



TRINITY COUNTY


PLANNING DEPARTMENT

P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351 ♦ FAX (530) 623-1353

MEMORANDUM

DATE: Thursday, April 14, 2022

TO: Members of the Trinity County Planning Commission

FROM: Lisa Lozier, Interim Director Building & Planning 

SUBJECT: Agenda Item 4- Resolution Adopting Guidelines of Commercial Cannabis in Opt-Out Areas and Ordinance Establishing Cannabis Exclusion Overlay Zone District

Additional comments received.

Deborah Rogge

From:
Sent: Wednesday, April 6, 2022 1:08 PM
To: Info.Planning
Subject: My input for Cannabis Opt out meeting

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern,

I am a property owner within the Trinity Center Community Services District. I will be unable to attend the meeting in person, or via Zoom. Please enter my comments into the record as being OPPOSED to changing any opt out areas. I do NOT want cannabis allowed to be grown & harvested in this district at all. Our former neighbor illegally was a grower, who got busted numerous times, and finally sold the property. The smell was awful, the work force he had hired were undesirable characters. The property has a creek that runs through it, which makes water quality in jeopardy, from residue, harvesting, and driving vehicles through it. The smell (smells like skunk) also drifts into the local campground, which is not conducive to tourist/recreational use.

My understanding is that the new owners are intending on getting a variance and doing the same. PLEASE do NOT approve any variances/exceptions to the Trinity Center Community Services district area, and keep cannabis out of any other areas near town as well.

Thank you, in advance, for considering my input. I hope you protect property owners from incoming parties that will change the quality of life of our lovely county.

Kathy McDonald

Deborah Rogge

From: Jvorp
Sent: Wednesday, April 13, 2022 12:29 PM
To: Info.Planning
Subject: Commercial Cannabis Opt out

Observations and questions

The most important consideration is to not conflate licensed and unlicensed cultivation. The majority (60-90%) of cannabis cultivation in the county based on the PEIR is unlicensed. Several letters concede that problems associated with cannabis derived from unlicensed grows. Unfortunately creating opt outs does nothing to address unlicensed grows. Licensing and regulating grows is the best current means of controlling their environmental impact.

Opt-out areas created in the Urgency Ordinance were based on the support of a supermajority of residents and property owners in a defined area the reason I initially favored opt outs. The proposed guideline and ordinance fail to capture the key element of neighborhood control in determining opt out areas.

Project Analysis

1) "Area Specific" How is an area defined and who defines it.

No requirement that a majority of property owners or residents support the defined opt out area and its provisions.

Information to determine Compatibility and "Thresholds of acceptability" set by the county must not conflate licensed and unlicensed activities.

3) Existing licenses in restricted areas must have the same permanent status and must be treated like other CCLs. Definition of existing license must consider the ability of the county to issue licenses in a timely manner.

Permanence vs General Plan

Will General Plan use the existing zones or will all zones be reset?

8) New or amended areas.

Opt out areas created in original ordinance can now be challenged and amended.

Fees?

Deborah Rogge

From: Trinity Alps Canna Craft
Sent: Tuesday, April 12, 2022 10:44 AM
To: Info.Planning; Carol Fall; Duncan McIntosh; William Sharp; Rory Barrett; Todd Heaton
Subject: opt out regulation comments

Hello Trinity County Planning Commission,

I am writing today to comment on the opt out regulations. I first want to thank all of you immensely for all the time, hard work and consideration you are giving this issue. I believe we have had lots of great discussion on this issue, and I hope we can find a workable compromise for all.

My name is Matthew Jefferson. Rhoda Cain and I operate Spare Thyme Farm and Nursery selling produce, vegetable plants and eggs to our local stores, restaurants and community members. We also own and operate Trinity Alps Canna Craft (Trinity County license #112), producing wholesale, sungrown cannabis. We are very proud to be the 4th farm to complete the CEQA technical review process, and were inspected 4 days ago with no violations. We strive to grow the cleanest, healthiest, safest cannabis possible. We strive to have only a positive environmental impact, to be stewards of the land, to have a clean farm and property and be always learning and finding new ways to improve our environment and the land.

My ask today is for the grandfather clause in opt out zones to be honored, and for the farms in these zones to have the same rights and responsibilities as any other license holder in the county.

Trinity County has always honored the North Coast Regional Water Quality Control Board's Water Discharge ID enrollment before November of 2017 as the qualifying factor to receive a permit in TCCSD and CCVFPD. This North Coast document is no longer available to new applicants. All new applicants must get their WDID through the California State Water Board. An active permit has never been a qualifying factor for a permit in Trinity County.

I have 2 properties in the North Lake area, both with a WDID number previous to November, 2017. One property is active with a permit.

The other property requires at least \$200,000 in infrastructure (bridge, septic, house, resealing the pond, etc.) It will take years to be able to afford all of these improvements before the property would be ready to license for cannabis cultivation.

I have spoken with Sean Connell, director of the Trinity County Cannabis Division. He noted that as long as I have an active WDID that originated from the NCWQCB previous to November of 2017 that the property qualifies for a permit.

We have invested our entire life savings into these farms. I have no idea what I would do if I were asked to relocate. I do not have the money to restart. It just isn't that simple. I beg of you all and hope a fair and just decision can be made on this issue. Please do not punish the few of us that have given everything to do this right and follow all the rules.

This program was written with four guiding principals. One of which is to support legacy cannabis. I have lived in Humboldt and Trinity Counties since 2006 when I was 18 years old. I have been growing medical cannabis for dispensaries since 2006 under the 215 model.

Cannabis is my field of expertise, it is my skill set, it is all I know, it is my livelihood. I turned an application into Trinity County within the first week it was allowed. I moved off my RR1 property on Burnt Ranch School Road to an unclassified parcel in the Coffee Creek Volunteer Fire Protection District so that I could follow the rules and get a permit. Please don't punish the few of us doing it right and trying so hard.

The other guiding principal I want to bring up is that the character, integrity and safety of our communities must be protected. We have circulated a petition asking the North Lake residents if they think legal, regulated cannabis will destroy the character and integrity of our communities. We have had the overwhelming answer of "No" we will not. Our communities in the North Lake area want the black market to be dealt with and they applaud and support our legal farm. I and many of my community members are asking, "Did we opt out of legal cannabis and opt in to black market

cannabis?" How will the years of environmental damage from black market cannabis be dealt with without regulation? I believe we all know that the "war on drugs" was an utter failure. Many other states and counties have successfully shown that regulated cannabis can stop the black market.

The past has shown us two things. First, that helicopters, guns, the Army National Guard and prohibition does not work. It only makes black market products more valuable. And second, it has shown the amazing success regulating cannabis can have. A simple google search can show you statistics that violent as well as personal property crime rates drop significantly in communities with legal, regulated cannabis. These communities now have all the money and resources needed to build strong community plans and direct resources to lifting up and supporting communities and citizens as they heal and grow.

This is what we need in Trinity County. Cannabis has been in Trinity County for a very long time, and it is not going away. So I ask, Are we opting into regulation, or are we opting for black market cannabis?

These are the options.

I am asking you all today to please have open hearts and open minds.

There is a new era upon us. We all need to be the example of what legal, regulated cannabis can be. We need to show our communities that regulated, legal cannabis can be safe, clean and healthy. We need to be able to show the difference between legal, regulated cannabis and black market cannabis to our communities. By opting us out and having us relocate, our community will never have the opportunity to learn this, and North Lake will continue to be a haven for black market cannabis.

Please don't punish the few of us trying to do it right. Please honor the grandfather clause and allow us all of the same rights and responsibilities as the rest of the permitted farmers. Please support our rural American ideals of owning our own house and business and passing it down to our families. Please support local small farmers and healthy food in our communities. As small farmers we must diversify our crops and without cannabis our farm may not survive.

Please stand for us now, as you have in the past, to support regulated farmers in Trinity County, It is the only fair and just choice.

Thank you for your time,
Matthew Jefferson

Trinity Center

Deborah Rogge

From: Spare Thyme
Sent: Monday, April 11, 2022 7:11 PM
To: Info.Planning; Carol Fall; Duncan McIntosh; William Sharp; Rory Barrett; Todd Heaton
Subject: cannabis opt out comments
Attachments: Scan_0016.pdf

To the Trinity County Planning Commission,

We have collected more signatures on our petition to honor the grandfather clause in the opt out zones.

I have submitted pages at two separate occasions, and additional pages are attached here.

I would like to break the data down a little for you. The breakdown will include all of the pages previously submitted and what is attached today. (The page with the number 3 in the top right corner was previously submitted with only the first 3 signatures, the following 9 signatures are new.) Here is what I have.

133 total signatures

13 Visitors

4 Covington Mill

4 Lewiston

17 East Fork Road (The road with the winery and regulated Cannabis Cultivation Facility)

24 Coffee Creek

25 Trinity Center

46 Non location specific Trinity County residents. Several of these are also from the North Lake area, but I am not 100% sure which ones as many people support us that I had never met before. Many are affected in some way by one of the other opt out zones scattered throughout the county. 4 are regulated cultivators operating within opt out zones. 2 are consultants that have regulated cultivator clients within opt out zones. A few are Trinity County Agriculture Alliance leadership and therefore represent the cultivator community as a whole. Many will be affected negatively if a sunset clause were to come into play. Our local retail (hopefully soon) owner that may be required to carry 70% local product and our seed distributor have also signed. Their business would also be affected by a cultivation sunset clause.

To be clear, our petition is asking for the grandfather clause to remain the same. The community came to a compromise years ago, and we are simply asking for that compromise to be honored and maintained.

I also feel that it is important to remember that the Coffee Creek opt-out zone has no basis in land use. So to create a sunset clause, or ignore the grandfather clause would also have no basis in land use.

There is a lot of discussion as to whether public outreach is robust enough. The conclusion that it is robust enough for opt-outs to be created but not robust enough for people following the law to receive a permit. This feels pretty lopsided. I think the public outreach when an opt-out is created should be equally robust. Letters should be mailed to any cultivator that would be affected by an opt-out, the same as letters are mailed to neighbors when someone applies for a license.

The General Plan currently states that a goal of the county should be "Maintaining as many privately owned prime...agricultural...lands as possible". A lot of land in the sweeping North Lake opt-out zones is exactly that.

I urge you not to create an overlay that will discriminate against grandfathered properties. Grandfather clause must be maintained with no additional standards or regulations.

We have purchased the property on Rancheria Creek referenced in the letters from the folks in the Trinity Center Community Services District. There are no full time residents living on the road and only one residence with seasonal visitors. I wholly understand their concerns. It seems like the previous property owners were some of the bad actors

that people talk about. There was extensive property and environmental damage. It appears that there was a very large crew of workers and the owners were mostly absent. However, it feels very odd to be compared to a previous landowner.

I have documents provided to me by the neighboring property owners showing that they have been allowing people to drive vehicles across the creek to access the property we now own for 35 years. The damage to this area of the creek is extensive. Currently, we are actively working with California Department of Fish and Wildlife, hydrologists and engineers to repair the decades worth of damage to the creek.

Last week we had an inspection by Fish and Wildlife Watershed Enforcement on the Rancheria Creek property. The inspector told us at that time that they have evidence that cannabis has been cultivated on the property since long before the previous owners. We have been working to clean the property and rehabilitate the land under constant supervision of Fish and Wildlife since we purchased the land last year.

We own and operate Spare Thyme Farm and Nursery and Trinity Alps Canna Craft on our land in East Fork and would like to increase the services and products that we can provide to the local community. I have a deep love for the earth and all of its inhabitants and believe that healthy, local food is essential to the health and safety of our small communities. We love the North Lake area. We love our community. We donate to the local schools and clubs. We are active, well liked members of our community. This is a very unfortunate, but typical example of regulated cultivators being judged by the actions of the black market. I hope that the neighboring property owners will be willing to get to know us soon, so that they need not be afraid of us either.

Thank you for your consideration,
Rhoda Cain

Trinity Center, CA 96091

Petition to the Trinity County Planning Commission and Board of Supervisors

* I support regulated, grandfathered, legal cannabis farms in the North Trinity Lake area. I also believe that all regulated, grandfathered facilities should have equal rights and responsibilities as any other in the county.
 * I do not feel that the legal, compliant North Lake farmers are having negative impacts on our family-friendly, recreation based economy or that they are a nuisance to our community.
 * I do not believe the grandfathered, regulated cultivators in the North Lake area will destroy the character and integrity of our community.

We, the undersigned, request that the Trinity County Planning Commission and Board of Supervisors honor the Grandfather clause in the current Trinity County Cannabis Program Ordinance in section 17.43.050 Limited on Location to cultivate cannabis that reads, A. Applications will not be approved for the cultivation of cannabis in any amount or quantity, in the following areas... 7. Within the legal boundaries of... Coffee Creek Volunteer Fire District and Trinity Center Community Services District... which are in proximity to high density areas, and therefore, create a substantial risk of a public nuisance. An exception to this limitation is allowed for applicants who have submitted an application for enrollment under NCRWQCB Order no. 2015-0023 by the following dates: Coffee Creek Volunteer Fire district and Trinity Center Community Services District by November 30, 2017.

Print name	Signature	Resident	Visitor
Jim French		WV 102	X
Richard Berglund		ES	X
Pauline Swisher		CRABO	
Wentha Mueller		Trinity Center	
Sandra White		Trinity Center	
Ron Gehrke		COFFEE CREEK	
Bruce Glavaaz		COFFEE CREEK	
Jennifer Glavaaz		COFFEE CREEK	
Bonnie Hammond		EAST FORK	

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Print name	Signature	Resident	Visitor
Matthew Jefferson		<input checked="" type="checkbox"/>	
Keith Grogan		<input checked="" type="checkbox"/>	
Joe Cougle		<input checked="" type="checkbox"/>	
Gary W. Cassie		<input checked="" type="checkbox"/>	
Matthew W. LeVitt		<input checked="" type="checkbox"/>	
Melissa Finley		<input checked="" type="checkbox"/>	
Brend Berglund		<input checked="" type="checkbox"/>	
Catherine Berglund		<input checked="" type="checkbox"/>	
Joann Berglund		<input checked="" type="checkbox"/>	
Lin da Burch		<input checked="" type="checkbox"/>	
Edna Burch		<input checked="" type="checkbox"/>	
Susan May		<input checked="" type="checkbox"/>	

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Print name	Signature	Resident	Visitor
Marie Petersen	<i>Marie Petersen</i>	District 2	Lawson
DARRA LANDREBE	<i>Darra Landrebe</i>	District 4	
Darrel Davis	<i>Darrel Davis</i>	District 4	
Cosy Kovacs	<i>Cosy Kovacs</i>	Trinity Center - Resident	
Veronica Stewart	<i>Veronica Stewart</i>	Trinity Center	
Sherri Devlin	<i>Sherri Devlin</i>	East Fork	
Roger L. Miles	<i>Roger L. Miles</i>	East Fork	
Andrew Mulligan	<i>Andrew Mulligan</i>	District 4	East Fork
Kathy Krumpal	<i>Kathy Krumpal</i>	Trinity Center	
Leahann Sullivan	<i>Leahann Sullivan</i>	Trinity Center	
Olive Stacker Romanek	<i>Olive Stacker Romanek</i>	Trinity Center	
WAGNE ROMANEK	<i>Wagne Romanek</i>	Trinity Center	

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Print name	Signature	Resident	Visitor
Alexander [unclear]	[Signature]		X
Jason Novic	[Signature]		X
Mattew Kros	[Signature]		X
Nathaniel Pennington (Humboldt Seed Company)	[Signature]		X
Hannah Young (Hanna Jewelry)	[Signature]		X
Peter Trumbler	[Signature]		X
[unclear]	[Signature]		X
Christina Smith	[Signature]		X
Christiana Wright	[Signature]		X
[unclear]	[Signature]		X

Petition to the Trinity County Planning Commission and Board of Supervisors

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Print name	Signature	Resident	Visitor
Alex Johnson		East Fork	
Styler Heims		Trinity Lake	
Andrea Kipatwick		Trinity Center	
MATES TORMAN			
Jeth Halmon		Covington Mill	
David Goodman		Covington Mill	
Just [unclear]		Covington Mill	
Joseph W. Kasper		East Fork	
Erin Lewis		Coffee Creek	
Dense Macke		East Fork	
Danette Burge		Trinity Center	
David Vandegrift		Coffee Creek CA.	

Deborah Rogge

From: Trinity Alps Canna Craft
Sent: Thursday, April 14, 2022 12:29 PM
To: Info.Planning; Carol Fall; Duncan McIntosh; William Sharp; Rory Barrett; Todd Heaton
Subject: opt out comments/request
Attachments: WDID parcel 00722075.html; wdid parcel 00722075 pg2.pdf; CCL 112 Site Inspection.html; state ccl for parcel 00767013.pdf

Hello commission thank you for your time

my name is Matthew Jefferson I live in coffee creek

I just have a few comments on the opt out staff report

In numerous places this report calls opt outs permanent

for example: the project analysis on pg 3 and exhibit A in attachment A #5 term limits for geographic prohibitions

This gives us no option for change in the future or opting in

-

This report also entirely and completely fails to mention the grandfathered clause anywhere at all but states in many places it is not changing anything in the current ordinance

For example:

-all sections in attachment B specifically #4 which is using the wording from the current ordinance minus the grandfathered clause

-pg 16 chapter 17.12 fails to mention grandfathered/existing cultivators anywhere at all

Not including the grandfather clause is a **HUGE** change

The current ordinance states in order to qualify for a cultivation permit in an opt out zone you need a WDID before a certain date to be grandfathered

an active permit was never required to qualify

please don't change the rules

please recognize grandfathered/legacy farmers

in reference to- **exhibit A in attachment B**

in the overlay zones

I respectfully ask parcel #007-670-13 in CCVFD and parcel #007-220-75 in TCCSD be removed from the overlay zone.

Both of these properties have had WDID registration since mid 2016. They are grandfathered/legacy properties. I respectfully ask for these parcels to be removed from the overlay zones.

I have attached supporting documentation.

Parcel #007-670-13 our home and legal farm with county and state permit since mid 2017

It's a 10 acre unclassified parcel.

We have never had a violation. We have had an active WDID since mid 2016.

This is a grandfathered/legacy property

I ask for you to please remove it from the overlay zone.

(WDID#1A161597CTRI / 1_53CC400403) (Trinity county permit #112 / DCC permit#

Parcel #007-220-75 is currently in the development stages

The parcel has had an active WDID since mid 2016. We have NEVER grown unlicensed cannabis here.

This is a 60 acre unclassified parcel with ample water, 1.5 million gallon pond, and a 3 acre open flat.

A couple miles from town and a mile down a private locked road. It's perfect.

This is a grandfathered/ legacy property

I ask you to please remove it from the overlay zone

(WDID#1A161452CTRI / 1_53CC417250)

-I have attached the WDID paperwork/ county and state permit to show these statements are true-

in reference to- **pg 16 - chapter 17.12.010**

In the general description it states “cannabis is incompatible with the underlying zone”.

The report is not differentiating between regulated and unregulated cannabis.

Legal cannabis is supported.

I find this description to be very false and I believe our petition indicates this.

In reference to- **Pg 17 – chapter 17.12.030**

It is prohibiting non storefront retail (a discreet delivery service could really benefit north lake)

and micro business (this lets us package,transport,and distribute our product,

with the price of cannabis going down everyday this may be the only way for small farmers to survive,

we need to have the ability to cut out the middle man)

I hope consideration can be given to allowing other permit types

Thank you,

Matthew Jefferson



Department of
Cannabis Control
CALIFORNIA

Department of Cannabis Control
licensing@cannabis.ca.gov, www.cannabis.ca.gov

Cannabis Cultivation License Adult-Use

Business Name:

Trinity Alps Canna Craft

Main Premises:

Unincorporated, CA 96091

License Number: CCL18-0002016

License Type: Annual Adult-Use-Small Outdoor

Main APN:

Valid: 04/01/2022

Expires: 04/01/2023

The license authorizes Trinity Alps Canna Craft to engage in commercial cannabis cultivation at the premises address listed above until the expiration date of this license. This license issued is pursuant to Division 10 of the California Business and Professions Code and is not transferable to any other person or premises location. This license shall always be displayed in a prominent place at the licensed premises. This license shall be subject to suspension or revocation if the licensee is determined to be in violation of Division 10 of the Business and Professions Code or regulations adopted thereunder.

Additional Premises APN(s) and Addresses:

Trinity County -

Non-Transferable

Post in Public View



Please detach and return this portion with your payment

Region: 1

Fiscal Year: 2021/22

MATTHEW JEFFERSON
MATTHEW JEFFERSON

Invoice Number:

TRINITY CENTER, CA 96091

Index Number: 477914

(Please print the above number on check or money order)

SWRCB
PO BOX 1888
SACRAMENTO, CA 95812-1888

Amount Due: \$ 1,090.00
Billing Period: 07/01/21 - 06/30/22
Invoice Date: 1/5/2022
Facility ID:
Facility Name: TRINITY ALPS CANNA CRAFT 2

Facility ID # →

TRINITY CENTER, CA 96091

parcel #



Facility At-A-Glance Report

SEARCH CRITERIA:
Place ID



General Information

Region	Place ID	Place Name	Place Type	Place Address	Place County
1		Trinity Alps Canna Craft 2	Cannabis Site	Trinity Center, CA, 96091	Trinity



Related Parties

<u>Party</u>	<u>Party Type</u>	<u>Party Name</u>	<u>Role</u>	<u>Classification</u>	<u>Relationship Start Date</u>	<u>Relationship End Date</u>
627710	Organization	Matthew Jefferson	Owner and Operator	Private-Individual	06/08/2021	
627712	Person	Matthew Jefferson	Contact		06/08/2021	
571881	Organization	Utt, Matthew	Owner	Private-Individual	01/02/2018	06/08/2021

Total Related Parties: 3



Regulatory Measures

<u>Reg Measure ID</u>	<u>Reg Measure Type</u>	<u>Region</u>	<u>Program</u>	<u>Order No.</u>	<u>WDID</u>	<u>Effective Date</u>	<u>Expiration Date</u>	<u>Status</u>	<u>Amend</u>
	Enrollee - WDR	1	IRRICANNABIS	2019-0001-DWQ		07/01/2019	04/15/2024	Active	N
	Enrollee - Waiver	1	IRRICANNABIS	R1-2015-0023		09/13/2016	08/13/2020	Historical	N

Total Reg Measures: 2



Violations

[Violation ID](#) [Occurred Date](#) [Violation Type](#) [\(-\) Violation Description](#) [Corrective Action](#) [Status](#) [Classification](#)

Report displays most recent five years of violations. Refer to the [Interactive Violation Report](#) for more data.

Total Violations: 0

Priority Violations: 0

*Click the "(+/-) Violation Description" link to expand and contract the violation description.

*As of 5/20/2010, the Water Board's Enforcement Policy requires that all violations be classified as 1, 2 or 3, class 1 being the highest. Prior to this, violations were simply classified as Yes or No. If a 123 classification has been assigned to a violation that occurred before this date, that classification data will be displayed instead of the Y data.

Violation Types



Enforcement Actions

[Enf Id](#) [Enf Type](#) [Enf Order No.](#) [Effective Date](#) [Status](#)

Total Enf Actions: 0



Inspections

[Inspection ID](#) [Inspection Type](#) [Lead Inspector](#) [Actual End Date](#) [Planned Violations](#) Attachment

Total Inspections: 0

Last Inspection: None

The current report was generated with data as of: 04/14/2022



Trinity Alps Canna Craft

CCL 112 Post Site Inspection

1 message

Daniel Marvel <dmarvel@trinitycounty.org>
To: Trinity Alps Canna Craft <trinityalpscc530@gmail.com>
Cc: Sean Connell <sconnell@trinitycounty.org>

Thu, Apr 7, 2022 at 5:08 PM

Good Afternoon Matt,

This email is in reference to the Cannabis Site Inspection performed today 4/7/2022 for CCL 112 located at

The following actions are needed in order for your site to meet compliance standards:

NO ACTIONS NEEDED

SITE IN COMPLIANCE

Thanks again for having me out for the inspection on short notice. Always a pleasure to catch up and see your awesome property. Looking forward to working together and future visits.

All the best,

Daniel Marvel

Code Compliance Specialist II

Trinity County Cannabis Dept.

530 Main Street

Weaverville, CA. 96093

Office: 530-623-1354 Ext. 2819

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