

Dear Board-members

I am writing to oppose the passage of the proposed Cannabis Land Use Ordinance that is now open for your consideration. This opposition to the expansion of cannabis cultivation into Mendocino County rangelands is based on concerns for the potential-and probable-degradation of these lands and the cumulative effects on the environment of Mendocino County. These impacts are well-known to the Board and have been extensively and articulately cited in the many letters of concern already received, so I will move to my major concern.

My primary reason for opposing the proposed Ordinance is the fact that the Board is using a state-approved exemption of the Ordinance from any comprehensive review of the environmental impacts that will most definitely occur as these lands are used for cannabis cultivation and processing. As I understand it, Mendocino County will rely on project-by-project environmental assessments once a cannabis cultivation is submitted. I do not believe this approach will work, for the following reasons.

First, while the State of California does allow such an ordinance to be exempted from the California Environmental Quality Act (CEQA), the use of this exemption does not appear to be mandated. In my opinion, the Board could waive this exemption and require an environmental assessment of the overall impacts caused by cannabis cultivation and processing into rangelands be done. Potential issues from these actions are wide-ranging enough and significant enough that such an assessment would require the preparation of an Environmental Impact Report (EIR) to identify the comprehensive effects of this use in rangelands. Therefore, the use of the CEQA exemption is just an end run around doing the honest assessment of environmental effects that should be expected from this land use change. It also has, in my opinion, a stifling effect on the discussion of potential effects between the Board and its constituents, which contributes heavily to the lack of trust and polarization of opinions that have resulted from this proposed ordinance.

Doing a comprehensive environmental assessment for the ordinance would not only identify impacts associated with the cannabis cultivation and processing uses. It would also establish goals and measures for their mitigation, which would allow County staff to develop a longer-range plan for assessing impacts and mitigation measures for future individual projects. This would be absolutely critical should the ordinance be implemented.

A comprehensive environmental assessment for the ordinance would also require the County to coordinate with federal agencies responsible for assessing impacts to land and resources under federal protection, such as wild and scenic rivers bordered by affected rangelands. I have not seen any attempt to discuss this issue and feel a CEQA assessment would be the best chance to coordinate on this issue.

I am also concerned with the reliance this ordinance places on County staff to do environmental assessments and mitigation measures as part of individual projects. I worked as a public agency planner and environmental analyst for sixteen years in this area (including four years with Mendocino County Planning) and can attest that such reviews and the preparation of effective mitigation measures will vary widely in their preparation if staff are not specifically trained in the methods required. And, should the proposed cannabis cultivation and processing uses increase to levels expected by many, it County staff could easily be overwhelmed by the numbers and complexity of applications. Therefore, the addition of one additional staff member to handle these applications seems short-sighted at best. In fact, I will suggest that should the ordinance move forward, the County should establish positions within the Planning Department or a separate office that would be staffed by people with specific training and experience in the assessment of the effects and mitigation of cannabis cultivation and processing.

Thank you for your consideration on these concerns.

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