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Subject: Agenda Item 6a) regarding Clarification of Requirements for Expansion of Existing Cultivation Sites in RL

Dear Chair McCowen and Members of the Board;

Regarding possible action on Agenda Item 6a), clarification of the requirements to expand existing cultivation sites in RL, we think that the double asterisk footnote to Table 1 pertaining to this issue is sound land use planning and should remain as it is. We think that it is the Table 1 that should be altered to reflect the footnote, rather than the other way around.

From an environmental perspective, we can't rationalize requiring an AP for expanded outdoor and mixed light cultivation sites on TPZ and FL zones and yet at the same time allow cultivation impacts to quadruple on RL with a simple ZC. Like TPZ and FL zones, RL, in many situations, has conditions that make it unsuitable for expanded cultivation. In the case of RL, there may be limited water availability, unstable soils, poor access to emergency services and fire protection, to name a few conditions. We feel that all the resource lands need the same serious considerations for expanding cultivation sites.

We do not appose expansion of existing cultivation sites on RL outright, but we do oppose eliminating any meaningful PBS oversight of these expansions other than a simple confirmation of the Zoning District. Allowing all cultivation expansions on RL with a simple zone clearance could also encourage such expansions and intensify cultivation impacts well beyond existing impacts. It is only existing impacts that established the baseline for the CEQA document. Any Ordinance change that might fuel additional impacts not considered in the Mitigated Negative Declaration could jeopardize the validity of that document.

We urge the Board to clarify the discrepancy in Chapter 20.242, Table 1 with the double asterisk footnote by requiring the same County permitting process for RL as for TPZ and FL and retaining the language in the footnote.

Thank you for your serious consideration of these comments.

Yours,
Ellen Drell