such as addressing industry impacts, code enforcement, public safety, fire health, housing, road and environmental protection". Whether or not the economics of the

industry are and will in the future meet these promises should be considered. Taxpayers of the County should not be required to subsidize this industry.

**CONCLUSION:**

Please find attached a petition from residents of Bennett Ridge and a petition from the Bennett Ridge Community Association requesting that the Board prohibit commercial cannabis cultivation on Bennett Ridge and Bennett Valley either by prohibiting such activity in the Rural Residential Zoning Districts, placing an Exclusion Combining District on Bennett Ridge and Bennett Valley or by adopting any other legislative mechanism which would result in a prohibition on commercial cannabis cultivation in these areas . These petitions also provide information evidencing just how incompatible commercial cannabis cultivation is on Bennett Ridge and in Bennett Valley and inconsistent with the County General Plan, County Zoning Ordinance, the Bennett Valley Area Plan and the Bennett Ridge CC&Rs.

Thank you in advance for your anticipated consideration and hopefully action consistent with these requests.

Richard R. Rudnansky

Bennett Ridge Resident

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Subject **No to Commercial Cannabis Cultivation on Bennett Ridge**  
From Kent Dellinger <kdell58@hotmail.com>  
To Susan.Gorin@sonoma-county.org <Susan.Gorin@sonoma-county.org>, David.rabbitt@sonoma-county.org <David.rabbitt@sonoma-county.org>, Chris.coursey@sonoma-county.org <Chris.coursey@sonoma-county.org>, district4@sonoma-county.org <district4@sonoma-county.org>, Lynda.hopkins@sonoma-county.org <Lynda.hopkins@sonoma-county.org>, marcie.woychik@sonoma-county.org <marcie.woychik@sonoma-county.org>, cannabis@sonoma-county.org <cannabis@sonoma-county.org>  
Date 2021-10-07 14:44

The Bennett Ridge Community Association (BRCA) strongly opposes any action and legislation by the Board of Supervisors to allow any commercial cannabis cultivation in the Bennett Ridge neighborhood and adjacent properties in Bennett Valley.

The BRCA is a not-for profit organization that works to maintain the quality of life on Bennett Ridge. Bennett Ridge is a residential neighborhood consisting of 136 homes and properties on Old Bennett Ridge Road, Bardy Road, Rollo Road, and Bennett Ridge Road. Bennett Ridge is a true neighborhood in every sense of the word. We have residents of all ages including young children. Commercial Cannabis Cultivation simply is not appropriate in or compatible with our neighborhood and would have significant adverse impacts on resources and our quality of life for a number of reasons including, but not limited to:

- (1) Visual and Aesthetics: the configuration, size and topography of lots results in homes being in close proximity to neighboring lots and other residences and therefore cannabis structures and any attendant lighting would be in violation of the Bennett Ridge Architectural Review Committee guidelines and would have significant visual and aesthetic impacts on residents.
- (2) Water: our water is from a mutual water company with two wells for the entire neighborhood. Any non-residential use and pesticides would have a significant impact on the quantity and quality of our residential water supply
- (3) Odor: given the configuration and the proximity of lots and homes if commercial cannabis cultivation with its odor was allowed in the Bennett Ridge neighborhood it would adversely impact the quality of our life and the enjoyment of our properties.
- (4) Zoning, Area Plan, CC&Rs: would be contrary to the purpose of the Rural Residential zoning district, the Bennett Ridge CC&Rs and the Bennett Valley Area Plan of which the Ridge is a part. Further, the Bennett Ridge CC&Rs prohibit conducting any type of business in the neighborhood.
- (5) Safety: Bennett Ridge (a) has only one narrow and winding road in and out (b) is in a high fire risk area (c) abuts Annadel State Park with hiking trails open to the public in close proximity to homes (d) has a Sheriff response time of over 30 minutes

We invite any member of the Board of Supervisors to visit the Bennett Ridge neighborhood to see for yourself how clearly incompatible commercial cannabis cultivation is with our neighborhood.

Therefore the BRCA, on behalf of the Bennett Ridge residents, strongly urge the Board of Supervisors prohibit commercial cannabis cultivation on Bennett Ridge either by prohibiting such activity in the Rural Residential Zoning Districts, placing an Exclusion Combining District on the Ridge, or by any other legislative mechanism.

We ask that you include these comments in the official record for this issue.

Respectfully Submitted:  
Bennett Ridge Community Association  
Board members:  
Les De La Briandais  
Kent Dellinger  
Marilee Jensen  
George Mangan

Kathie Schmid  
David Southwick, M.D.  
George von Haunalter

## **Bennett Ridge Consensus Opinion Regarding Commercial Cannabis Cultivation in Sonoma County**

We, the undersigned residents of the Bennett Ridge neighborhood:

1. Are in favor of an immediate moratorium on the acceptance of any new permit applications for commercial cannabis cultivation in Sonoma County until the Environmental Impact Review (EIR) process is complete, and a new ordinance has been adopted. We are also in favor of a thorough review of existing operations with regard to their compliance with current county codes and record of violations and complaints from nearby properties.
2. Are in favor of prohibiting commercial cannabis cultivation operations in Rural Residential zoning districts throughout Sonoma County, including the Bennett Ridge neighborhood. We believe that Rural Residential zoning districts should be excluded from commercial cannabis cultivation to preserve their rural character and reduce the risk of potential nuisances to other residents. If Rural Residential zoning districts in general are not excluded from commercial cannabis cultivation in Sonoma County, then we are in favor of a Cannabis Exclusion Combining District on Bennett Ridge.
3. Are in favor of prohibiting commercial cannabis cultivation in Bennett Valley as a whole to preserve its scenic beauty and protect its water supply, as well as to minimize other nuisances (such as undesirable odors, increased traffic, potential harm to wildlife habitat, and possible increase in crime) to area residents.
4. Are in favor of limiting ministerial permitting of commercial cannabis cultivation due to the associated loss of transparency and opportunity for public input.
5. Are in favor of prohibiting the piecemealing of multiple small cannabis applications on a single property to avoid environmental review and the conditional use permit process; we support the staff recommendation for an immediate moratorium on such applications.
6. Are in favor of prohibiting on-site cannabis consumption and other visitor-serving activities at facilities outside of urbanized areas.
7. Are in favor of increased enforcement efforts to ensure compliance with existing regulations and to process complaints against operations in a timely manner.

September, 2021

Richard R. Rudnansky  
Brian Gibson  
Katherine Meyers  
Michael Sullivan  
Paul Johnson  
Lani Muelrath  
Ann Wendecker  
Colleen Cotton  
David Trezise  
Ken Brush

Pete Parkinson  
Gil Moreno  
Jane Marx  
Linda Rudnansky  
Liz Gawson  
David Taggart  
Kathie Schmid  
Marry Ann Sullivan  
Marilyn Stocks  
Stephen T. Olson

Rebecca Bass  
James Stocks  
David Dammuller  
Susan Strange  
David Bass  
David Southwick  
Brad Hunter  
Catherine Mangan  
Jerry Moreno  
Cecilia Parkinson

**CONTINUED ON NEXT PAGE**

Greg Muelrath  
Les DelaBraindais  
Theo Vermont  
Eric Dinwiddie  
Tracye Lerdahl  
Lynn P. Olson  
Mike Walsh  
Donna DelaBraindais  
Lucy McLintic  
Gene Graser  
Isabelle Walters  
Jay Werth  
Sally Weare  
Suzanne Guyton  
Heidi Sapp  
Patrick Rafferty  
Cathy Crowley  
Dianne Felli  
Jenna Holtzinger  
Nancy Watson  
Kara Fieser  
Karen De Groot  
Suzette Mackey  
Saundra Cecil  
Steve Luscombe  
Griffin Nichols  
Helen Greves  
Howard Klepper  
Stanley Sommer  
Sherry Weinberg  
Bret Campoy  
Mark Bruns  
Dominic Tilker  
David Pitou  
Jeness Keller  
Eleanor Nixon

Gerda Dinwiddie  
Linda Emis  
Gail Graser  
Barb Tassa  
Robert Forgy  
Gerda Dinwiddie  
George Marania  
Robert Gleeson  
Susan Levi  
Janet Zhou  
Jeff Lerdahl  
Ty Strange  
Joe Mazeau  
Shane Weare  
Diane Bare  
Peter Shott  
Marilee Jensen  
Lisa Valbert  
Jeff Corcoran  
Duayne Emis  
Carl Fieser  
Jeff McConathy  
Brenda McConathy  
Rene Markarian  
Bill Hill  
Rick Rogers  
Joan Campoy  
Elysa J. Perry  
Daniel Weinberg  
Gordana Potrebic  
David Sandine  
Jason Dedmore  
Suzanne Dedmore  
James Keller  
Mike Scott

Lynne Walsh  
Kelly Dellinger  
Matt Walters  
Brian Johnson  
Jan Brush  
Cheryl Pennington  
Sean Walsh  
Kent Dellinger  
Debbie Crisafulli  
Morgan McLintic  
Trista Forgy  
Patricia Werth  
Kent Sapp  
Patti Weare  
Margit Yasukawa  
Bernadet Felli  
Denis Yasukawa  
Jason Holtzinger  
Frank Tansey  
Cecilia Marania  
John De Groot  
John Mackey  
John Cecil  
Gary Markarian  
Steven Lambert  
Angela Luscombe  
Helen Sedwick  
Karen Sommer  
Brian Kukic  
Tyson Berg  
Denise Bruns  
Megan Tilker  
Kathleen Pitou  
Jan Scott  
Devon Cavanagh

**From:** [craigspencerharrison@gmail.com](mailto:craigspencerharrison@gmail.com)  
**To:** [Cannabis](#)  
**Cc:** [district4](#); [David Rabbitt](#); [Susan Gorin](#); [Lynda Hopkins](#); [district3](#)  
**Subject:** March 15 Board of Supervisors Meeting, Item 23 Cannabis Tax  
**Date:** Friday, March 11, 2022 11:02:13 AM

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## EXTERNAL

As I understand the staff proposal, the supervisors are asked to reduce the current cannabis tax by 10 percent for FY 2021-22.

From attending board meetings and listening to comments, no supervisor has a firm idea of the economics of the cannabis industry. You are being asked to provide tax relief in abject ignorance of the facts. A single industry is asking you to cater to it, an industry whose entire history is one of breaking the law and telling falsehoods. The cannabis industry celebrates its outlaw past. CannaCraft sells “The Farmer and the Felon” – the same CannaCraft that paid \$300,000 to the Sonoma County District Attorney in May 2021 to settle false advertising claims.

I have been involved professionally with regulatory issues for decades, and one firm conclusion that I have drawn is that the public interest is never well-served when decision makers are ignorant of the facts concerning the industry that they regulate.

Whatever problems the cannabis industry may be experiencing (and recent independent data in the Benchmark report suggests any problems are grossly exaggerated) are the result of decisions made by individuals who voluntarily entered this business.

It is obvious that outdoor cannabis projects are uneconomic in Sonoma County. These cultivations are precisely those that stimulate angst within neighborhoods, harm to the environment, and weigh heavily on the county budget because the staff has to respond to frequent complaints.

Why subsidize this uneconomic activity with a tax cut? This industry is not paying its fair share, and any tax reduction is not going to change the fundamental economics.

While the auditor states correctly states that the Cannabis Business Tax was enacted solely for general governmental and not for specific purposes, this was

to avoid triggering the 2/3 requirement for its approval. Measure A stated the following:

**Shall an ordinance be adopted imposing a cannabis business tax in unincorporated Sonoma County on cultivation up to \$38 per square foot (annually adjusted by CPI increases) or 10% on gross receipts, and on other cannabis businesses up to 10% on gross receipts, to fund essential county services such as addressing industry impacts, public safety, fire, health, housing, roads, and environmental protection, with funds staying local and subject to audits, generating undetermined revenue until repealed?**

The public expects that these taxes will fund essential government services. It is not clear that you even have the authority to rescind the Cannabis Business Tax, including annual CPI adjustments, without voter approval.

Every county resident is suffering some economic dislocation after two years of the Covid Era, including the worst inflation in 40 years and record high gasoline prices. These problems will not abate soon. If the county has the largesse to reduce taxes (and I doubt that it does), consider freezing real property taxes for all county landowners.

Thank you.

Craig S. Harrison

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**From:** [Francine Baldus](#)  
**To:** [Cannabis](#)  
**Cc:** [Lynda Hopkins](#)  
**Subject:** Concerns about current draft  
**Date:** Friday, March 11, 2022 7:31:45 AM

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EXTERNAL

Dear Supervisors and Staff,

I am very concerned about the current time and staffing to expand cannabis growing in our county. I was astonished that a \$1.15 million dollar grant is offered for this effort, while in contrast our local high school cannot get proper funding to maintain itself, its educational staff, and wonderful programs like the arts...for these students who are truly our future.

Furthermore, the county government has continued to receive community outpouring rejecting the expansion of growing areas due to (as the draft mentions) water, noise, air quality, etc., all legitimate concerns. Also the type of “growers” who are involved in this expansion — this is not an agricultural endeavor, this is a drug business often with ties to cartels. If in doubt, ask law enforcement in southern Oregon.

It is not in our county’s best interests to allow cannabis growth — while the “carrot” of tax revenue is held out, the regulation will involve at least 5 new staff positions. Staff report highlights the difficulty of finding such staff and we are all aware of the long-lasting financial costs (health care, HR staff, pension funding) of additional staff. Not mentioned is the additional law enforcement that cannabis growing necessitates. Interestingly, cannabis growers also need to hire their own armed security guards. This product brings another level of crime to our county.

Please, look at all the aspects of cannabis growing and carefully evaluate its long term effects on our beautiful county. I for one would rather we funded our educational system instead of drug culture.

Sincerely,  
Francine Baldus

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**From:** [Jim Fitzpatrick](#)  
**To:** [David Rabbitt](#); [Susan Gorin](#); [Lynda Hopkins](#); [Chris Coursey](#); [James Gore](#); [Cannabis](#)  
**Subject:** PLEASE have our backs  
**Date:** Friday, March 11, 2022 3:21:15 PM

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## EXTERNAL

I am concerned with the implications of redefining cannabis as Ag; opening up non-Ag lands to cultivation (i.e.: residentially zoned AR/RR); and **water/water/water**- Cannabis is a thirsty crop and drought is the new norm.

Also, please include "Neighborhood Compatibility", a key component of a successful law!

**1000** Ft (AT LEAST)

James Fitzpatrick, Sonoma County Resident since 1961.....

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**From:** [Paul-Andre Schabracq](#)  
**To:** [David Rabbitt](#)  
**Cc:** [Susan Gorin](#); [Lynda Hopkins](#); [Chris Coursey](#); [James Gore](#); [Cannabis](#)  
**Subject:** Oppose Cannabis tax breaks & related issues.  
**Date:** Friday, March 11, 2022 4:17:28 PM

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EXTERNAL

Dear Supervisor Rabbitt,

As your constituents we strongly urge you to oppose classifying this Cannabis cultivation as an agricultural use; permitting this use in AR/RR zones; and giving tax breaks to this industry.

Sonoma County is experiencing a record-breaking drought. Cannabis cultivation is water consumptive. Permitting Cannabis cultivation in AR/RR zones would further seriously deplete our groundwater resources.

Without sufficient well water we would be forced to move and lose the equity we have built up over years in our home.

This is what is at stake here.

Please protect us from the Cannabis industry.

Cordially,

Paul-André Schabracq

Deborah L. S. Sweitzer

Edmée Danan, MD

Blucher Valley Road, Sebastopol

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**From:** [Bill Krawetz](#)  
**To:** [Cannabis](#); [David Rabbitt](#); [Susan Gorin](#); [Lynda Hopkins](#); [Chris Coursey](#); [James Gore](#)  
**Subject:** "Setting the Framework for the new Cannabis Ordinance" Item 22 on March 15th Board of Supervisors meeting  
**Date:** Sunday, March 13, 2022 9:46:19 PM

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Dear Sonoma County Cannabis staff and Board of Supervisors,

First thanks for preparing the draft framework. The staff has done a very nice job of capturing and incorporating the many comments, concerns and suggestions of the many diverse parties in their 16 point framework proposal (Exhibit A). There are points that I like very much and others that I'm not so sure of, so maybe that's a sign of a good balanced approach. The following are my comments and suggestions on the Framework:

1. Item 7 Neighborhood Compatibility: Great criteria to be incorporated into the final ordinance! If we get this right, the program will be successful for the growers, county administrators, and the public.
2. Item 9 Development Standards: A must criteria to get right (e.g., parcel size, setback distances, cultivation size limits). The text states "... informed by factual analyses informed by EIR". This wording should be expanded to also incorporate a "quality of life" standard, consistent with criteria number 7. A 1,000 ft. setback should be studied.
3. Item 10 Environmental Analysis: covers the elements required of CEQA/EIR. A couple suggested adds:
  - a. Item 10c. Air quality analysis: Should be expanded to require mitigation, and incorporate the terms of the Santa Barbara Odor Agreement signed by both cultivators and neighbors. Both sides found it workable
  - b. Item 10e. Energy analysis: This should require net zero carbon, net zero GHG. This is a County-wide goal
  - c. Item 10 f. Hydrology analysis – Great that the wording requires studying drought level conditions, our new normal. This must include all the water needs of our region, not just cannabis. The new home building requirements must be incorporated, as well as all Ag needs, and the biotic water needs spelled out by the NMFS and DFWS letters. Finally no net water depletion should be allowed.
- Item 5. General Plan Amendment to redefine cannabis as "agricultural". This is problematic for a couple reasons. First, County Council looked at this issue before and concluded the County didn't have such authority. Second, it must be acknowledge that the economic profile of Cannabis is unlike Ag products, so special rules are required. Cannabis, which can gross \$1-2m per acre, far exceeds any Ag product (grapes being the highest at \$20/30K per acre), and accordingly will have much more significant impacts that must be specifically addressed. Third, any effort to reclassify cannabis as some type of an Ag product must include provisions that protects a neighbors the right to defend and enjoy their property from the impacts caused by a nearby operator.
4. Item 4. Allowed Activities: this sections talk at a very high level of defining a range of activities that would be allowed or disallowed by "zoning district". First, Sonoma County's

current parcel zoning doesn't necessarily represent the current uses on the ground. There are many areas zoned Ag, which are primarily residential homes and would make no sense to allow a commercial cannabis operation there. Second, the wording is at a very high theoretically level, such that no one could really understand the implications. Staff would need to provide concrete examples for all parties to properly evaluate.

5. Item 8 Permit Streamlining:
  - a. Item A discusses ministerial permitting. This is inconsistent with California State practices. No other county allows ministerial permitting
  - b. Item C discusses development of a CEQA streamlining checklist for discretionary permits. A checklist makes sense to assure all impacts are covered, but there must be sufficient review of each specific site to assure all their unique factors are considered.
6. AR/RR parcels: Page 5 of the Staff presentation (PowerPoint) includes the Sept 28, 2021 discussion to include AR/RR parcels in the updated ordinance. Like the many growers who voiced concern over opening back up the AR/RR parcels, I share their concerns. This created the mass public outcry that has dogged this ordinance. There is plenty of land zoned Ag to accommodate our cannabis needs.

Thanks  
NOW Neighbors of West County  
Bill Krawetz

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**From:** [Ms. Harriet Buckwalter](#)  
**To:** [Cannabis](#); [Crystal Acker](#); [Scott Orr](#); [Susan Gorin](#); [Lynda Hopkins](#); [David Rabbitt](#); [Chris Coursey](#); [James Gore](#)  
**Cc:** [Lynn Garric](#); [Raymond Krauss](#)  
**Subject:** FMWW Comment Letter for Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance Framework  
**Date:** Sunday, March 13, 2022 4:02:00 PM  
**Attachments:** [2022-03-13 FMWW Letter to BOS re Cannabis Update Program Framework.pdf](#)

---

**EXTERNAL**

Hello,

Please include the attached letter in public comments for the Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance Framework on Tuesday, March 15, 2022. And please confirm receipt of this document.

Thank you so very much,  
Harriet

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Harriet Buckwalter, Co-Chair - she/her  
Friends of the Mark West Watershed  
Upper Mark West Fire Safe Council  
[hbuck@sonic.net](mailto:hbuck@sonic.net)  
(707) 538-5307  
6985 Saint Helena Road  
Santa Rosa, CA 95404  
[markwestwatershed.org](http://markwestwatershed.org)



A watershed community  
dedicated to preserving, protecting,  
and restoring the Mark West Creek and its  
watershed as a natural and community  
resource.

Friends of the Mark West Watershed  
6985 Saint Helena Road  
Santa Rosa, CA 95404  
info@markwestwatershed.org  
Tel: 707-538-5307  
www.markwestwatershed.org

March 13, 2022

To: Sonoma County Board of Supervisors

RE: Cannabis Update Program Framework, BOS Meeting, March 15, 2022

Dear Board of Supervisors,

We are writing to you on behalf of the Friends of the Mark West Watershed (FMWW), a community of neighbors, landowners, and supporters dedicated to preserving, protecting, and restoring the Mark West Creek and its watershed as a natural and community resource. We work to engage the community in stewardship projects, offer educational opportunities, and also collaborate with several other non-profit and governmental agencies invested in the ecological health and sustainability of the Mark West Watershed. We became involved in the many public hearings about various parts of the cannabis ordinance because of concerns that ordinance language was not strong enough to protect our watershed from negative impacts.

We would like to thank staff for their work on the program framework presented at this hearing. They have done a great job of capturing a majority of the issues raised thus far. We are pleased to see several key components included as part of the proposed framework that relate directly to our previously stated concerns, including hydrology, neighborhood analyses for exclusion zones based on data, wildfire risks, and cumulative impact considerations. We look forward to learning more about these details as the EIR is developed.

It is especially heartening to see that transparency is named as one of the primary tenets of this framework. We agree strongly that transparency is an essential element for the success

of the cannabis ordinance that will eventually come out of this EIR process. To that end, we'd like to request clear criteria, standards and procedures for compliance monitoring, documentation, and reporting. How this ordinance is eventually administered and implemented is as important, if not more important, than what it contains.

Enforcement for non-compliance should be publicly transparent and consistent. The end goal should be that the permit applicant is responsible for demonstrating compliance annually, so that it does not fall on community members to complain about non-compliance and so that the county can efficiently manage compliance monitoring.

Many thanks for your time and efforts to date, and for your continued energy moving forward,

Thank you for your consideration,

Harriet Buckwalter  
FMWW Co-Chair  
[hbuck@sonic.net](mailto:hbuck@sonic.net)

Lynn Garric  
FMWW Co-Chair  
[cransac@sonic.net](mailto:cransac@sonic.net)



**From:** [Judith Olney](#)  
**To:** [Susan Gorin](#); [David Rabbitt](#); [Chris Coursey](#); [district4](#); [district5](#)  
**Cc:** [Cannabis](#)  
**Subject:** March 15 - Cannabis - Input on Water Analyses  
**Date:** Monday, March 14, 2022 2:22:39 PM  
**Attachments:** [clip\\_image001.png](#)  
[March 10 Questions.docx](#)  
[BOSMar15 2022 Water.pdf](#)

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## EXTERNAL

March 14, 2022

**To: Supervisors and Cannabis Staff**  
**From: Judith Olney, Neighborhood Coalition**  
**RE: March 15, 2022 BOS Hearing – Cannabis Framework**

**Request: In this 3rd year of a climate-driven drought, instead of hiring new staff to expedite cannabis permitting, the County should focus on completing the required baseline analyses of existing conditions. For water availability, the Baseline should quantify current drought-related water supplies versus existing residential, industrial, and wine industry demands.**

**This new industry is projected to grow an unspecified amount of water-intensive product, yet current analyses rely on out-of-date water supply data and little to no groundwater analyses in the areas where cannabis is grown.** CEQA requires known and expected future projects be factored in: In addition to the proposed full Cannabis Program projections for cultivation and manufacturing/distribution water demand, other known water demands include State-mandated new housing, and county-wide projected commercial/industrial growth.

**Sonoma County’s water analyses are woefully out of date and cannot be relied on:** Temperature levels, desiccating wind events and rainfall patterns over the past 7-10 years are very different from historical 1980 data, or the water availability and land use assumptions in the General Plan Environmental Impact Report (EIR) completed over 15 years ago. Even the Agency’s [Water Supply Strategies Action Plan](#), developed in 2010, with a 2018 update, does not reflect current climate-driven drought conditions. The 2023 update will be timely to data to the required baseline studies for the Cannabis Program EIR as well as water analyses required to update the General Plan.

**Support groundwater monitoring database projected to be completed this summer:** Most cannabis cultivation currently uses groundwater resources; however, the Neighborhood Coalition (NC) supports changing the focus to more lucrative, and environmentally sound indoor grows via greenhouse production in commercial/industrial zones. The NC supports Permit Sonoma’s current work to map and update our groundwater monitoring program, with funding through GSA Prop 68 grants. The work required to make Use Permit-required groundwater monitoring data and other existing databases accessible via recording the data in the land use permitting database (Accela) will provide essential groundwater information guide land use decisions and required mitigations.

**Water Workshop leaves many questions unanswered:** As discussed at [Sonoma Water Agency March 10, 2022 Workshop](#), Sonoma County faces a historic drought emergency. Many people believe that dryer than normal conditions or the conditions described by Supervisor Rabbitt - climate driven “weather whiplash,” such as the 2019 floods followed by the 2020-22 drought have become the new normal. FEMA also forecasts increased severity of drought, flood and fire damage. There were many, many unanswered questions at the Town Hall, and their level of sophistication shows our citizenry requires better solutions than just cut back residential water use.

**Proposed aquifer and stream recharge programs revealed that both the County and State agencies know Sonoma County has a water supply problem.** Forecasts, strategies and funding by the Sonoma Water Agency (Agency), benefit the storage and distribution of drinking water to 600,000 users in the County’s urban areas as well as Marin. Given the severe drought, the Agency is rehabilitating two wells expected to provide about 3.7 million gallons of water daily, as well as considering aquifer recharge in the Russian River watershed. Although there has been significant groundwater drawdown near the Wohler collectors, Agency reps did not answer the question about the potential impact of these wells on domestic and ag wells within their zone of influence.

As shown in the Agency’s [Current Water Supply Level Chart](#), reservoir storage levels are about 60%. **Equally concerning, at the Town Hall the County officials did not address known risks to supply, such as the loss of Eel River diversions given Potter Valley FERC license requirements. Measures being taken to address the increase in demand from State-mandated housing requirements were not explicitly defined.** Unfortunately, the State rejected Permit Sonoma’s appeal to reduce or reallocate Sonoma County’s housing requirements given current zoning and water restrictions, as this appeal was supported by many community and environmental groups.

Strategy 3 of the Agency’s Water Supply Strategy document promised increased use of regional planning to provide water resiliency. **Recently, the recommended Groundwater Sustainability Area GSA reports for Santa Rosa Plain, Petaluma and Sonoma Valley were completed.** Yet, Alexander Valley and the Healdsburg Area are still categorized as “low priority” despite being hit so hard by drought conditions that the Department of Water Resources limited water right diversions.

Information on whether the County incorporated locally scaled Global-Climate Models (GCMs) into future climate projections for GSAs, as recommended by Strategy 3 would be useful. It’s generally understood that the GSAs used a 50-year precipitation data to populate modeled scenarios which tended toward moderate assumptions versus an analysis of worst-case conditions. Another concern is the Petaluma GSA assumed no cannabis cultivation, even though permits have been issued.

**Off-Stream Reservoirs and Catchment Basins:** At both the March 9 and March 10 workshops, interagency teams presented a “voluntary drought initiative” for residents and commercial uses to supplement summer flows to enhance endangered species survival rates in impaired watersheds. Presenters recommended the creation of off-stream storage reservoirs to collect winter runoff for use and to provide stream connectivity in the summer. The speakers did not address whether analyses have been completed to assess the extent to which catchment basins impede groundwater recharge and potential dewatering of Class 3 or 4 small groundwater deposits relied on by downhill users.

One concern is that the very Federal and State agencies relied on by citizens to protect the ecosystem values (water holding capacity, wildlife, soil stabilization, and oxygen etc.) of our fragile watershed areas, appear to be turning a blind eye to the damage done by County approved cannabis permits, not to mention State-sanctioned logging.

Neighbors impacted by cannabis operations in high-fire risk areas with very limited groundwater have written letter after letter requesting oversight and letters to Permit Sonoma and the Ag Commissioner from these agencies. And, when the Agency reps do submit testimony into the record, Permit Sonoma deems their input as "advisory only." If these watersheds and fishery resources are so important, then people in the Mill/Palmer Creek and Mark West Creek impaired watersheds should not have had to hire law firms to get basic water-related and environmental laws upheld.

**Conclusion:** The County's water availability studies need immediate update. It's time to define the current baselines for surface and groundwater supply and future forecast demand in both normal and worst-case multiple drought years. Expediting the issuing of new cannabis permits prior to completing water availability analyses is irresponsible.

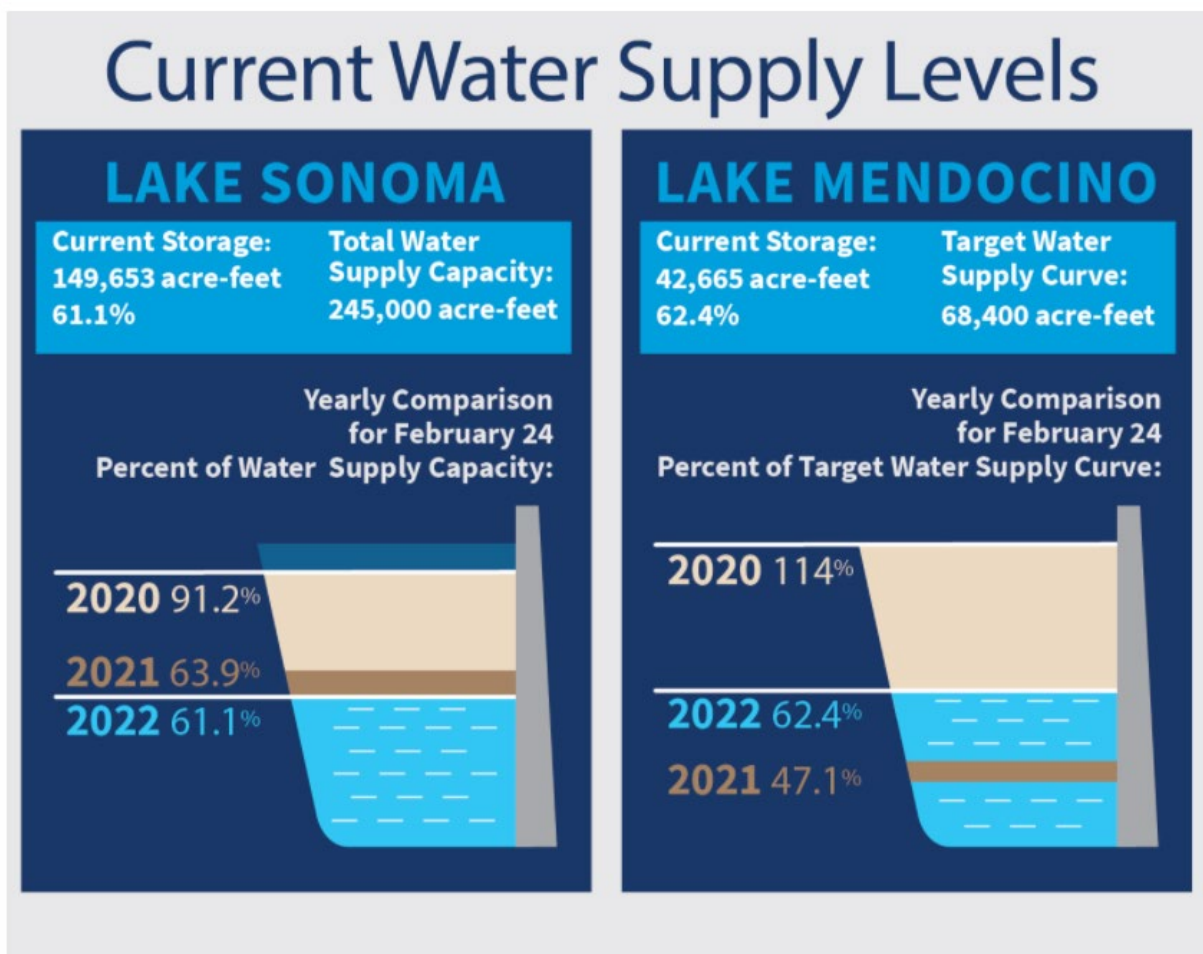
Judith Olney, Neighborhood Coalition, Healdsburg CA

**Addendum:**

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### Current Water Supply Levels



March 10, 2022 Town Hall Salient Questions relative to the intersection of land use permitting and water supply planning:

**Q: I would like to hear more about how Sonoma County Supervisors (in planning and development) are coordinating their development permits with So Co water resources and sustainability. And more specifically, what is the “sustainable “number of people + agriculture + natural flora and fauna can County water resources handle? At what numbers do we max out? Are we working with an estimate?**

Q: With all the new housing planned how can we be assured that there will be enough water?

Q: What about the PG&E Potter Valley hydroelectric facility and County plans for addressing Eel River diversions once the FERC license expires?

Q: Looking at the climate pattern over time, is there any reason to believe that this is a temporary situation and that continuing to expand our population in areas that already have insufficient water is a wise decision?

Q: With all the drought concerns & conservation efforts, what position does Sonoma Water take with the proposed Casino Resort along E. Shiloh Road - with a 400-room hotel, 6 restaurants, convention center, spa and potentially the largest casino in CA. Based on the Graton Casino in Rohnert Park, the Shiloh casino could expect upwards of 20,000 to 50,000 visitors a day. The conservative use of water for the proposed Casino Resort on E. Shiloh Road could easily exceed 280,504,320 gallons a year. How can such a project be allowed?

Q: What about new home building AND marijuana cultivation/grows? Both very water intensive. How are agencies working with marijuana cultivators to reduce current water usage?

Q: Tell us more about the Climate Adaptation Plan - how is Sonoma Water planning for water given climate change?

Q: How will the Water Agency's new wells impact local residents on wells?

Q: Why does the 2020 Sonoma UWMP predict 30% growth in water hookups, when the state Demographics Research Unit only predicts 4% growth, and the actual last decade growth in Sonoma was 1%?

Q: Why is the Groundwater Sustainability Agency 50-year precipitation model not include two dry years equal to or worse compared to the last two years? Is it too optimistic?

Q: Five or so years ago a state law was passed that required residents to reach 55 gal per day per person average personal water use by about now and 50 gal per day a few years in the future. Local water agencies were to set a water budget and allocate water for non-personal use, landscape watering, etc... What has happened to this law and the idea of water budgets.

Q: It is essential to not over commit on new water users- new housing, new agriculture, new cannabis. I honestly don't understand how we can foster any growth when we don't have sufficient water for existing residents and businesses. What about a moratorium on all new businesses and home construction? This has been done elsewhere in California. What control can we have over the tribal land development (casinos, hotels, etc)?

Q: Why not also show the FEMA data from their national risk assessment on Sonoma County that states almost double the risk of drought compared to fire or flooding.

Q: Would it be reasonable to consider that our area is starting the process of desertification and that we need to seriously consider whether it makes sense to continue to damage the water cycle by increasing population and allowing trees and plants to die?

Q: Why is there no study of water issues in an area before new vineyard permits are granted? Permits are being issued in areas where wells are failing both because of low flow or impaired quality - too much iron and manganese to be filtered.

Q: According to the City of Healdsburg, it may take several years to straighten out the pending updates to our water rights. They cited staffing shortages with the Water Board and the Water Board projected 2-5 years to make a decision. What can be done to expedite this?

Q: Where is chart that shows water allocations needed to support aquatic species including endangered salmonoids?

Q: Could you kindly provide more information about the wineries and the river? Is it possible to put stronger regulations on vineyards tapping into the groundwater?

Q: How does the North Bay drought compared to the water supply conditions for other parts of California?

Q: What impact do these "water harvesting" projects have on Sonoma County's natural environment, flora, and fauna? I would like to hear about estimates and potential unintended consequences.

Q: Thank you for working to ensure that the non-urban area water needs are being considered. Wells have dried up in many locations. The supervisors should look very carefully at the water needs of new agriculture, particularly any approvals for new applications for marijuana facilities as others have pointed out.

Q: Is it true that agriculture uses 80% of the available water? What effort is involved re: water conservation with that industry? It seems there's a big effort educating and urging residents about methods to conserve but we hear nothing about conservation in agriculture.

Q: Is it true there are no regulations regarding well drilling? Also is it correct there are 40,000 wells in Sonoma County?

Q: Residents in Rincon Valley observed illegal water hauling from a city fire hydrant and reported it to both the city and the County but got nowhere. Residents observed the truck was headed to a cannabis grow on Los Alamos Road and followed it to its destination. County said it had to see it actually being used to water the plants. Illegal water hauling needs to be stopped! When residents observe this, the city/county needs to make sure it stops! This has not happened, as the city/county wants private residents to illegally enter private property to further document this.

Q: Our county needs to be realistic in understanding water availability in the 'new normal' of much less water, and thus needs to use less water across the board- existing and new residential commercial, industrial.

March 14, 2022

To: Supervisors and Cannabis Staff  
From: Judith Olney, Neighborhood Coalition  
RE: March 15, 2022 BOS Hearing – Cannabis Framework

**Request:** In this 3rd year of a climate-driven drought, instead of hiring new staff to expedite cannabis permitting, the County should focus on completing the required baseline analyses of existing conditions. For water availability, the Baseline should quantify current drought-related water supplies versus existing residential, industrial, and wine industry demands.

**This new industry is projected to grow an unspecified amount of water-intensive product, yet current analyses rely on out-of-date water supply data and little to no groundwater analyses in the areas where cannabis is grown.** CEQA requires known and expected future projects be factored in: In addition to the proposed full Cannabis Program projections for cultivation and manufacturing/distribution water demand, other known water demands include State-mandated new housing, and county-wide projected commercial/industrial growth.

**Sonoma County’s water analyses are woefully out of date and cannot be relied on:** Temperature levels, desiccating wind events and rainfall patterns over the past 7-10 years are very different from historical 1980 data, or the water availability and land use assumptions in the General Plan Environmental Impact Report (EIR) completed over 15 years ago. Even the Agency’s [Water Supply Strategies Action Plan](#), developed in 2010, with a 2018 update, does not reflect current climate-driven drought conditions. The 2023 update will be timely to data to the required baseline studies for the Cannabis Program EIR as well as water analyses required to update the General Plan.

**Support groundwater monitoring database projected to be completed this summer:** Most cannabis cultivation currently uses groundwater resources; however, the Neighborhood Coalition (NC) supports changing the focus to more lucrative, and environmentally sound indoor grows via greenhouse production in commercial/industrial zones. The NC supports Permit Sonoma’s current work to map and update our groundwater monitoring program, with funding through GSA Prop 68 grants. The work required to make Use Permit-required groundwater monitoring data and other existing databases accessible via recording the data in the land use permitting database (Accela) will provide essential groundwater information guide land use decisions and required mitigations.

**Water Workshop leaves many questions unanswered:** As discussed at [Sonoma Water Agency March 10, 2022 Workshop](#), Sonoma County faces a historic drought emergency. Many people believe that dryer than normal conditions or the conditions described by Supervisor Rabbitt - climate driven “weather whiplash,” such as the 2019 floods followed by the 2020-22 drought have become the new normal. FEMA also forecasts increased severity of drought, flood and fire damage. There were many, many unanswered questions at the Town Hall, and their level of sophistication shows our citizenry requires better solutions than just cut back residential water use.

**Proposed aquifer and stream recharge programs revealed that both the County and State agencies know Sonoma County has a water supply problem.** Forecasts, strategies and funding by the Sonoma Water Agency (Agency), benefit the storage and distribution of drinking water to 600,000 users in the County’s urban areas as well as Marin. Given the severe drought, the Agency is rehabilitating two wells expected to provide about 3.7 million gallons of water daily, as well as considering aquifer recharge in the Russian

River watershed. Although there has been significant groundwater drawdown near the Wohler collectors, Agency reps did not answer the question about the potential impact of these wells on domestic and ag wells within their zone of influence.

As shown in the Agency's [Current Water Supply Level Chart](#), reservoir storage levels are about 60%. **Equally concerning, at the Town Hall the County officials did not address known risks to supply, such as the loss of Eel River diversions given Potter Valley FERC license requirements. Measures being taken to address the increase in demand from State-mandated housing requirements were not explicitly defined.** Unfortunately, the State rejected Permit Sonoma's appeal to reduce or reallocate Sonoma County's housing requirements given current zoning and water restrictions, as this appeal was supported by many community and environmental groups.

Strategy 3 of the Agency's Water Supply Strategy document promised increased use of regional planning to provide water resiliency. **Recently, the recommended Groundwater Sustainability Area GSA reports for Santa Rosa Plain, Petaluma and Sonoma Valley were completed.** Yet, Alexander Valley and the Healdsburg Area are still categorized as "low priority" despite being hit so hard by drought conditions that the Department of Water Resources limited water right diversions.

Information on whether the County incorporated locally scaled Global-Climate Models (GCMs) into future climate projections for GSAs, as recommended by Strategy 3 would be useful. It's generally understood that the GSAs used a 50-year precipitation data to populate modeled scenarios which tended toward moderate assumptions versus an analysis of worst-case conditions. Another concern is the Petaluma GSA assumed no cannabis cultivation, even though permits have been issued.

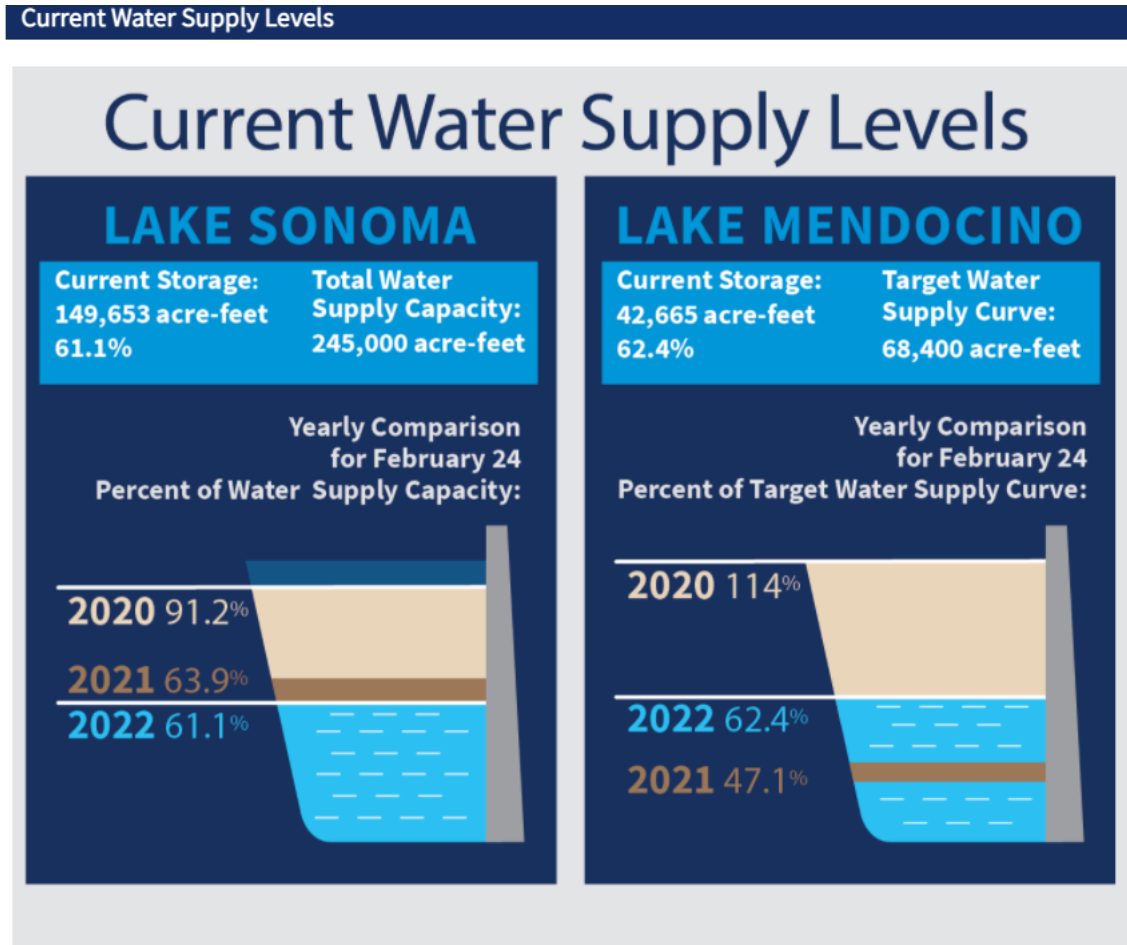
**Off-Stream Reservoirs and Catchment Basins:** At both the March 9 and March 10 workshops, interagency teams presented a "voluntary drought initiative" for residents and commercial uses to supplement summer flows to enhance endangered species survival rates in impaired watersheds. Presenters recommended the creation of off-stream storage reservoirs to collect winter runoff for use and to provide stream connectivity in the summer. The speakers did not address whether analyses have been completed to assess the extent to which catchment basins impede groundwater recharge and potential dewatering of Class 3 or 4 small groundwater deposits relied on by downhill users.

One concern is that the very Federal and State agencies relied on by citizens to protect the ecosystem values (water holding capacity, wildlife, soil stabilization, and oxygen etc.) of our fragile watershed areas, appear to be turning a blind eye to the damage done by County approved cannabis permits, not to mention State-sanctioned logging.

Neighbors impacted by cannabis operations in high-fire risk areas with very limited groundwater have written letter after letter requesting oversight and letters to Permit Sonoma and the Ag Commissioner from these agencies. And, when the Agency reps do submit testimony into the record, Permit Sonoma deems their input as "advisory only." If these watersheds and fishery resources are so important, then people in the Mill/Palmer Creek and Mark West Creek impaired watersheds should not have had to hire law firms to get basic water-related and environmental laws upheld.

**Conclusion:** The County's water availability studies need immediate update. It's time to define the current baselines for surface and groundwater supply and future forecast demand in both normal and worst-case multiple drought years. Expediting the issuing of new cannabis permits prior to completing water availability analyses is irresponsible.

**Addendum:**





Comprehensive Cannabis Program Update -  
Cannabis Land Use Ordinance Framework:  
Project File No. ORD21-0004

Public Comment Received after  
March 14, 2022 at 2:30 PM through  
March 15, 2022 at 8:30 AM

**From:** [Craig Harrison](#)  
**To:** [Cannabis](#)  
**Subject:** Fwd: March 15, 2022 Board of Supervisors Meeting, Item 22 Cannabis Framework  
**Date:** Monday, March 14, 2022 7:06:18 PM

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**EXTERNAL**

Sent from my iPad

Begin forwarded message:

**From:** craigspencerharrison@gmail.com  
**Date:** March 14, 2022 at 12:27:53 PM PDT  
**To:** Cannabis Complanit <CalCannabis\_Enforcement@cdfa.ca.gov>  
**Cc:** James Gore <District4@sonoma-county.org>, David Rabbitt <David.Rabbitt@sonoma-county.org>, Susan Gorin <Susan.Gorin@sonoma-county.org>, Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>, Chris Coursey <district3@sonoma-county.org>, Tennis Wick <Tennis.Wick@sonoma-county.org>  
**Subject:** **March 15, 2022 Board of Supervisors Meeting, Item 22 Cannabis Framework**



The proposed cannabis framework is generally a reasonable approach. The following are the comments of Bennett Valley Residents for Safe Development.

**Item 5. General Plan Update.** The county will again consider including cannabis within the meaning of “agriculture” and “agricultural use” as used in the General Plan. The county is being increasingly criticized for its lack of transparency and should be transparent on this issue. County Counsel opined during the Planning

Commission hearings that it lacks legal authority to make this change under current California law. The supervisors will raise false expectations and waste the time and energies of residents if they devote resources to considering an illegal policy. You should clarify that you cannot implement this general plan amendment unless California law changes. If you think you can implement this policy contrary to state law, you should provide a written justification for the public to evaluate.

**Item 7. Neighborhood Compatibility.** We generally support the proposed approach. If properly implemented, it will reduce the angst and simmering hostility between growers and rural neighborhood residents. After five years, it is evident to all but the terminally obtuse that the needs and desires of these groups are incompatible.

Exclusion zones (technically, “combining district overlay zones”) have wide popular support—74% approved of them in PRMD’s August 2021 survey. Allowing communities to chart their own destinies is especially compelling given that commercial cannabis was legalized directly by voters. Many who voted for Proposition 64 do not want commercial cannabis activities nearby, and should decide this issue for their own communities. The Planning Commission approved the creation of exclusion zones in 2018, but the supervisors ill-advisably declined to establish them in October 2018.

There are many easily-identifiable areas where there is strong resistance to cultivation, and eliminating them from the permitting system would result in fewer complaints and fewer permit appeals. Staff has been provided a list of such areas. It is important that the EIR study not only the concept of exclusion, but also specific areas. Following the example of the vacation rental ordinance, including specific exclusion zones in the ordinance, supported by an EIR, would provide the necessary environmental review to allow designation of specific parcels in the revised ordinance without additional Board of Zoning Adjustment or board of supervisor hearings. The ordinance should also allow areas to become exclusion or inclusion zones as a zoning change by petition.

**Item 8. Permit Streamlining.** The county should survey other jurisdictions to ascertain the extent to which ministerial permitting exists elsewhere. We understand that this is rare, and may now occur in no other county. Devoting resources to ministerial permitting raises problems and false expectations. The Department of Cannabis Control is now the lead agency for CEQA compliance for ministerial permitting as part of its licensing process. This has implications that limit fast-track permitting that should be acknowledged and addressed.

We agree with creating inclusion zones where permitting can be expedited. This would direct cultivation projects to appropriate locations and help alleviate neighborhood compatibility issues.

**Item 10. Environmental Analysis.** Air quality analysis is a key issue and all policies and decisions should be based on science. Larger grows or areas where there are several grows in relatively close proximity should be analyzed with air quality modeling. This is especially important in valleys and other areas where thermal inversions are known to occur and where odors will not readily dissipate.

The environmental analysis needs to include compatibility with area plans and specific plans.

**Item 16. Economic Analysis.** We strongly support a **credible** economic analysis of this industry. Over and over supervisors are asked to make decisions that require knowledge of the economics of this industry. Tomorrow you will consider providing tax relief in abject ignorance of economic facts. I have been involved professionally with regulatory issues for decades, and the public interest is never well-served when decision makers are ignorant of the facts concerning the industry that they regulate. A credible economics study will likely show that most outdoor cannabis projects are uneconomic in Sonoma County. This type of information is crucial to policymakers. **But any economic study must be credible.** The analysis that the county used during the initial ordinance exemplifies the use of the phrase “the dismal science” to economics. Most inputs and outputs were outrageously incorrect.

Many of the mistakes in the cannabis program can be attributed to the extremely poor economics information that supported the ordinance.

Thank you for your consideration.

Craig S. Harrison  
Bennett Valley

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**From:** [concerned citizens](#)  
**To:** [Susan Gorin](#); [David Rabbitt](#); [Chris Coursey](#); [James Gore](#); [Lynda Hopkins](#)  
**Cc:** [Scott Orr](#); [Tennis Wick](#); [Crystal Acker](#); [Cannabis](#)  
**Subject:** Cannabis Framework, March 15 2022 Board of Supervisors Meeting, item 22  
**Date:** Monday, March 14, 2022 6:16:20 PM

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## EXTERNAL

Supervisors and Staff,

The town of Bloomfield states our agreement with the analysis done by Craig Harrison for the Bennett Valley Residents for Safe Development (BVRSD), Bill Krawetz for the Neighbors of West County (NOW) and Judith Olney's Cannabis - Input on Water Issues re the Neighborhood Coalition, Healdsburg.

We add that the use of existing permanent structures and the size of new or expanded permanent structures should also be included in you analysis as outlined below.

### **Existing Permanent Structures**

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 1000 foot setback. Industrial-scale, commercial developments adjacent to rural residential neighborhoods, permanently alters their character, creates significant visual impacts and degrades the existing visual character of rural communities. Industrial-scale operations should be located in the appropriate Industrial zone district.

In the event an existing permanent structure is in an area at least 1000 ft or more from rural residential uses, Limit the reuse to what would be the allowed building square footage on property without an existing structure. The structure(s) use should be limited to the current operator on the property and not be sublet to other outside operators. If multiple buildings exist only one can be used for processing and must meet the size limitations of the subject parcel. Any use of existing buildings must be away from existing rural residents at least 1000 ft or more if impacts from the use of the building are identified to impact rural residential areas.

### **Comment**

Reuse of existing outdated, abandoned buildings and outbuilding of larger size and coverage than the underlying property would allow under the cannabis ordinance should not be allowed. Reuse of any such abandoned buildings should also require meeting current building codes to provide safe working conditions for employees and operators.

## Limit on New or Expanded Permanent Structures

We propose new building coverage for the purpose of or in support of commercial cannabis cultivation be reduced on parcels adjacent to rural residential uses even when outside a 1000 ft or greater setback.

### Comment

The building size that was proposed in the denied ordinance was far out of scale and overwhelming when located in close proximity to residentially dense areas where industrial scale impacts are incompatible with adjacent and surrounding residential use. Consider the scope of building proposed and how the size and use would impact adjacent rural residential residents in planning for setbacks and buildings size.

Bloomfield also agrees with these additional comments from Deborah A. Eppstein:

1) What is the purpose of the evaluation of whether or not to classify cannabis as agriculture? Is one purpose is to allow cannabis the protections under the Right to Farm laws? If so, this is a waste of time as the state does not classify cannabis as agriculture as confirmed by County Counsel last spring when the proposed Chapter 38 was discussed. Furthermore, we all know that cannabis can be a huge nuisance to neighbors due to many aspects including odor, noise, lights, traffic, 24/7 activities, and safety. Seeking Right to Farm protections not only violates state law, but also violates all the issues of neighborhood compatibility that are now being studied. It's putting the cart before the horse to consider a General Plan Amendment, prior to the EIR. If the EIR supports expanded uses on Ag lands, only then should amendments to the General Plan be evaluated in parallel with crafting the new cannabis ordinance to harmonize them. But such harmonization would not require that cannabis be classified as Agriculture!

2) Environmental Analysis:

c) Air quality. Air quality must be analyzed not only for neighbors, but across the county. Other counties and states have experienced a general stink in the air across wide swaths due to cannabis odors, with negative impacts on quality of life and tourism including for the wine industry and events. We have discussed minimum setbacks of 1000 ft from a one-acre grow, but that setback may need to be much larger if down wind or if several grows are in the vicinity, or if grows are larger than 1 acre.

e) Energy. Potential impacts on fire risk must also be evaluated from indoor and mixed light cultivation, which should never be allowed in high or very high fire risk zones.

f) Hydrology. Impacts must be studied across all water uses, not just cannabis and Ag. This includes residential in addition to agriculture, commercial and industrial, both current and projected uses and needs. And it goes without saying that these analyses need to be done under the increased drought conditions that are projected with increased frequency due to climate change. As these models are evolving, the most conservative should be followed. The 50 year 'wetter-than-normal' rainfall forecasts previously accepted by the county need to be discarded, and a detailed new analysis be conducted for all water uses county wide.

i) Wildfire. In addition to my comments under Energy and to the site considerations staff mentioned, the increased wildfire risk from more people, vehicles, and construction need to be studied. I appreciated your inclusion of the need of roads to support concurrent ingress of first responders and civilian evacuation, but this should also include at minimum a similar secondary

ingress/egress route (not farm or PG&E roads!). Evacuation planning needs to be part of these analyses, for the fast-moving wildfires that are the norm now.

3) Permit Streamlining, Inclusion and Exclusion Zones. I fully support the proposal for Inclusion Zones, with prior analysis of environmental and neighborhood factors that could lead to permit streamlining, eg for a greenhouse grow in an industrial park, with prior analysis of issues such power, water, waste management, parking, fire risk, emergency response times, proximity to sensitive uses, etc.

I also support the concept of streamlining options for discretionary permits, but this needs to be carefully thought through, only applied in certain pre-defined areas and never should be applied carte blanche.

However, ministerial permits should be discontinued. As discussed above, expedited approval could be given in Inclusion Zones for certain types of pre-analyzed operations: eg greenhouse grow under XX sq ft in a pre-approved industrial park Inclusion Zone. Otherwise, there are always discretionary issues to resolve.

Likewise, Exclusion Zones should be established, both as requested by communities as well as from analyses in the EIR of areas that are unsuitable due to issues such as wildfire risk, road access and remoteness, water availability, sensitive habitats and proximity to residences.

4) Economic Analysis. I urge you to include careful economic analysis by qualified outside experts, taking into account current as well as projected situations. Increased production in other areas and states with much lower land, water and labor costs needs to be understood, especially if interstate commerce is legal. We also need to decide if we want cannabis production to be with small local growers, or if we prefer to cater to large corporate players such as is occurring in most other counties in California as well as here. Even in Humboldt County, the original heart of small local growers, the locals are being forced out by large, out of county and out of state corporations. Thank you for your consideration, and for engaging with the community.

Best regards,

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**From:** [Deborah Eppstein](#)  
**To:** [Susan Gorin](#); [David Rabbitt](#); [Chris Coursey](#); [James Gore](#); [Lynda Hopkins](#); [Cannabis](#)  
**Cc:** [Scott Orr](#); [Crystal Acker](#); [Tennis Wick](#)  
**Subject:** Cannabis Framework, March 15 2022 Board of Supervisors Meeting, item 22  
**Date:** Monday, March 14, 2022 5:04:56 PM

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## EXTERNAL

Dear Sonoma County Cannabis Staff and Board of Supervisors,

Thank you for providing the outline of the framework for the new Cannabis Ordinance, which reflects many of the issues raised by the public. I appreciate your pledge for continued public engagement and the opportunity to provide additional input now.

I support the detailed comments provided by Craig Harrison for Bennett Valley Residents for Safe Development, by Bill Krawetz for Neighbors of West County (NOW) and by Judith Olney (Neighborhood Coalition).

Additional comments include:

1) What is the purpose of the evaluation of whether or not to classify cannabis as agriculture? Is one purpose is to allow cannabis the protections under the Right to Farm laws? If so, this is a waste of time as the state does not classify cannabis as agriculture as confirmed by County Counsel last spring when the proposed Chapter 38 was discussed. Furthermore, we all know that cannabis can be a huge nuisance to neighbors due to many aspects including odor, noise, lights, traffic, 24/7 activities, and safety. Seeking Right to Farm protections not only violates state law, but also violates all the issues of neighborhood compatibility that are now being studied. It's putting the cart before the horse to consider a General Plan Amendment, prior to the EIR. If the EIR supports expanded uses on Ag lands, only then should amendments to the General Plan be evaluated in parallel with crafting the new cannabis ordinance to harmonize them. But such harmonization would not require that cannabis be classified as Agriculture!

2) Environmental Analysis:

c) Air quality. Air quality must be analyzed not only for neighbors, but across the county. Other counties and states have experienced a general stink in the air across wide swaths due to cannabis odors, with negative impacts on quality of life and tourism including for the wine industry and events. We have discussed minimum setbacks of 1000 ft from a one-acre grow, but that setback may need to be much larger if down wind or if several grows are in the vicinity, or if grows are larger than 1 acre.

e) Energy. Potential impacts on fire risk must also be evaluated from indoor and mixed light cultivation, which should never be allowed in high or very high fire risk zones.

f) Hydrology. Impacts must be studied across all water uses, not just cannabis and Ag. This includes residential in addition to agriculture, commercial and industrial, both current and projected uses and needs. And it goes without saying that these analyses need to be done under the increased drought conditions that are projected with increased frequency due to climate change. As these models are evolving, the most conservative should be followed. The 50 year 'wetter-than-normal' rainfall forecasts previously accepted by the county need to be discarded, and a detailed new analysis be conducted for all water uses county wide.

i) Wildfire. In addition to my comments under Energy and to the site considerations staff mentioned, the increased wildfire risk from more people, vehicles, and construction need to be studied. I appreciated your inclusion of the need of roads to support concurrent ingress of first responders and civilian evacuation, but this should also include at minimum a similar secondary ingress/egress route (not farm or PG&E roads!). Evacuation planning needs to be part of these analyses, for the fast-moving wildfires that are the norm now.

3) Permit Streamlining, Inclusion and Exclusion Zones. I fully support the proposal for Inclusion Zones, with prior analysis of environmental and neighborhood factors that could lead to permit streamlining, eg for a greenhouse grow in an industrial park, with prior analysis of issues such power, water, waste management, parking, fire risk, emergency response times, proximity to sensitive uses, etc.

I also support the concept of streamlining options for discretionary permits, but this needs to be carefully thought through, only applied in certain pre-defined areas and never should be applied carte blanche.

However, ministerial permits should be discontinued. As discussed above, expedited approval could be given in Inclusion Zones for certain types of pre-analyzed operations: eg greenhouse grow under XX sq ft in a pre-approved industrial park Inclusion Zone. Otherwise, there are always discretionary issues to resolve.

Likewise, Exclusion Zones should be established, both as requested by communities as well as from analyses in the EIR of areas that are unsuitable due to issues such as wildfire risk, road access and remoteness, water availability, sensitive habitats and proximity to residences.

4) Economic Analysis. I urge you to include careful economic analysis by qualified outside experts, taking into account current as well as projected situations. Increased production in other areas and states with much lower land, water and labor costs needs to be understood, especially if interstate commerce is legal. We also need to decide if we want cannabis production to be with small local growers, or if we prefer to cater to large corporate players such as is occurring in most other counties in California as well as here. Even in Humboldt County, the original heart of small local growers, the locals are being forced out by large, out of county and out of state corporations.

Thank you for your consideration, and for engaging with the community.

Best regards,

Deborah A. Eppstein

Neighborhood Coalition

Sonoma County

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**From:** [Nancy and Brantly Richardson](#)  
**To:** [Susan Gorin](#); [David Rabbitt](#); [Chris Coursey](#); [district4](#); [district5](#)  
**Cc:** [Cannabis](#)  
**Subject:** Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (3/15/22)  
**Date:** Monday, March 14, 2022 2:30:36 PM  
**Attachments:** [BVRSD - Framework](#)  
[NEIGHBORS OF WEST COUNTY - FRAMEWORK.docx](#)

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## EXTERNAL

**Supervisors, we wish to state our agreement with the analysis done by the Bennett Valley Residents for Safe Development (BVRSD) and the Neighbors of West County (NOW) -both attached- which you have already received. We would like to particularly comment on NOW's item # 6 copied below:**

6. [AR/RR parcels](#): Page 5 of the Staff presentation (PowerPoint) includes the Sept 28, 2021 discussion to included AR/RR parcels in the updated ordinance. Like the many growers who voiced concern over opening back up the AR/RR parcels, I share their concerns. This created the [mass public outcry](#) that has dogged this ordinance. There is plenty of land zoned Ag to accommodate our cannabis needs.

**It is a mistake to reopen zones RR and AR for cultivation. It will only stir up a hornet's nest. We remember quite well the "mass public outcry" that the leader of NOW refers to. If there are neighborhoods in RR and AR that welcome cultivation they could easily petition to become Inclusion Zones which we support. The BVRSD critique points out (item # 8 Streamlining) the advisability of including such zoning designations where permitting could be expedited.**

[We agree with creating inclusion zones where permitting can be expedited. This would direct cultivation projects to appropriate locations and help alleviate neighborhood compatibility issues.](#)

**Please remove RR and AR as a policy option for consideration. Focus on Inclusion Zones within RR and AR.**

**Thank you,**

**Nancy and Brantly Richardson, Bennett Valley residents**

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**From:** Bill Krawetz [<mailto:billkrawetz@comcast.net>]

**Sent:** Sunday, March 13, 2022 9:46 PM

**To:** 'Cannabis@sonoma-county.org'; 'David.Rabbitt@sonoma-county.org'; 'Susan.Gorin@sonoma-county.org'; 'lynda.hopkins@sonoma-county.org'; 'Chris.Coursey@sonoma-county.org'; 'James.Gore@sonoma-county.org'

**Subject:** "Setting the Framework for the new Cannabis Ordinance" Item 22 on March 15th Board of Supervisors meeting

Dear Sonoma County Cannabis staff and Board of Supervisors,

First thanks for preparing the draft framework. The staff has done a very nice job of capturing and incorporating the many comments, concerns and suggestions of the many diverse parties in their 16 point framework proposal (Exhibit A). There are points that I like very much and others that I'm not so sure of, so maybe that's a sign of a good balanced approach. The following are my comments and suggestions on the Framework:

1. Item 7 Neighborhood Compatibility: Great criteria to be incorporated into the final ordinance! If we get this right, the program will be successful for the growers, county administrators, and the public.
2. Item 9 Development Standards: A must criteria to get right (e.g., parcel size, setback distances, cultivation size limits). The text states "... informed by factual analyses informed by EIR". This wording should be expanded to also incorporate a "quality of life" standard, consistent with criteria number 7. A 1,000 ft. setback should be studied.
3. Item 10 Environmental Analysis: covers the elements required of CEQA/EIR. A couple suggested adds:
  - a. Item 10c. Air quality analysis: Should be expanded to require mitigation, and incorporate the terms of the Santa Barbara Odor Agreement signed by both cultivators and neighbors. Both sides found it workable
  - b. Item 10e. Energy analysis: This should require net zero carbon, net zero GHG. This is a County-wide goal
  - c. Item 10 f. Hydrology analysis – Great that the wording requires studying drought level conditions, our new normal. This must include all the water needs of our region, not just cannabis. The new home building requirements must be incorporated, as well as all Ag needs, and the biotic water needs spelled out by the NMFS and DFWS letters. Finally no net water depletion should be allowed.
- Item 5. General Plan Amendment to redefine cannabis as "agricultural". This is problematic for a couple reasons. First, County Council looked at this issue before and concluded the County didn't have such authority. Second, it must be acknowledge that the economic profile of Cannabis is unlike Ag products, so special rules are required. Cannabis, which can gross \$1-2m per acre, far exceeds any Ag product (grapes being the highest at \$20/30K per acre), and accordingly will have much more significant impacts that must be specifically addressed. Third, any effort to reclassify cannabis as some type of an Ag product must include provisions that protects a neighbors the right to defend and enjoy their property from the impacts caused by a nearby operator.
4. Item 4. Allowed Activities: this sections talk at a very high level of defining a range of activities that would be allowed or disallowed by "zoning district". First, Sonoma County's current parcel zoning doesn't necessarily represent the current uses on the ground. There are many areas zoned Ag, which are primarily residential homes and would make no sense to

allow a commercial cannabis operation there. Second, the wording is at a very high theoretically level, such that no one could really understand the implications. Staff would need to provide concrete examples for all parties to properly evaluate.

5. Item 8 Permit Streamlining:
  - a. Item A discusses ministerial permitting. This is inconsistent with California State practices. No other county allows ministerial permitting
  - b. Item C discusses development of a CEQA streamlining checklist for discretionary permits. A checklist makes sense to assure all impacts are covered, but there must be sufficient review of each specific site to assure all their unique factors are considered.
6. AR/RR parcels: Page 5 of the Staff presentation (PowerPoint) includes the Sept 28, 2021 discussion to include AR/RR parcels in the updated ordinance. Like the many growers who voiced concern over opening back up the AR/RR parcels, I share their concerns. This created the mass public outcry that has dogged this ordinance. There is plenty of land zoned Ag to accommodate our cannabis needs.

Thanks

NOW Neighbors of West County

Bill Krawetz

**From:** [nfleig](#)  
**To:** [David Rabbitt](#); [Susan Gorin](#); [Lynda Hopkins](#); [Chris Coursey](#); [James Gore](#); [Cannabis](#)  
**Subject:** March 15 Supervisor"s Meeting- Cannabis Ordinance  
**Date:** Monday, March 14, 2022 2:55:11 PM

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EXTERNAL

Dear Supervisors,

Thank you for seriously considering matters related to a Cannabis Ordinance for our county. I appreciate your incorporating Neighborhood Compatibility as a criteria.

My ongoing concerns are the following:

1. Defining cannabis as an agricultural crop and opening up residentially zoned AR/RR to cannabis cultivation.
2. There needs to be a 1,000 foot setback between cannabis cultivation and the surrounding neighborhoods.
3. The DROUGHT!!! And the water cannabis cultivation will take from our aquifers.

Thank you for your time and consideration,

Nyla Fleig & Lisa Mathiesen  
Graton residents

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To: [Betsy Baker](#), [Cathy Cramer](#), [Gwen Gies](#), [Daphne](#), and [Rabbi](#)  
Cc: [Betsy Baker](#), [Cathy Cramer](#), [Gwen Gies](#), [Daphne](#), and [Rabbi](#)  
Subject: [Betsy Baker](#), [Cathy Cramer](#), [Gwen Gies](#), [Daphne](#), and [Rabbi](#)  
Date: [Betsy Baker](#), [Cathy Cramer](#), [Gwen Gies](#), [Daphne](#), and [Rabbi](#)

**EXTERNAL:**

Dear Supervisors Cramer, Cramer, Gies, Daphne, and Rabbi,

In reviewing the materials for tomorrow's meeting on the topic of the framework for the Environmental Impact Report to be undertaken with regards to updating the Cannabis Land Use Ordinance, I very much appreciate the detailed attention being paid to compatibility issues between cannabis land use and neighborhood. The topics proposed appear very comprehensive, and I appreciate how well the Cannabis Program staff has listened to neighborhood concerns. However, there remain some issues that concern me: will the assessments being undertaken as part of the EIR adequately and accurately measure the true impact of commercial cannabis cultivation on the residents in specific locations of specific neighborhoods?

For example, the residents on Hardy Road, in the neighborhood of Bennett Ridge, have been heavily impacted by the commercial cannabis cultivation permitted at 2274 Welling Road, which is situated right below Bennett Ridge. This development's ugly plastic gravel is only partially visible from Hardy Road itself; photographs taken from Hardy Road might not show much visual impact. But if you take the photographs from where residents actually live on Hardy Road, it looks like this:



As you will recall, about 80% of the homes on Bennett Ridge listed in the 2017 Real Estate Market Report. Many neighborhood residents have vehicles, but, not surprisingly, the owners of two of the lots most impacted by this view - 2906 and 2908 Hardy Road - have not rebuilt, in large part because of this exposure impacting the views from their building sites. (Note that this implies housing and property tax dollars that the county is missing out on). Additional needs to injury is that these properties have lost significant value and may be difficult to sell because of the thoughtless provision that allowed this development to occur in an otherwise scenic area.

The bottom line: photographs to assess the visual impact of commercial cannabis cultivation need to be taken from actual homes and building sites, not from the roads that lead to their driveways.

A similar point must be made regarding off-duty officers. As the crew flies, our neighborhood is relatively distant from their zone, and you might think that the set backs on the development's property would be sufficient to protect us from the smell. But, because the prevailing winds blow in our direction over this zone, in harvest season we are subjected to objectionable odors. It depends on the time of day, the time of year, and whether and in which direction the wind is blowing to detect this. Without robust sampling techniques, it's hard for us to be the consumers know when to come up and measure, the effects on our neighborhood would be greatly underestimated.

Two additional points I would like to make:

1. The majority of residents on Bennett Ridge are very concerned about the impact of ANY development in Bennett Valley (not just cannabis) on our scarce water resources. To this end, we hope that when this element is investigated by the EIR consultants that NEW, ACCURATE testing of water resources will be done, rather than relying on old data.

2. The majority of residents on Bennett Ridge are opposed to the proposal to reclassify cannabis cultivation as an "agricultural activity" rather than as "commercial activity". We feel that the change in classification would open up a slippery slope of inadequate protection from undesirable development in our area based on claims of "right to farm" or parcels zoned for agriculture. Really, what we want to do is to protect an area of natural scenic beauty from exposures such as industrial greenhouses, large barns, and exposure of ugly plants. Here can this best be accomplished? We believe there should be either an exclusion zone for the area covered by the Bennett Valley Area Plan, or a buffer zone that would prevent the types of visual pollution mentioned above.

Your support in ensuring that the EIR process adequately and accurately assesses the true, full impact of commercial cannabis developments on nearby neighborhoods is most appreciated.

Sincerely,

Betsy Baker  
2019 Hardy Road

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**From:** [Susan Gorin](#)  
**To:** [BOS](#)  
**Subject:** Fwd: Framework  
**Date:** Tuesday, March 15, 2022 6:55:14 AM

---

***Susan Gorin***

1st District Supervisor  
County of Sonoma

*Be #SonomaSmart – Wash hands, wear masks, keep the distance.  
It's all about community.*

575 Administration Drive, Room 100A  
Santa Rosa, CA 95403  
[www.sonoma-county.org](http://www.sonoma-county.org)  
[susan.gorin@sonoma-county.org](mailto:susan.gorin@sonoma-county.org)  
Direct 707-565-2982  
Cell 707-321-2788



Begin forwarded message:

**From:** Rachel Zierdt <[rzierdt@gmail.com](mailto:rzierdt@gmail.com)>  
**Date:** March 14, 2022 at 3:00:33 PM PDT  
**To:** Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>  
**Subject:** Framework

In looking over the framework that will be presented tomorrow I just don't understand why the county is revisiting AA and AR as allowable places to grow cannabis. does one not recall the angst and the outcry that came before you voted not to include that before? Why are we treading the same ground again? Do you actually think that the response from the neighborhoods will be different this time? Rachel Zierdt

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Comprehensive Cannabis Program Update -  
Cannabis Land Use Ordinance Framework:  
Project File No. ORD21-0004

Public Comment Received after  
March 15, 2022 at 8:30 AM through  
March 15, 2022 at 1:00 PM

**From:** [EsSe](#)  
**To:** [Cannabis](#)  
**Subject:** 3/15/22 BOS Meeting Direction  
**Date:** Tuesday, March 15, 2022 9:31:02 AM

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## EXTERNAL

In [Nov. of 2017](#) the **Final Environmental Impact Report** assessing the CalCannabis Cultivation Program was certified and released to the public — this comprehensive **PEIR** informed the development of regulations pertaining to commercial cultivation and associated commercial cannabis activities.

There's no significant differences between the county's previous/future proposed cannabis ordinance(s) vs. the state's regulations, which have been certified to be in compliance with CEQA. Each premises will also need to demonstrate compliance on a site-specific project basis, prior to receiving a license from the state, so even a project that qualifies for a ministerial permit will need to prove compliance with CEQA before receiving their license from the state.

As PRC §§ 21093-21094 allow(s) for **tiering** of the impact analysis of the previously-certified **PEIR** conducted by CDFA (California Department of Food & Agriculture), Sonoma County should do everything in its power to expedite this CEQA process by tiering... especially in the face of feigned environmental concerns made by wealthy prohibitionists via so-called "neighborhood groups and concerned citizens" who constantly abuse CEQA to do everything from preventing prospective students from attending UC Berkeley, to exacerbating the housing crisis in the Bay Area while NIMBYs ironically complain about the indignity of having to look at unhoused people exist, whom they otherwise ignore... exemplified by a wealthy tech enclave located on the Peninsula which claimed that their entire town serves as mountain lion habitat, therefore building an affordable housing development would violate CEQA, to prohibitionists having the temerity to claim that a plant... A PLANT!!!... is actually bad for the environment.

Preventing licensed cannabis operations will only serve to exacerbate the devastating ecological impacts including water diversion associated with illegal trespass grows. Speaking of water, the county's proposed exclusion zones don't seem to take into consideration the variety of non-groundwater sources of water including greywater, atmospheric water generators, fog catchers, rainwater harvesting, condensate reclamation, drainage collection, runoff channeling, circulatory/recycling systems, etc. Allowances for cannabis cultivation in proposed exclusion zones shouldn't be outright rejected solely because of groundwater availability. Again, prior to licensure from the state, each proposed site/project is assessed on a site-specific basis.

Protecting water resources is codified in MAUCRSA: BPC § 26060(a)(2) and BPC § 26060.1 mandate adherence to the Water Code as part of the license application process, and is overseen by the State Water Resources Control Board and the Department of Fish and Wildlife

Water usage, quality, impacts, etc. are comprehensively addressed by 4 CCR §§ 16304 (a)(1), (2), and (5), which mandate compliance with Water Code § 13149 (as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or California Department of Fish and Wildlife under BPC § 26060.1 (b)(1)).

A condition of licensure for a cannabis cultivation site requires compliance with BPC § 26060.1 (b) (3), which itself requires compliance with FGC § 1602, which serves to protect natural habitats and wildlife species, as well as BPC § 26060.1 (b)(1) which itself requires compliance with WAT §

13149, serving to protect riparian corridors.

“The Water Boards’ Cannabis Cultivation Policy protects stream flows and water quality, while minimizing the effects of cannabis cultivation on fisheries and wildlife, healthy riparian corridors, springs, wetlands, and aquatic habitat.”

The unfounded allegation of inefficient water usage by cannabis is easily disproven — not only was the un-scientific 2014 "study" which relied upon aerial photography of illegal, trespass grows, NOT applicable to licensed and compliant [commercial cultivation operations](#), ironically, the amount of water which wealthy prohibitionists claim that cannabis uses would actually kill the plant:

- a) Cannabis' roots hate "wet feet"; it makes them susceptible to root rot diseases caused by the *rhizoctonia*, *fusarium*, and *pythium* species of fungi which thrive in those conditions.
- b) Excessive watering also displaces the oxygen in the rhizosphere which is required by the roots, essentially suffocating plants.
- c) It also contributes to a hypoxic environment which will enable anaerobic bacteria to proliferate in the soil, rather than the aerobic microbiome that establish a symbiotic relationship with plant roots.
- d) Then there's the fact that the nutrients required for plant growth and development will be leached from the soil and made inaccessible to plants' roots.

Suffice to say... cannabis' supposed water problem is nothing but hot air spewed by blowhards.

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**From:** [Helen Sedwick](#)  
**To:** [Susan Gorin](#); [Chris Coursey](#); [James Gore](#); [Lynda Hopkins](#); [David Rabbitt](#)  
**Cc:** [Becky Bass](#); [Cannabis](#); [Tennis Wick](#); [andrew.smoth@sonoma-county.org](mailto:andrew.smoth@sonoma-county.org)  
**Subject:** The Heartache of Cannabis in Bennett Valley; Public Comment to EIR  
**Date:** Tuesday, March 15, 2022 9:18:22 AM

---

## EXTERNAL

Dear Supervisors:

Until October 8, 2017, we lived at 2896 Bardy Road in Bennett Ridge. Our property enjoyed a view of the hills, homes, and vineyards of Bennett Valley. We lost our home in the Nuns Fire. Since the fire, we, like many other residents, have devoted countless hours helping our communities recover from the devastation and reduce future fire risks. We had looked forward to returning to the community.

Then, a few months after the fire, we started to see industrial, white plastic hoop houses marring our view. Over the months, the structures grew and grew. Before and after images are attached. The after image does not do these structures justice. When the sun shines on them, the glare is blinding.

We feel heartbroken and betrayed.

When we purchased our property, we understood the Bennett Valley Area Plan established criteria for approving structures. Among other things, "structures shall blend with the existing landscape and vegetation to the maximum feasible extent." In effect, and certainly from a visual perspective, these hoop houses are structures and wholly inconsistent with the spirit and vision of the Bennett Valley Area Plan. None of you would want to see them and their glare from your windows.

Why have those of us who played by the rules by paying taxes and living within the restrictions of the Bennett Valley Area Plan given less consideration than growers that skirt the rules?

**To call these facilities "farms" is laughable. It would be like calling a solar farm or a wind farm a true farm. These are factories that utilize structures to create a product, and they should not be considered agricultural in a traditional sense and permitted within a scenic area. They should be treated as commercial facilities and inconsistent with rural residential uses and values.**

We noticed that vineyards have been taken out all through southern Bennett Valley. Fearing that the cannabis eyesores will soon take over and destroy more of our community, we are reluctant to rebuild, and we are likely to leave the area. I hope you have the good sense and commitment to your constituents to preserve Bennett Valley as a special place to live and visit.

With Regards,  
Helen Sedwick

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**From:** [BOS](#)  
**Cc:** [Marcie Woychik](#); [Caren Larkin](#); [Noelle Francis](#)  
**Subject:** BOS PUBLIC COMMENT ITEM #22 FW: Cannabis  
**Date:** Tuesday, March 15, 2022 11:06:20 AM  
**Attachments:** [cannabis memo to BOS March 15, 2022 Meeting.docx](#)  
[Petition-Names.pdf](#)  
[BRCA Petition.pdf](#)

---

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**From:** Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>  
**Sent:** Tuesday, March 15, 2022 9:44 AM  
**To:** BOS <[BOS@sonoma-county.org](mailto:BOS@sonoma-county.org)>  
**Subject:** Fwd: Cannabis

***Susan Gorin***

1st District Supervisor  
County of Sonoma

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575 Administration Drive, Room 100A  
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Cell 707-321-2788



Begin forwarded message:

**From:** "Richard R. Rudnansky" <[rrudnansky@sonic.net](mailto:rrudnansky@sonic.net)>  
**Date:** March 14, 2022 at 1:54:10 PM PDT  
**To:** Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>  
**Cc:** Hannah Whitman <[Hannah.Whitman@sonoma-county.org](mailto:Hannah.Whitman@sonoma-county.org)>  
**Subject:** Re: Cannabis

**EXTERNAL**

Susan

I am following up on my email below of March 4, 2022, requesting a meeting with you before the March 15, 2022, Board of Supervisors meeting. I have not heard back from you so it doesn't appear we will be able to meet before the meeting.

Attached are my comments regarding Agenda item 22 that I sent to the entire Board regarding the Cannabis Framework.

In addition, I would ask that you support a 1000-foot buffer setback between cannabis cultivation sites and the boundaries of residential properties. At the Board meeting of March 1 many people asked for this amendment to the current ordinance. Given that the Board has refused to so far entertain a moratorium on new applications this seems appropriate particularly given the tension that has arisen between cultivators and neighborhoods, and that the idea of the EIR is to analyze impacts of cannabis cultivation.

In general, I ask that you be an advocate for rural residential neighborhoods and residents. Perhaps if you and Supervisors Coursey and Rabbitt join forces, true balance and common sense can be brought to the issues.

In particular, I ask that you support and advocate for a continued prohibition on commercial cultivation in the Rural Residential Zoning District and in particular on Bennett Ridge and Bennett Valley.

Thank you.

Rich

---

Richard R. Rudnansky  
[rrudnansky@sonic.net](mailto:rrudnansky@sonic.net)  
707-843-6712

On 2022-03-04 11:05, Richard R. Rudnansky wrote:

Susan

At the last Board meeting many residents of the County asked that the Board consider amending the current Cannabis Ordinance to add a 1000-foot set back between cannabis operations and adjacent property boundaries.

Also, the BOS will consider on March 15, 2022, a Cannabis Land Use Ordinance Framework which will guide the development project description, EQA alternatives and draft ordinance for study in the EIR.

I would like to discuss these matters with you prior to the March 15th meeting.

My preference would be to meet in person but would also be open to a phone conversation.

I am currently open all next week except March 8th.

Please advise where and when will work for you.

Thank you.

Rich

--

Richard R. Rudnansky  
[rrudnansky@sonic.net](mailto:rrudnansky@sonic.net)  
707-843-6712

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**RE: Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance 2022-0147 (AGENDA ITEM 22 FOR 3/15/22)**

**Members of the Board of Supervisors:**

**Please consider the following comments regarding your consideration of the Cannabis Land Ordinance Framework. Please include these comments as part of the public record.**

**While I am glad that finally the necessary environmental review is being conducted, in the end it comes down to policy calls by the BOS. I am sure you are brutally aware of the tension between the growers and rural residents. What I am asking, as a rural resident, is that the Board of Supervisors listen to the concerns of rural residents and act in a way that protects our interests and the nature of Sonoma County. Simply put, do not allow commercial cannabis cultivation in areas that are close proximity to rural residential neighborhoods or visible from County roadways.**

**Here are my comments regarding some of the proposed Tenets**

**TENET #5: GENERAL PLAN AMENDMENT**

**In the staff report and Exhibit A staff proposes that it evaluate whether to include cannabis within the meaning of "Agriculture" and "Agricultural Use as used in the County General Plan. I submit that cannabis cultivation is not and should not be characterized as "agriculture or agricultural use. Cannabis is inconsistent with traditional agriculture and would result in a number of consequences that would have detrimental effects on, among other things, the wine industry, existing true agricultural interests, the environment and housing and may bring cannabis within the Right to Farm Act.**

**Why would the County consider such a change? Why is it needed or desired? What is the true objective of the change? Why does the cannabis industry want this change? If cannabis is classified as agriculture, it would prohibit or at the very least make it much more difficult for the County and residents to seek redress for nuisance. On May 18, 2018, the Board of Supervisors, apparently realizing the consequences, voted to reject a proposed General Plan Amendment. That was the correct decision then and it is the correct decision now. Please do not classify or have staff spend the time evaluating this.**

**TENET #7: NEIGHBORHOOD COMPATIBILITY:**

**As you know, "neighborhood separation" " from commercial cannabis cultivation and other activities has been a major source of tension between growers and the public. There seems to be many ways to address this issue that protects both interests. In this regard, please consider including the following in any draft ordinance:**

- (A) Impose at least a 1,000-foot buffer setback between cannabis operators and residential property lines.**
- (B) Prohibit commercial cultivation in Rural Residential Zoning District**
- (C) Prohibit commercial cultivation in or near neighborhoods that have narrow roads or only one access in and out**
- (D) Do not allow commercial cultivation on properties less than 10 acres**

With respect to the idea of "rural neighborhood enclaves", I assume this is included so that no commercial cultivation would be allowed in such a designated enclave. Bennett Ridge consists of properties on Old Bennett Ridge Road, Rollo Road and Bennett Ridge Road. Bennett Ridge, that is zoned Rural Residential. It is a true neighborhood in every sense of the word. There are residents of all ages including young children. The small size of Bennett Ridge residential lots in relation to surrounding agricultural properties, the configuration of property lots and the topography result in properties and homes being in close proximity to neighboring lots and other residences. There is only one narrow road in and out of the neighborhood. I welcome and would urge all Supervisors who are not familiar with the Bennett Ridge neighborhood to visit and see just how nonsensical it would be to allow commercial cultivation of any type on Bennett Ridge.

The information above and in the attached petitions would also be a basis for designating Bennett Ridge as an "Exclusion Zone". Therefore, please place an Exclusion Zone on Bennett Ridge.

**TENET #9: DEVELOPMENT STANDARDS:**

Please direct staff to include the following:

**Parcel Size:** require that minimum parcel size is at least 10 acres

**Setbacks:** require a minimum 1000-foot buffer set back from cannabis operations to adjacent residential property lines and other sensitive uses (e.g. schools) or farther if odor and lighting analysis would impact adjacent properties.

**Cultivation Size Limits:** If the Board is truly interested in helping the small cultivators and limiting the total acreage for any one operator to a cumulative total of one acre throughout the County, then add a provision that prohibits any one operator from obtaining permits under multiple LLCs and other entities as a few larger growers did under the ministerial permit program

**TENET # 11: TRANSITIONAL PATHWAY:**

I ask that the Board consider the imposition of a moratorium on all NEW cannabis applications. The staff report admits that staff can't keep up with the existing applications "especially related to applications operating under the Penalty Relief Program" and are asking for more staff (two full time planners and one full time clerical support staff) with the attendant costs. Given the backlog of existing applications, the failure to date of an appropriate environmental review for the current ordinance as well as the upcoming EIR, (that presumably is to finally do such an appropriate environmental review) I simply do not understand why the Board will not impose such a moratorium on NEW applications. I have asked the rationale behind this and have never received an answer. Please email me or state publicly your reasons for not imposing such a moratorium on new applications.

**TENET #14: JURISDICTIONAL COMPARISON:**

When the Board initially adopted the cannabis ordinance it did so without any historical perspective of the problems that other jurisdictions were experiencing. Therefore, it is important at this time to do so and not repeat such decisions that have led to such problems. I would urge the staff and the Board to look at other counties to avoid problems they have encountered.

**TENET #16: ECONOMIC ANALYSIS:**

**I urge the BOS authorize such an analysis to determine the true and total costs of this industry to the County which should include all staff time for processing applications, inspections, enforcement of ordinance and state law as well as all costs related to the EIR and process leading to final adoption of a revised ordinance) compared to any taxes received or penalties, fines and fees assessed and actually collected to fully understand the economics of the industry and before any final decision to relieve the industry of cannabis taxes.**

**One of the selling points and rationalization for the legalization of cannabis in California under Prop 64 and the Board's passage of the cannabis ordinance was the tax windfall that was supposed to result. If you go back and read the ballot material for Prop 64 you will see that state taxes and the ability of local government to tax was a key argument for its passage. The County's impartial analysis of measure County Measure A stated that cannabis taxes would be a general tax that "could be used to pay for general County operations and programs such as addressing industry impacts, code enforcement, public safety, fire health, housing , road and environmental protection". Whether or not the economics of the industry are and will in the future meet these promises should be considered. Taxpayers of the County should not be required to subsidize this industry.**

**CONCLUSION:**

**Please find attached a petition from residents of Bennett Ridge and a petition from the Bennett Ridge Community Association requesting that the Board prohibit commercial cannabis cultivation on Bennett Ridge and Bennett Valley either by prohibiting such activity in the Rural Residential Zoning Districts, placing an Exclusion Combining District on Bennett Ridge and Bennett Valley or by adopting any other legislative mechanism which would result in a prohibition on commercial cannabis cultivation in these areas . These petitions also provide information evidencing just how incompatible commercial cannabis cultivation is on Bennett Ridge and in Bennett Valley and inconsistent with the County General Plan, County Zoning Ordinance, the Bennett Valley Area Plan and the Bennett Ridge CC&Rs.**

**Thank you in advance for your anticipated consideration and hopefully action consistent with these requests.**

**Richard R. Rudnansky**

**Bennett Ridge Resident**

Subject **No to Commercial Cannabis Cultivation on Bennett Ridge**  
From Kent Dellinger <kdell58@hotmail.com>  
To Susan.Gorin@sonoma-county.org <Susan.Gorin@sonoma-county.org>, David.rabbitt@sonoma-county.org <David.rabbitt@sonoma-county.org>, Chris.coursey@sonoma-county.org <Chris.coursey@sonoma-county.org>, district4@sonoma-county.org <district4@sonoma-county.org>, Lynda.hopkins@sonoma-county.org <Lynda.hopkins@sonoma-county.org>, marcie.woychik@sonoma-county.org <marcie.woychik@sonoma-county.org>, cannabis@sonoma-county.org <cannabis@sonoma-county.org>  
Date 2021-10-07 14:44

The Bennett Ridge Community Association (BRCA) strongly opposes any action and legislation by the Board of Supervisors to allow any commercial cannabis cultivation in the Bennett Ridge neighborhood and adjacent properties in Bennett Valley.

The BRCA is a not-for profit organization that works to maintain the quality of life on Bennett Ridge. Bennett Ridge is a residential neighborhood consisting of 136 homes and properties on Old Bennett Ridge Road, Bardy Road, Rollo Road, and Bennett Ridge Road. Bennett Ridge is a true neighborhood in every sense of the word. We have residents of all ages including young children. Commercial Cannabis Cultivation simply is not appropriate in or compatible with our neighborhood and would have significant adverse impacts on resources and our quality of life for a number of reasons including, but not limited to:

- (1) Visual and Aesthetics: the configuration, size and topography of lots results in homes being in close proximity to neighboring lots and other residences and therefore cannabis structures and any attendant lighting would be in violation of the Bennett Ridge Architectural Review Committee guidelines and would have significant visual and aesthetic impacts on residents.
- (2) Water: our water is from a mutual water company with two wells for the entire neighborhood. Any non-residential use and pesticides would have a significant impact on the quantity and quality of our residential water supply
- (3) Odor: given the configuration and the proximity of lots and homes if commercial cannabis cultivation with its odor was allowed in the Bennett Ridge neighborhood it would adversely impact the quality of our life and the enjoyment of our properties.
- (4) Zoning, Area Plan, CC&Rs: would be contrary to the purpose of the Rural Residential zoning district, the Bennett Ridge CC&Rs and the Bennett Valley Area Plan of which the Ridge is a part. Further, the Bennett Ridge CC&Rs prohibit conducting any type of business in the neighborhood.
- (5) Safety: Bennett Ridge (a) has only one narrow and winding road in and out (b) is in a high fire risk area (c) abuts Annadel State Park with hiking trails open to the public in close proximity to homes (d) has a Sheriff response time of over 30 minutes

We invite any member of the Board of Supervisors to visit the Bennett Ridge neighborhood to see for yourself how clearly incompatible commercial cannabis cultivation is with our neighborhood.

Therefore the BRCA, on behalf of the Bennett Ridge residents, strongly urge the Board of Supervisors prohibit commercial cannabis cultivation on Bennett Ridge either by prohibiting such activity in the Rural Residential Zoning Districts, placing an Exclusion Combining District on the Ridge, or by any other legislative mechanism.

We ask that you include these comments in the official record for this issue.

Respectfully Submitted:  
Bennett Ridge Community Association  
Board members:  
Les De La Briandais  
Kent Dellinger  
Marilee Jensen  
George Mangan



Kathie Schmid  
David Southwick, M.D.  
George von Haunalter

## **Bennett Ridge Consensus Opinion Regarding Commercial Cannabis Cultivation in Sonoma County**

We, the undersigned residents of the Bennett Ridge neighborhood:

1. Are in favor of an immediate moratorium on the acceptance of any new permit applications for commercial cannabis cultivation in Sonoma County until the Environmental Impact Review (EIR) process is complete, and a new ordinance has been adopted. We are also in favor of a thorough review of existing operations with regard to their compliance with current county codes and record of violations and complaints from nearby properties.
2. Are in favor of prohibiting commercial cannabis cultivation operations in Rural Residential zoning districts throughout Sonoma County, including the Bennett Ridge neighborhood. We believe that Rural Residential zoning districts should be excluded from commercial cannabis cultivation to preserve their rural character and reduce the risk of potential nuisances to other residents. If Rural Residential zoning districts in general are not excluded from commercial cannabis cultivation in Sonoma County, then we are in favor of a Cannabis Exclusion Combining District on Bennett Ridge.
3. Are in favor of prohibiting commercial cannabis cultivation in Bennett Valley as a whole to preserve its scenic beauty and protect its water supply, as well as to minimize other nuisances (such as undesirable odors, increased traffic, potential harm to wildlife habitat, and possible increase in crime) to area residents.
4. Are in favor of limiting ministerial permitting of commercial cannabis cultivation due to the associated loss of transparency and opportunity for public input.
5. Are in favor of prohibiting the piecemealing of multiple small cannabis applications on a single property to avoid environmental review and the conditional use permit process; we support the staff recommendation for an immediate moratorium on such applications.
6. Are in favor of prohibiting on-site cannabis consumption and other visitor-serving activities at facilities outside of urbanized areas.
7. Are in favor of increased enforcement efforts to ensure compliance with existing regulations and to process complaints against operations in a timely manner.

September, 2021

Richard R. Rudnansky  
Brian Gibson  
Katherine Meyers  
Michael Sullivan  
Paul Johnson  
Lani Muelrath  
Ann Wendecker  
Colleen Cotton  
David Trezise  
Ken Brush

Pete Parkinson  
Gil Moreno  
Jane Marx  
Linda Rudnansky  
Liz Gawson  
David Taggart  
Kathie Schmid  
Marry Ann Sullivan  
Marilyn Stocks  
Stephen T. Olson

Rebecca Bass  
James Stocks  
David Dammuller  
Susan Strange  
David Bass  
David Southwick  
Brad Hunter  
Catherine Mangan  
Jerry Moreno  
Cecilia Parkinson

**CONTINUED ON NEXT PAGE**

Greg Muelrath  
Les DelaBraindais  
Theo Vermont  
Eric Dinwiddie  
Tracye Lerdahl  
Lynn P. Olson  
Mike Walsh  
Donna DelaBraindais  
Lucy McLintic  
Gene Graser  
Isabelle Walters  
Jay Werth  
Sally Weare  
Suzanne Guyton  
Heidi Sapp  
Patrick Rafferty  
Cathy Crowley  
Dianne Felli  
Jenna Holtzinger  
Nancy Watson  
Kara Fieser  
Karen De Groot  
Suzette Mackey  
Saundra Cecil  
Steve Luscombe  
Griffin Nichols  
Helen Greves  
Howard Klepper  
Stanley Sommer  
Sherry Weinberg  
Bret Campoy  
Mark Bruns  
Dominic Tilker  
David Pitou  
Jeness Keller  
Eleanor Nixon

Gerda Dinwiddie  
Linda Emis  
Gail Graser  
Barb Tassa  
Robert Forgy  
Gerda Dinwiddie  
George Marania  
Robert Gleeson  
Susan Levi  
Janet Zhou  
Jeff Lerdahl  
Ty Strange  
Joe Mazeau  
Shane Weare  
Diane Bare  
Peter Shott  
Marilee Jensen  
Lisa Valbert  
Jeff Corcoran  
Duayne Emis  
Carl Fieser  
Jeff McConathy  
Brenda McConathy  
Rene Markarian  
Bill Hill  
Rick Rogers  
Joan Campoy  
Elysa J. Perry  
Daniel Weinberg  
Gordana Potrebic  
David Sandine  
Jason Dedmore  
Suzanne Dedmore  
James Keller  
Mike Scott

Lynne Walsh  
Kelly Dellinger  
Matt Walters  
Brian Johnson  
Jan Brush  
Cheryl Pennington  
Sean Walsh  
Kent Dellinger  
Debbie Crisafulli  
Morgan McLintic  
Trista Forgy  
Patricia Werth  
Kent Sapp  
Patti Weare  
Margit Yasukawa  
Bernadet Felli  
Denis Yasukawa  
Jason Holtzinger  
Frank Tansey  
Cecilia Marania  
John De Groot  
John Mackey  
John Cecil  
Gary Markarian  
Steven Lambert  
Angela Luscombe  
Helen Sedwick  
Karen Sommer  
Brian Kukic  
Tyson Berg  
Denise Bruns  
Megan Tilker  
Kathleen Pitou  
Jan Scott  
Devon Cavanagh