

**MONTEREY COUNTY PLANNING COMMISSION**  
**JUNE 29, 2016**  
**AGENDA ITEM #5**



# Additional Correspondence

June 27, 2016 8:00 a.m. through June 28, 2016 5:00 p.m.

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## Medical Marijuana Regulations REF150048

**Contact Info:**  
**Craig Spencer, Associate Planner**  
**Resource Management Agency Planning**  
**168 W. Alisal St., 2<sup>nd</sup> Floor**  
**Salinas, CA 93901**  
**(831)755-5233 or [spencerc@co.monterey.ca.us](mailto:spencerc@co.monterey.ca.us)**

June 27, 2016

To: Monterey County Planning Commissioner

From: Carol Umbarger, Owner, Creekside Farms

<b>HEARING SUBMITTAL</b>	
PROJECT NO./AGENDA NO.	PPF150048 #5
DATE RECEIVED:	6/27/16
SUBMITTED BY/VIA:	Public / email
DISTRIBUTION TO/DATE:	PC-email 6/28/16
DATE OF HEARING:	6/29/16

I have attended the last two Planning Commission Meetings because of my interest in growing cannabis on our property in Greenfield. We have been growing culinary herbs and flowers since 1988 in King City and since 1995 in Greenfield. Both of our farms are located in the county and are zoned F-40.

When we started our company, Creekside Farms, we chose to grow a specialty crop because of our small acreages. We expanded our herb and flower growing in to a wreath manufacturing company in 1992. We currently have 25 full time employees and approximately 50 additional seasonal employees.

We started researching medicinal cannabis after my husband, Larry, was diagnosed with a very rare form of cancer, Merkel Cell Carcinoma. After researching many of the medicinal benefits of this herb, we decided that we would like to grow it when it becomes legal in our county.

Our current business, Creekside Farms, takes up our warehouse building in Greenfield so we planned on building a greenhouse at a location on our property where we now store our farming equipment. When we realized that we were unable to build a new greenhouse to grow cannabis we contacted Aaron Johnson and asked him to help walk us through this process.

As I understand the situation, Monterey County is trying to limit the growth of the medicinal cannabis industry by issuing restrictions on certain areas, like no new greenhouses, only growing in certain zones, etc. We think by allowing the Use Permit process to regulate the greenhouse issue, it would still only allow greenhouses in certain areas but give those of us who are not fortunate to have existing greenhouses on their property a chance to also be a part of this new and exciting industry.

After two meetings of the Planning Commission, we are under the impression that the majority of the commissioners agree that greenhouses should be allowed if they are approved and issued a Use Permit.

I do not want to use our existing building in Greenfield for cannabis. I think that growing it in a greenhouse makes it so much more environmentally friendly.

We realize that we need to expand our current business in order to stay in business after we are required to pay \$15.00 minimum wage. We all think that in theory \$15.00 is a positive step forward for our country, but in reality, a commodity such as ours will not survive it. We work on very competitive margins in our business and we see the cannabis industry as an opportunity to help us keep our employees employed year around and at a much higher wage than even the \$15.00.

Once the government allows major universities and drug companies to start doing the research that needs to be done with this amazing herb, I sincerely believe that the medicinal properties of cannabis will make a huge difference in the lives of many people in our country.

To recap...please let our current Use Permit system be the control for allowing new greenhouses to be built and please have it be a part of your recommendation to the Board of Supervisors.

Thank you,

Carol Umbarger  
Creekside Farms

Onciano, Jacqueline x5193

Subject:

FW: PC Resolution on the Revised Medical Marijuana Regulations

<b>HEARING SUBMITTAL</b>	
PROJECT NO./AGENDA NO.	PCF15048 #5
DATE RECEIVED:	6/28/16
SUBMITTED BY/VIA:	Public / CMC
DISTRIBUTION TO/DATE:	PL EMail 6/28/16
DATE OF HEARING:	6/29/16

**From:** Steve Craig <stevecraig.turtlecreek@gmail.com>

**Date:** June 28, 2016 at 11:35:22 PDT

**To:** Nickersonj@co.monterey.ca.us, holmcp@co.monterey.ca.us, Craig x5233 Spencer  
<spencerc@co.monterey.ca.us>

**Cc:** "100-District 3 (831) 385-8333" <district3@co.monterey.ca.us>, "100-District 2 (831) 755-5022" <district2@co.monterey.ca.us>, "100-District 1 (831) 647-7991"

<district1@co.monterey.ca.us>, "100-District 5 (831) 755-5022"

<district2@co.monterey.ca.us>, "100-District 4 (831) 883-7570"

<district4@co.monterey.ca.us>, Charles Rowley <charlesrowley.turtlecreek@gmail.com>

**Subject:** PC Resolution on the Revised Medical Marijuana Regulations

June 28th

Members of the Planning Commission

The addition of marijuana 'cottage industries' (including the possible production of hashish, oil extracts and other secondary products), and the addition of zoning districts not previously contemplated to be included in commercial growing areas, constitutes a significant change in the project description and therefore this revision should have undergone a new circulation of the CEQA document. The consequences of allowing commercial growing in Permanent Grazing and Rural Grazing Districts introduces a number of new CEQA issues including:

1. much of this area is not served by PGE (and water demand for commercial scale marijuana growing is too great for reasonable solar solutions) and most active growers in this region, at this time, use generators to pump water and for other purposes because electric service simply does not exist in thousands of acres of rural south County outside of the Salinas River Valley. Three of four fires in the Bryson-Hesperia and Smith Road area of south County over the last 10 years were caused by use of generators and one was caused by a delivery truck scraping a shallow (not built to private road code standards ) Arizona-type crossing in Forest River POA in the vicinity of the "Shut-Ins" adjacent to Fort Hunter Liggett. The probability of increased fire risk, and paying for fire suppression, include the availability of fire suppression water, financial impacts to service agencies (and ultimately the public which must fund their activities) and home damage risks in the Grazing Districts are not addressed in the existing CEQA document.
2. Many properties in these "outlier" districts do not have CDF compliant steel tanks, many have non-fire storage code (or safe) plastic tanks, and many occupied recreational properties in the grazing districts do not have any fire storage at all. Many of the common land uses, particularly in Permanent Grazing districts include weekend recreational uses, marijuana cultivation, code compliant home residential use, non-code compliant temporary or permanent residential use (the dominant type of land use), as well as hunting and fishing and equestrian trail use. Ironically, there is very little grazing actually done in such Grazing Districts, due to poor forage and cover, the long term drought, climate change which has increase average summer temperatures by 10 degrees in 30 years, and industry grazing changes.



3. The County does not have the police and fire or Code Enforcement resources at this time to conduct Code Enforcement in these rural zones; we will bring photographic documentation of this fact to the Board hearing, or to the revised hearing for the Planning Commission resolution if a new CEQA document is deemed needed to be circulated according to County Counsel.

4. Of our last five Code Enforcement complaints over the past year on illegal grading, non-permitted grading, construction of non-permitted homes, construction of "guard quarters" for marijuana grows, that have not gone through the County permit process, despite complaint, have not been acted upon by the department. One of these complaints was made in the last three months over a major ridgeline grade for a well (drilled out to 600 feet but a dry hole) and setting up of residential structures without grading permits and on site guard residence without a sewage system. The Grazing District ordinances are clear that a temporary trailer is legal IF one is building a new home; they are not permitted as guard residences for non-permitted major grow sites, and they are not permitted as permanent residences unless on footings and properly served by water and sewer facilities.

5. Marijuana is a riparian plant and thus has a very high water demand. The existing CEQA document does not address a much expanded base for Commercial growing in new zoning districts not previously considered, so the water impacts of this project, are now not correctly estimated or discussed in the CEQA document. At this time, of the four large on-going grow operations in both the Forest River POA area and Copperhead POA, nearly all water is being trucked in, at the rate of about 6,000 gallons a week for two of four separate grow properties. These truck impacts on rural private roads are not mitigated at this time by contributions to private road maintenance for such heavy loads, and there is no discussion of the matter anywhere in the CEQA document. There is also no discussion of the transfer of water from agricultural properties in the Salinas Valley to existing (let alone) future potential large commercial grow sites outside the Salinas watershed. This is not speculative; this is what many growers are doing now.

6. The County, CDF and the Department of Fish and Game do not have the staff to cover tagging and forcing the remediation of existing non-compliant grow sites, temporary residential structures used for guarding grow sites, residential debris sites (numerous in Bryson), non-permitted mobile homes using porte-potties as septic systems; major dumping of debris in jurisdictional waters and other violations (perhaps the largest of these dumps in just north of Forest River adjacent to the Shut-Ins. All three agencies we contacted indicated that staff and time shortages, small budgets, and non-collectible fees were causing them to lift code enforcement from their work loads. Permitting Commercial growing in grazing districts where violation sites are more numerous than permitted buildings, together with easement, Code and CC and R violations ignored by local POAs, makes this expansion of Commercial growing use absurd, an unsolved problem on top of an already unsolved problem. It was for this reason the County staff limited the zoning districts where large commercial grows could occur. We strongly support this limitation.

7. With the exception of the large recent bust of a 2,000 plant growing site recently in Copperhead (this was a local 8 or 9 person share proceed syndicate), by our informal count which was contributed to by various neighbors in Bryson-Hesperia, there are three active grow sites along Bryson-Hesperia Road between the G-14 and Hesperia-Smith Road, there are at least two grow sites reported in the Smith Road drainage, there are at least 8 grow sites reported in either the Forest River POA and the Copperhead POA. Even if each of these growers is fully compliant with state law (they have records supporting collective requirements, multiple prescriptions, copies of Driver's Licenses and meet all other requirements, including genetic

testing and a valid transport licensing arrangement with the City of Oakland, likely the only City fully up to speed on the regulatory aspects of Commercial grows that are legitimated by government), none of these local grow sites according to phone research with the County staff, have developed through any County process for permits for residence, sewage, site placement or grading issues according to calls to the Planner of the Day and checking on the street files for various properties. The only permits obtained were well permits, not use permits.

Also, I would like the Commission to realize all these revisions to the coastal and inland versions of the ordinance were released to the public just two days before the hearing, which is not enough time to compare the original and revised resolutions redlined versions, scan for the implications for expanded CEQA analysis, and there is not a clear statement as to what districts in rural or permanent grazing will be permitted to be used for commercial growing activities.

The County Counsel summary appears not to be a redline revision to the original version of this document even though it appears to introduce new zoning district coverage. Coverage areas zoned for Commercial growing were summarized by County Counsel in the revised document as follows:

*"These zoning districts include the Light Commercial, Heavy Commercial, Agricultural Industrial, Light Industrial, Heavy Industrial, and Farmland non-coastal zoning districts, with allowance of the particular use within each zoning district dependent on factors specified by the ordinance".*

It was unclear exactly what this meant in terms of increase in acreage covered by the ordinance for Commercial operations. So I wrote the relevant planner, Craig Spencer, who did an excellent job with the original ordinance, and he clarified for me as follows:

Hello Mr. Craig,

The Planning Commission continued the public hearing to June 29 and provided direction for staff to prepare a new resolution for consideration.

The new resolution would recommend the Board of Supervisors NOT adopt the ordinance as drafted but instead consider making revisions to the ordinances before it is adopted.

One of the recommended revisions to the ordinance is to allow anyone located in a farmland zone (including permanent grazing, rural grazing, and watershed and scenic conservation zones) to apply for a Use Permit for medical marijuana cultivation.

The updated report and resolution should be made public tomorrow.

Thank you

Craig W. Spencer  
RMA - Planning Department  
County of Monterey  
phone: (831) 755-5233  
e-mail: [spencerc@co.monterey.ca.us](mailto:spencerc@co.monterey.ca.us)

There were many good reasons staff recommended a narrow scope for Commercial Growing and it is very unfortunate that the Commission directed the many changes it did. The most legally influential change was the inclusion of ALL agricultural districts as eligible for commercial grows. We support Marijuana Law revision; but the Commission will show ample compassion

by letting proceed personal grows of small scale and coops (serving 5 or fewer individuals) with all paper work filed with the County and state only in all districts; any Commercial growing should be confined to areas with public services, power, sewage disposal and police and code enforcement ready availability. Commercial growing is not about medical compassion, it is about money.

The marijuana growing industry in south County has ample opportunity to serve the public's interest under the Individual Cultivation sections of the ordinance with limitation of Commercial Grows only in zones that are close to urban areas (if not in urban areas), to proper industrial zones or large scale agricultural properties that are proximal to services of all kinds, including power, water availability, testing labs for genetics of medical plants (which are different from recreational grade marijuana). Permitting such large Commercial grows in the back country, adjacent to very rough terrain, the National Forest, and both the Silver Peak and Ventana Wilderness areas, as well as Fort Hunter Liggett (and its many acres of buffer zone property), is not the proper place to permit Commercial Grows. Typically cartel grows in the Forest near our property have had significant impacts on the environment. The Ventana Wilderness Alliance has volunteered in the past in close cooperation with the Forest to clean up these grow sites.

We would be glad to host a tour of this area for the Commission, or the Board, with several neighbors, as clearly many new members of the Board clearly have absolutely no idea what the topography, drought, water problems, lack of service, and lack of Code Enforcement has done to our quality of life in this area in the past few years. Including these remote agricultural districts (which are much more mountainous and forested than most of the Salinas Valley) in Commercial Grow areas is truly maladaptive for the future of our rural community and will result in more water shortages, more fires, conflicts with other agricultural uses, conflicts between neighbors, and lack of adequate Code Enforcement, Policing, or CDF participation in reviewing properties for fire safety and Code Compliance.

It would be illegal for the Commission to act on such a wide scope of changes in the Project Description without significant amendment of the staff CEQA document.

We support Medical Marijuana grows and the testing, research cloning, medical use testing, changes to possession prison sentences, and development of a valid medical industry around this plant. However, what is being created with the Commissions proposed expansion of Commercial Growing to all Agricultural zoning districts, is a "gold rush" industry which will leave the remote grazing districts scarred, short of water, and un-integrated as an authentic rural culture if commercial scale growing is permitted.

We have extensive experience with the Use Permit process and the costs and time it takes to appeal them on a piecemeal basis as, together with the Center for Biological Diversity, we appealed (and won these appeals), 7 various land use permits to enable fracking along the Salinas River, in the Salinas River, and in Hames Valley and on BLM lands. These appeals have opened up a larger public process to prevent certain water-destructive types of uses in south County. Land Use Permit appeals are expensive, time consuming for the public and are not good public policy.

Please rethink your decision, listen to your planning staff, they know the areas in Grazing Districts well, and they drafted an excellent original ordinance, but expanding its provisions to Rural and Permanent Grazing was a collective mistake of judgement. People in these areas can do small compassionate grows, or larger grows by legitimate collectives meeting state provisions

and County monitoring. What we don't need is the types of problems that have emerged with wildcatting large grows on borrowed water from the Paso Robles basin or Salinas River.

To make this All-District inclusive, you are creating significant problems for local residents. Not acting on what is happening out here has already created problems, so exacerbating a bad situation by being unduly permissive out of a mistaken notion of compassion is unacceptable.

Thank you for your attention,

Steve Craig  
Sapaque Valley Ranch  
Member: Citizen Planning, Association, South County



## Nickerson, Jacquelyn x5240

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**From:** Onciano, Jacqueline x5193  
**Sent:** Tuesday, June 28, 2016 3:22 PM  
**To:** Nickerson, Jacquelyn x5240  
**Subject:** FW: Commercial Marijuana Growers

Hi Jacque N.

Please mark the received date and we will place it in the file to be attached with the BOS report.

Kind regards,

Jacque O.

*~Jacqueline R. Onciano  
RMA Services Manager/Zoning Administrator  
Monterey County Resource Management Agency*

*168 W. Alisal St. 2nd Floor  
Salinas, CA 93901  
Office: (831) 755-5193  
Fax: (831) 757-9516  
[oncianoj@co.monterey.ca.us](mailto:oncianoj@co.monterey.ca.us)*

<b>HEARING SUBMITTAL</b>	
PROJECT NO./AGENDA NO.	2017048 #15
DATE RECEIVED:	07/28/16
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DISTRIBUTION TO/DATE:	12 email 07/28/16
DATE OF HEARING:	07/29/16

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**From:** Linda Plumb [mailto:[ljplumb@gmail.com](mailto:ljplumb@gmail.com)]  
**Sent:** Tuesday, June 28, 2016 2:09 PM  
**To:** Onciano, Jacqueline x5193  
**Subject:** Fwd: Commercial Marijuana Growers

Begin forwarded message:

**From:** Linda Plumb <[ljplumb@gmail.com](mailto:ljplumb@gmail.com)>  
**Date:** June 28, 2016 1:39:30 PM PDT  
**To:** [district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us)  
**Cc:** [LopezCM@co.monterey.ca.us](mailto:LopezCM@co.monterey.ca.us), [spencerc@co.monterey.ca.us](mailto:spencerc@co.monterey.ca.us), [paul@tregattivineyards.com](mailto:paul@tregattivineyards.com)  
**Subject:** Commercial Marijuana Growers

Dear Supervisor Salinas,

I am a member of the Bryson-Hesperia Community and have been for 20 years and my husband, moved here in 1978. He was extremely proud of this community and its rural nature and lifestyle, and had faith that the Williamson Act, the rural grazing designation of our area, and our government officials, would maintain the nature of the area and protect our all too scarce natural resources - particularly drinking water. My goal in writing is to share with you what I've observed and experienced with the recent influx of Commercial Marijuana growers into Bryson-Hesperia - and to state that I have no issue with marijuana growing. What I do have is concern regarding what appears to be a lack of long-term thinking regarding granting permits for what is an industrial business - not a rural activity.

I can share from personal experience the reportedly illegal growers who have already set up business in the Bryson-Hesperia/Copperhead area have changed the rural nature of our area as I am located near the intersection of Bryson-Hesperia and Interlake Rd. I have observed a noticeable increase in traffic - trucks carrying everything from lumber, heavy equipment, gravel etc. There have been and continue to be many unfamiliar fast moving cars on the road.

This alone makes me ask - how are roads going to be maintained and kept safe? I'm well aware that it is hard for the County to get to this road for repair as it is - now it will have even more usage and how will the county accommodate the increased need for maintenance?

And you may or may not be aware, this is a one way in, one way out road - fire danger is not only high it is deadly because of the single escape route. Is this a location where you wish to promote this high level of activity and therefore added risk during fire season?

In the last year there appears to be more garbage along the road, dead animals that have been hit by cars, and other activities that could warrant at least some police presence. As I understand it there is only one sheriff on patrol for all of the southern part of Monterey. Can you the Supervisor and the members of the Planning Commission, in good conscience subject an area - knowingly - to a more dangerous atmosphere and not be prepared to address that danger?

You may also be aware that one of the things people enjoy in the country is seeing stars. That too is being compromised by light pollution from some of the greenhouses already built in this area as is the peace and quiet most of us love because of more traffic on the road and generators being used by these growers.

Water - as I understand it is one of the reasons our lots are mostly set as 40-acre minimum parcels. I find it hard to think that our County government is willing to put citizens water supply at risk with an open-ended permission slip of establishment of a water hungry industry in a water short area.

I heard you speak at the Lockwood Community Center and what I remember most is the concern you shared about increased costs for insurance etc. for your employees- not concern about additional public servants who would serve the people (sorry about the roads, police protection, San Antonio closing – ). So I'm forced to wonder, if the County cannot serve the citizens already here who came here with a specific set of rules in place, how can it serve the increased demand that will result from these commercial industries - in an already underserved area?

I have heard the large agriculture producers are ready, able, and willing to set up growing in facilities in existence in the Salinas Valley. Is there a reason why County officials are not supporting that route for better regulated and more accessibly located commercial growing?

**To date, because I cannot find adequate answers to the above questions, I do not support the idea of granting commercial medical marijuana permits in Bryson-Hesperia or any of our already underserved rural areas.**

Sincerely,

Linda F. Plumb

Bryson-Hesperia Rd.

**Nickerson, Jacquelyn x5240**

**From:** Nickerson, Jacquelyn x5240  
**Sent:** Tuesday, June 28, 2016 2:48 PM  
**To:** Nickerson, Jacquelyn x5240  
**Subject:** FW: PC Resolution on the Revised Medical Marijuana Regulations -additional emails for this topic - supporting emails?

<b>HEARING SUBMITTAL</b>	
PROJECT NO./AGENDA NO.	PCF15048 #5
DATE RECEIVED:	6/28/16
SUBMITTED BY/VIA:	PUBLIC / EMAIL
DISTRIBUTION TO/DATE	PC email 6/28/16
DATE OF HEARING:	6/29/16

**From:** Steve Craig [mailto:stevecraig.turtlecreek@gmail.com]

**Sent:** Tuesday, June 28, 2016 1:14 PM

**To:** Fred Kenyon; Charles Rowley; Linda Plumb; Jeff Kuyper; Tom Hoplkins; Mike Splain; Glen Jonas; Charles Rowley; Timothy Bottoms; Hesperia Hall; Charles W. Ewing; Charles Rowley; Blake Tastad; Wild Big Sur; Fred & Carol Kenyon; Patricia Ashe; Ann Brown; Jay Brown; Bart Bartosh; Cheryl Bryantbruce; Mike Dolny; Erin Rowley Cooley; Todd T. Cardiff, Esq.; Ruben Flores; Sam Farr; Paula Getzelman; Matthew@Wildlife Gil; John & Margaret Hontos; John Hontos; David Hobstetter; Douglas W CPT RES USA IMCOM Hales; Wanda x5285 Hickman; Parker, Jane; Fred Kenyon; Kassie Siegel; Adam Kirchner; Kassie Siegel; Ken Bauer; Linda Plumb; Santa Lucia Chapter of the Sierra Club Andrew Christie; Lopez, Christopher M. x5729; Patricia Matejcek; Kathleen Novoa; N46 Padgett Lisa M CIV USFF; Margie Whitnah; Mary Hsia-Coron

**Cc:** Onciano, Jacqueline x5193; Patricia Matejcek; Nikki Nedeff; Pelican Network; N00P Larson Melinda L CIV NAS Lemoore; QunTan Shup; Patricia Ashe; Quinn Brady; Ramirez, Tanya x5036; Carolynne Potts; Susan Raycraft; Spencer, Craig x5233; [spencerc@monterey.co.us](mailto:spencerc@monterey.co.us); Burns, Tim O. x6770; Donald Ukkestad; Douglas W CPT RES USA IMCOM Hales; Tom Hoplkins; Cody Patterson; Richard Gilett; Bart Bartosh; [bethwinters@earthlink.net](mailto:bethwinters@earthlink.net) Winters

**Subject:** Re: PC Resolution on the Revised Medical Marijuana Regulations -additional emails for this topic - supporting emails?

Friends and Enemies:

I blind cc'd some of you on this appeal of the PC decision on commercial pot growing in our region up against the Monterey Forest District in Permanent and Rural Grazing.

Any short emails supporting this email, using this reference would be appreciated: the reference is: Steve Craig email of June 28, from the South Monterey County Citizen Planning Alliance to the Planning Commission appealing the PC decision on Commercial grows in grazing districts.

This will not effect personal grows or valid state compliant coops. Just large scale commercial grows.

Please distribute to your friends and ask them to send things in to Jacqueline Onciano at the address above, so we have a record for a legal appeal for not expanding commercial pot growing into the Grazing Districts. My letter is adequate for filing a suit. If you have a different opinion, that never hurts, as this has been sent to growers and non-growers alike.

Glen: would you like to file this for us? I assume it will be a \$4000 appeal in local Superior Court. We would then enter a mandatory negotiation process before process to evidence and trial. The goal is really to get the PC to recommend the staff decision, which is that commercial grows should not occur in the Grazing Districts.

The Commission missed on this one and we need to be sure the system responds correctly.

A legal fund will be set up in the next few days to file a CEQA suit on the PC action. Anyone that can contribute \$500 dollars to the appeal would be appreciated, but the commitment is real and should be authentic,

not wishful thinking. If Glen is able to handle the appeal, great, if not, we will contact Land Watch and get their attorney on board.

I think we can file a suit for about \$3,000 or \$ 4,000 on the CEQA issues only, on expanding the scope of the growing area for Commercial Pot Growing to Grazing Districts as a recommendation to the Board without a revised CEQA analysis. We all know what is going on out here and it is not a favorable development.

Please forward to your friends.

Thanks,

Steve

On Jun 28, 2016, at 11:35 AM, Steve Craig <[stevecraig.turtlecreek@gmail.com](mailto:stevecraig.turtlecreek@gmail.com)> wrote:

June 28th

Members of the Planning Commission

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6. The County, CDF and the Department of Fish and Game do not have the staff to cover tagging and forcing the remediation of existing non-compliant grow sites, temporary residential structures used for guarding grow sites, residential debris sites (numerous in Bryson), non-permitted mobile homes using porte-potties as septic systems; major dumping of debris in jurisdictional waters and other violations (perhaps the largest of these dumps in just north of Forest River adjacent to the Shut-Ins. All three agencies we contacted indicated that staff and time shortages, small budgets, and non-collectible fees were causing them to lift code enforcement from their work loads. Permitting Commercial growing in grazing districts where violation sites are more numerous than permitted buildings, together with easement, Code and CC and R violations ignored by local POAs, makes this expansion of Commercial growing use absurd, an unsolved problem on top of an already unsolved problem. It was for this reason the County staff limited the zoning districts where large commercial grows could occur. We strongly support this limitation.

7. With the exception of the large recent bust of a 2,000 plant growing site recently in Copperhead (this was a local 8 or 9 person share proceed syndicate), by our informal count which was contributed to by various neighbors in Bryson-Hesperia, there are three active grow sites along Bryson-Hesperia Road between the G-14 and Hesperia-Smith Road, there are at least two grow sites reported in the Smith Road drainage, there are at least 8 grow sites reported in either the Forest River POA and the Copperhead POA. Even if each of these growers is fully compliant with state law (they have records supporting collective requirements, multiple prescriptions, copies of Driver's Licenses and meet all other requirements, including genetic

testing and a valid transport licensing arrangement with the City of Oakland, likely the only City fully up to speed on the regulatory aspects of Commercial grows that are legitimated by government), none of these local grow sites according to phone research with the County staff, have developed through any County process for permits for residence, sewage, site placement or grading issues according to calls to the Planner of the Day and checking on the street files for various properties. The only permits obtained were well permits, not use permits.

Also, I would like the Commission to realize all these revisions to the coastal and inland versions of the ordinance were released to the public just two days before the hearing, which is not enough time to compare the original and revised resolutions redlined versions, scan for the implications for expanded CEQA analysis, and there is not a clear statement as to what districts in rural or permanent grazing will be permitted to be used for commercial growing activities.

The County Counsel summary appears not to be a redline revision to the original version of this document even though it appears to introduce new zoning district coverage. Coverage areas zoned for Commercial growing were summarized by County Counsel in the revised document as follows:

*"These zoning districts include the Light Commercial, Heavy Commercial, Agricultural Industrial, Light Industrial, Heavy Industrial, and Farmland non-coastal zoning districts, with allowance of the particular use within each zoning district dependent on factors specified by the ordinance".*

It was unclear exactly what this meant in terms of increase in acreage covered by the ordinance for Commercial operations. So I wrote the relevant planner, Craig Spencer, who did an excellent job with the original ordinance, and he clarified for me as follows:

Hello Mr. Craig,

The Planning Commission continued the public hearing to June 29 and provided direction for staff to prepare a new resolution for consideration.

The new resolution would recommend the Board of Supervisors NOT adopt the ordinance as drafted but instead consider making revisions to the ordinances before it is adopted.

One of the recommended revisions to the ordinance is to allow anyone located in a farmland zone (including permanent grazing, rural grazing, and watershed and scenic conservation zones) to apply for a Use Permit for medical marijuana cultivation.

The updated report and resolution should be made public tomorrow.

Thank you

Craig W. Spencer  
RMA - Planning Department  
County of Monterey  
phone: (831) 755-5233  
e-mail: [spencerc@co.monterey.ca.us](mailto:spencerc@co.monterey.ca.us)

There were many good reasons staff recommended a narrow scope for Commercial Growing and it is very unfortunate that the Commission directed the many changes it did. The most legally influential change was the inclusion of ALL agricultural districts as eligible for commercial grows. We support Marijuana Law revision; but the Commission will show ample compassion



by letting proceed personal grows of small scale and coops (serving 5 or fewer individuals) with all paper work filed with the County and state only in all districts; any Commercial growing should be confined to areas with public services, power, sewage disposal and police and code enforcement ready availability. Commercial growing is not about medical compassion, it is about money.

The marijuana growing industry in south County has ample opportunity to serve the public's interest under the Individual Cultivation sections of the ordinance with limitation of Commercial Grows only in zones that are close to urban areas (if not in urban areas), to proper industrial zones or large scale agricultural properties that are proximal to services of all kinds, including power, water availability, testing labs for genetics of medical plants (which are different from recreational grade marijuana). Permitting such large Commercial grows in the back country, adjacent to very rough terrain, the National Forest, and both the Silver Peak and Ventana Wilderness areas, as well as Fort Hunter Liggett (and its many acres of buffer zone property), is not the proper place to permit Commercial Grows. Typically cartel grows in the Forest near our property have had significant impacts on the environment. The Ventana Wilderness Alliance has volunteered in the past in close cooperation with the Forest to clean up these grow sites.

We would be glad to host a tour of this area for the Commission, or the Board, with several neighbors, as clearly many new members of the Board clearly have absolutely no idea what the topography, drought, water problems, lack of service, and lack of Code Enforcement has done to our quality of life in this area in the past few years. Including these remote agricultural districts (which are much more mountainous and forested than most of the Salinas Valley) in Commercial Grow areas is truly maladaptive for the future of our rural community and will result in more water shortages, more fires, conflicts with other agricultural uses, conflicts between neighbors, and lack of adequate Code Enforcement, Policing, or CDF participation in reviewing properties for fire safety and Code Compliance.

It would be illegal for the Commission to act on such a wide scope of changes in the Project Description without significant amendment of the staff CEQA document.

We support Medical Marijuana grows and the testing, research cloning, medical use testing, changes to possession prison sentences, and development of a valid medical industry around this plant. However, what is being created with the Commissions proposed expansion of Commercial Growing to all Agricultural zoning districts, is a "gold rush" industry which will leave the remote grazing districts scarred, short of water, and un-integrated as an authentic rural culture if commercial scale growing is permitted.

We have extensive experience with the Use Permit process and the costs and time it takes to appeal them on a piecemeal basis as, together with the Center for Biological Diversity, we appealed (and won these appeals), 7 various land use permits to enable fracking along the Salinas River, in the Salinas River, and in Hames Valley and on BLM lands. These appeals have opened up a larger public process to prevent certain water-destructive types of uses in south County. Land Use Permit appeals are expensive, time consuming for the public and are not good public policy.

Please rethink your decision, listen to your planning staff, they know the areas in Grazing Districts well, and they drafted an excellent original ordinance, but expanding its provisions to Rural and Permanent Grazing was a collective mistake of judgement. People in these areas can do small compassionate grows, or larger grows by legitimate collectives meeting state provisions

and County monitoring. What we don't need is the types of problems that have emerged with wildcatting large grows on borrowed water from the Paso Robles basin or Salinas River.

To make this All-District inclusive, you are creating significant problems for local residents. Not acting on what is happening out here has already created problems, so exacerbating a bad situation by being unduly permissive out of a mistaken notion of compassion is unacceptable.

Thank you for your attention,

Steve Craig

Sapaque Valley Ranch

Member: Citizen Planning, Association, South County

**Onciano, Jacqueline x5193**

**From:** Cheryl BryantBruce [celebritydoc@yahoo.com]  
**Sent:** Tuesday, June 28, 2016 8:30 PM  
**To:** Onciano, Jacqueline x5193  
**Cc:** Charles Rowley; Steve Craig  
**Subject:** Fw: Rural Grazing Zone

<b>HEARING SUBMITTAL</b>	
PROJECT NO./AGENDA NO.	PO 19018 #5
DATE RECEIVED	6/29/16
SUBMITTED BY VIA	PUBLIC @ hearing
DISTRIBUTION TO DATE	PC @ hearing
DATE OF HEARING	6/29/16

Dear Ms. Onciano

Attached is the letter that I sent to request that the County Commission vote against commercial use of grazing and agricultural land for commercial marijuana growing. Obviously things did not go in our favor. It is my understanding that our neighbors Charles Rowley and Steve Craig have been in touch with you regarding this matter. Please rest assured that we stand in solidarity with them on this issue. We would appreciate anything that you can do on our behalf to protect the interest of land owners in the area, who do not wish to see the demise of this unique and valuable community. The area has been called the last frontier and in many ways such areas are the last of such valuable resources that stand to disappear completely if commercial marijuana growing is allowed in. I just fear that by the time the politicians realize what they are losing, the resources will have already been lost, much like the beautiful Oaks that gave the city of Oakland its name. Allowing for commercial growing in such locations changes both the resources and the culture, creating irreplaceable losses of both.

Truly, we appreciate any assistance you can offer in this matter. If you should wish to contact me to discuss this directly, please feel free to call me at (310) 270-3026. Thank you for your time and attention to this matter.

Peace, Blessings, Health and Longevity,  
Cheryl BryantBruce, M.D  
510-390-0335  
HCPNAlliance  
Medical, Dental & Vision Program Development



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On Wednesday, June 22, 2016 5:43 PM, Cheryl BryantBruce <celebritydoc@yahoo.com> wrote:

Dear Simon Salinas,  
My name is Dr. Cheryl BryantBruce, M.D. I live on Sapaque Road in Bradley, Monterey County, so I am living in your district. Accordingly, I am seeking your support on the matter of maintaining rural grazing zone restrictions in our area.

My fiance Ruben Flores and I purchased around two years ago, because the area offered such a unique environment, which we had difficulty finding elsewhere. This environment exists in large part because we are in a rural grazing zone. It has come to my attention that those with an interest in commercial cannabis farming are pushing to have the rural grazing zone restrictions lifted in our area. Considering that ample land has been allocated for commercial use, I would like to strongly emphasize my support for the County's position of maintaining the current rural grazing zone restrictions.

As a physician, I do strongly support the legalization of cannabis for medical use and accordingly recognize the need for commercial growers. I believe it is important however to do so within constraints that do not impact the unique habitats that exist only within our rural grazing zones. I understand there are currently provisions built in for land use by personal growers and cooperatives, which I wholeheartedly support in our area. I believe the commercial growers should continue to be limited to areas that are currently designated for commercial agricultural use. I am requesting that you continue to support the restrictions of the current zoning.

At the upcoming meeting on June 22, 2016, I am counting on you to continue to represent the best interest of this unique and valuable community. Doing otherwise would change the culture and ecological integrity of the area. As such, California would lose yet another of its valuable and historical land resources.

Peace, Blessings, Health and Longevity,  
Cheryl BryantBruce, M.D.

Sent from Yahoo Mail on Android

## Onciano, Jacqueline x5193

From: Erin McKenna [ehmckenna@yahoo.com]  
Sent: Wednesday, June 29, 2016 9:04 AM  
To: Onciano, Jacqueline x5193  
Subject: Fw: Rural Grazing Zone Restrictions

<b>HEARING SUBMITTAL</b>	
PROJECT NO./AGENDA NO.	20160418 #5
DATE RECEIVED:	10/29/16
SUBMITTED BY/VIA:	Public @ McKenna
DISTRIBUTION TO/DATE:	PC, AJM, Onciano
DATE OF HEARING:	10/29/16

--- On Wed, 6/29/16, Erin McKenna <ehmckenna@yahoo.com> wrote:

> From: Erin McKenna <ehmckenna@yahoo.com>  
> Subject: Rural Grazing Zone Restrictions  
> To: [district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us), [onciano@co.monterey.ca.us](mailto:onciano@co.monterey.ca.us)  
> Cc: [district1@co.monterey.ca.us](mailto:district1@co.monterey.ca.us), [spencerc@co.monterey.ca.us](mailto:spencerc@co.monterey.ca.us),  
> [district2@co.monterey.ca.us](mailto:district2@co.monterey.ca.us), [district4@co.monterey.ca.us](mailto:district4@co.monterey.ca.us),  
> [district5@co.monterey.ca.us](mailto:district5@co.monterey.ca.us), [RamirezT@co.monterey.ca.us](mailto:RamirezT@co.monterey.ca.us)  
> Date: Wednesday, June 29, 2016, 8:46 AM Dear Simon Salinas,  
>  
> My husband, Edward McKenna, and I own the 200 acre property located at  
> 48750 Sapaque Valley Road in Bradley, California.  
> Since this parcel is in your district, we are looking to you to vote  
> against commercial use of grazing and agricultural land for commercial  
> marijuana growing.  
>  
> We have owned the property for over ten years and consider it our  
> slice of heaven. People have historically maintained their properties  
> (barring the select few) and respected their neighbors, however this  
> influx of marijuana growers is looking to upset that balance. Since  
> our roads are not county maintained, and we get no help from the  
> county to rectify this issue, we come together to clean and maintain  
> the roads ourselves. With the immense needs these new crops require,  
> we are seeing multiple truck loads, per week, of water and fertilizer  
> that tear up our roads and create fire hazards when they pull over and  
> sit idling in the tall dead grass. As we just experienced with the  
> Frazier Fire, this is a combustible combination. They run generators  
> non-stop to power their operations which is another extreme fire  
> hazard. Recently, neighbors, who have long hiked in the area, have  
> received threats and acts of intimidation from the new growers about  
> supposed trespassing. These have not been friendly encounters. If  
> this growing is allowed to continue unchecked, the area is going to  
> turn into the Wild, Wild West.  
>  
> Our fear is that without the restrictions on commercial growing,  
> tensions will escalate. We get little to no law enforcement in our  
> area as it is, and by allowing these growers to continue in such a  
> remote area, you are just inviting trouble. Our area is stressed  
> from years of drought...dead trees and little water, please do not add  
> to these issues. Let the land recover and require the growing be done  
> in urban settings where there is more readily available water and  
> nearby fire stations.  
>  
> At the upcoming meetings, we urge you to continue to support the  
> restrictions of the current zoning. My husband works in the natural  
> gas industry and has seen first hand the results of unchecked tearing  
> up of our precious lands.

> ...please do not let this happen, there will be no turning back.

>

>

> Regards,

>

> Erin McKenna

>

> Edward McKenna

> CEO/CFO Applied LNG