TRINITY COUNTY

COMMUNITY DEVELOPMENT SERVICES
PLANNING DEPARTMENT
P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351 ♦ FAX (530) 623-1353

MEMORANDUM

DATE: Friday, February 18, 2022

TO: Members of the Trinity County Planning Commission

FROM: Lisa Lozier, Interim Director Building & Planning

SUBJECT: Agenda Item 2 – Planning Commission Zoning Workshop Cannabis "Opt Out" Regulations

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Please find attached additional comment letters in regard to Agenda Item 2.

Deborah Rogge

From: LAUREL EDWARDS
Sent: Wednesday, February 16, 2022 10:33 AM
To: Info.Planning
Cc: Carol Fall
Subject: Make Lewiston an Opt-out Area

Follow Up Flag: Follow up
Flag Status: Completed

Dear Members of the Board of Supervisors, Planning Commissioners, and current Cannabis Consultants:

We have long been concerned about the increase of commercial cannabis licenses in Lewiston and strongly believe that it infringes on our quality of life, which includes scenic views of our surrounding mountains, the quiet solitude of country living and the ability to leave our windows open to the fresh air at all times of year. There is also the safety element of unfamiliar traffic at all times of the day and night going through our neighborhood and loose guard dogs exhibiting aggressive behavior.

Please keep our rural residential areas free from commercial cannabis growers! Consider the permanent residents of Lewiston who have paid taxes and supported the county financially for decades; and make the whole Lewiston valley an opt-out area.

Sincerely,

Steve and Laurel Edwards

Deborah Rogge

From: Phil Fay
Sent: Wednesday, February 16, 2022 12:05 PM
To: Info.Planning
Cc: Carol Fall
Subject: New Cannabis Ordinance

Follow Up Flag: Follow up
Flag Status: Completed

As a frequent visitors to Trinity County and specifically the Historic Town of Lewiston, My wife and I are asking the Planning Commissioners and The Board of Supervisors to construct the new opt out ordinance to keep out any spread of commercial Cannabis.
Listen to the voice of residents and frequent visitors, such as my wife and maintain the opt out areas as they are with no more commercial Cannabis.
Respectfully submitted.
PhIl & Nancy Fay

Deborah Rogge

From: Lynda Finley
Sent: Wednesday, February 16, 2022 4:31 PM
To: Info.Planning
Subject: KEEP LEWISTON AN OPT OUT AREA.

Follow Up Flag: Follow up
Flag Status: Flagged

We moved here 16 years ago for the peace, quiet and good air.

We are not pot heads or any other drug user. We are the retirement people

of Lewiston. We are community minded, pay our taxes and don`t live off the dole.

WE DON`T WANT COMMERCIAL CANNABIS IN OUR TOWN.

WE DON`T WANT THE PEOPLE THAT COMMERCIAL CANNABIS WOULD BRING

TO OUR TOWN.

WE HAVE ENOUGH DRUG USERS, DEALERS, AND GROWERS IN TRINITY COUNTY.

IT IS TIME TO CLEAN TRINITY COUNTY UP AND STOP INVITING MORE TRASH.

WORK WITH THE RESIDENTS OF LEWISTON AND KEEP LEWISTON AN OPT OUT AREA.

Thank you,

Lynda Finley

Lewiston, Ca.

Archived: Wednesday, February 16, 2022 12:32:49 PM
From:
Mail received time: Wed, 16 Feb 2022 10:15:10
Sent: Wed, 16 Feb 2022 18:15:49
To: cfall@trintycounty.org
Cc: Info.Planning
Subject: Fw: No Cannabis-Grown, Manufactured or Commercial
Sensitivity: Normal

\f0
\f0Sent from AT&T Yahoo Mail on Android

> \f0----- Forwarded Message -----
> **\f0From:** "
> **\f0To:** "info.planning@trinitycounty.org"
> **Cc:** "cfall@trintycounty.org" \f0Sent: Wed, Feb 16, 2022 at 10:05 AM
> **\f0Subject:** No Cannabis-Grown, Manufactured or Commercial

\f0We have been in Lewiston for 20 years. We own a house and property in Lewiston.
\f0We have written many letters to Trinty County opposed to any Growing, Manufacturing and retail shops in the City of Lewiston, CA.

\f0
\f0We want Lewiston, CA to be an OPT OUT AREA for NOW and in the FUTURE for any Cannabis growing, Manufacturing and Commercial retail shops providing any Cannabis product.

\f0
\f0Daniel and Joanne Foley

\f0Sent from AT&T Yahoo Mail on Android

Deborah Rogge

From: Ann Gaskell
Sent: Wednesday, February 16, 2022 12:55 PM
To: Info.Planning
Cc: Carol Fall
Subject: Opt out request for Lewiston

Follow Up Flag: Follow up
Flag Status: Flagged

I own a home, 42 forested acres on Lewiston Turnpike, and 9 rental properties in Lewiston.

I respectfully request that a new opt out ordinance include the key components listed below:

- Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail …) within opt-out areas
- Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted
- Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Two years maximum.
- Include fee/tax incentives for licensees to relocate outside of opt-out areas
- Include a clause that violations of any kind within opt-out areas will result in termination of license… without the option to renew within the opt-out area
- Include a clause that no variances to CEQA standards will be allowed within opt-out areas
- Prohibit licensee site growth beyond the previously approved site plan (i.e., no stacking, expanding).

Thank you.
Ann Gaskell

Sent from my iPhone. Please enjoy typos & iPhone autocorrections!

Deborah Rogge

From: terry gustine
Sent: Wednesday, February 16, 2022 9:36 AM
To: Info.Planning

Follow Up Flag: Follow up
Flag Status: Completed

I am a resident of Lewiston. In the past, I have made my opposition to any cannabis activity of any kind within the Lewiston opt out zone. I thought this was a settled matter. Why is there any thought of a change? There is a lot of the county that is open to pot, let us have our small area free of this abomination.
Terry & Carol Gustine

Deborah Rogge

From: renee harlan
Sent: Wednesday, February 16, 2022 12:24 PM
To: Info.Planning
Subject: NOT NOW

Follow Up Flag: Follow up
Flag Status: Flagged

NOT NOW

Deborah Rogge

From: Terri Hazelnut
Sent: Wednesday, February 16, 2022 3:33 PM
To: Info.Planning
Subject: Cannibus

Follow Up Flag: Follow up
Flag Status: Flagged

Dear supervisors,

In regard to cannibus operations invading our community, I'm adamantly against it. Lewiston is a historic and recreational gateway to the alps , the Trinity River and lakes. My family lives in Hayfork, and they are surrounded by hoop houses, grows and stench.

No cannibus should be allowed within city limits or residential and commercial areas. It never should have been allowed in the first place. Furthermore, the people from all these other lands didn't come here to squeak out a living. They came with a pocket full of money with the sole ambition to make millions . There was no regard for the land or the residents .

Please help us maintain the beauty, character and integrity of Lewiston and surrounding areas which include the residents .

Thank you,
Terri Hazeleur

Sent from my iPhone

Deborah Rogge

From:
Sent: Wednesday, February 16, 2022 11:51 AM
To: Info.Planning
Subject: Opt Out

Follow Up Flag: Follow up
Flag Status: Flagged

We have a home at in Lewiston. We love the area and would like to see it remain an opt out area that is cannabis free. Thank you.
Regards
Steve and Nancy Hopkins

Sent from Nancy Hopkins

Deborah Rogge

From: Dolores Howard
Sent: Wednesday, February 16, 2022 10:10 AM
To: Info.Planning
Subject: Cannabis--new proposed legislation

Follow Up Flag: Follow up
Flag Status: Completed

Gentlemen/ladies

I am a resident of Lewiston. I reside at . Previously the community established our area as an opt-out zone for growing cannabis, manufacturing cannabis, or selling cannabis in retail shops. I might add no wholesale storage as well. I/we want to keep it that way. Absolutely no weed, cannabis or pot!!!!
The BOS (board of supervisors) approved and passed on our opt-out zone. Protect our area and children--no pot!

Sincerely,

Dolores Howard
Sent from my iPad

Deborah Rogge

From: daalbiez
Sent: Wednesday, February 16, 2022 12:43 PM
To: Info.Planning
Subject: Planning commission RR and Opt Out public input

Follow Up Flag: Follow up
Flag Status: Flagged

Until the new general plan is ready we need an ordinance to protect the rights of all Residents of Trinity County by providing clear guidelines establishing resident area protections and allowances for all commercial operations. These rights should also take into consideration our limited natural resources, and any new residential construction that would reduce prior residents minimum requirements.

What I and vast numbers of my associations and organizations membership believe should be in the new ordinance:
1) As in our last general plan, commercial operations should not be allowed in Residential zone (to include RR). This includes all Cannabis related type license businesses. All these operations should only be allowed in pre approved commercial, and/or agriculture zones.
2) No new licenses of any commercial operations of all cannabis type licenses to include cottage licenses, should be allowed in any Rural Residential (RR) zones.
3) Existing cannabis - commercial, Cottage, and agricultural business (excluding 4H), should be terminated after two years, and a relocation program, with guidelines, established to assist the transfer of those licensee to an approved location.
4) An opt out program established for a designated RR zone to allow for cannabis operations, with a 100% majority of that zones approval.

Thank you
David Albiez

Douglas City

Sent from Mail for Windows

Archived: Wednesday, February 16, 2022 10:08:01 AM
From: Sally Barrow
Mail received time: Wed, 16 Feb 2022 00:07:28
Sent: Wed, 16 Feb 2022 00:07:09
To: Info.Planning
Subject: Opt Out Ordinance Workshop
Sensitivity: Normal

\f0Planning Commissioners:

\f0
\f0The Board of Supervisors, at three separate hearings, agreed unanimously with a vast majority of our property owners that commercial cannabis operations should not be allowed in our rural residential neighborhood. Our water is inadequate for commercial agricultural operations. Our private roads are poorly maintained, often single lane with blind turns. They would never be considered adequate for any commercial traffic. Our remote residential neighborhoods, with many senior citizens, are vulnerable to the dangers inherent to the cannabis industry and 30-45 minutes away from help. I urge you to include the original language of our approved urgency ordinance in any permanent ordinance you create, specifically, no new cultivation permits or transfer of current permits with the sale of the property. I am in favor of offering incentives to encourage existing licenses to relocate to more appropriate locations. I would add that many of the factors that make our neighborhood unsuitable for cannabis cultivation make it equally unsuitable for any related commercial cannabis businesses.
\f0In our Rush Creek opt out, there is one licensed commercial cannabis cultivator. At one of the Board of Supervisors hearings, these growers stated how shocked they were to hear that there was going to be an opt out. They had no idea that the county might decide to restrict their right to sell and profit from their investment in their property. The owners submitted a written comment that with the opt out, they can either never sell or sell their property for a lower price, making this a poor business investment. Business is always a gamble. What about the residents who can't sell their properties because of the presence of cannabis in their neighborhood? Why is it only the investments of the cultivators that are considered? I promise you, that when their neighbors originally purchased their land they never dreamed that the county would license a cannabis plantation in their neighborhood, essentially rezoning their properties without their consent.
\f0I became aquainted with this opt out effort when my neighbor applied for permits on two of his properties. I was assured by several members of the staff in the planning department that if permits were issued and the opt out was successful, the grandfathered permits would be applicant specific and not transfer with the sale of the property. We have acted on this assumption all along.
\f0Even though most agree commercial cannabis cultivation within our opt out is inappropriate, the provisions allow this one licensed cultivator to continue to operate as long as they desire. No one is trying to prevent them from doing business. But allowing them to sell their property as a cannabis property is choosing the benefit to the one parcel owner while ignoring the wishes of the majority who have disagreed with this land use decision from the beginning.

\f0

\f0
\f0Sally Barrow
\f0
\f0Rush Creek Opt Out

\f0

Deborah Rogge

From: Kristel Bell
Sent: Wednesday, February 16, 2022 5:53 PM
To: Info.Planning
Subject: 2/24/2022 Comments re Commercial Cannabis Opt Out Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Please accept the following comments into record pertaining to the Commercial Cannabis Opt Out Ordinance to be discussed at the 2/24/2022 Planning Commission meeting.

- We are adjacent neighbors to two commercial cannabis cultivation license sites - licenses granted by the Trinity County Planning Department without proper notification to those impacted by these operations, both personally and professionally.
- We are stakeholders in the existing Lewiston Expansion Opt Out (UO 315-850).
- We are parties to Planning Commission Application P-20-28 (appeal to the approval of CCL 691) deemed "moot" 10/29/2020.
- We are parties to Planning Commission Application P-20-31 (appeal to the approval of CCL 453) and subsequent BOS appeal deemed "moot" 5/4/2021

We hereby request the following elements be considered for inclusion in the "permanent" opt out ordinance:

1) Create concise and clear language defining the methods and procedures for petitioning and obtaining a new opt out within Trinity County.

2) Add a sunset clause to require "grandfathered" CCLs be relocated outside approved opt out areas within a specified time period, potentially with financial assistance from the County.

3) Add requirements that prohibit any and all commercial cannabis license types within opt out areas, in lieu of isolating the license type to cultivation.

4) Add language to prohibit growth of "grandfathered" CCLs, such as stacking of licenses, license type changes, and modifications to site plans.

5) Add language to prohibit the sale and/or transfer of license ownership of "grandfathered" CCLs. The CCLs in our neighborhood have changed ownership a total of 9 times in the last 6 years.

6) Define language to strictly deal with violations of local and state laws/ordinances, resulting in revocation of the local license.

Your consideration is these matters is greatly appreciated.

Ernie and Kristel Bell

Deborah Rogge

From: Faith Brown
Sent: Wednesday, February 16, 2022 9:55 AM
To: Info.Planning
Subject: Cannabis trinity county

To whom it may concern: February 16th,2022

My name is Faith Wakefield and I live in Lewiston. I'm writing this from concern about Lewiston not continuing as an opt out area with any cannabis. I live on , in a rural residential area and we have a commercial cannabis grow right across from us. It's scary, besides the traffic, dogs, noise, that they can be robbed and it threaten my family's life at anytime. We are working on an opt out for this particular neighborhood as well. I'm concerned that the Lewiston area may be allowed as a commercial cannabis area. Please consider wisely. Thanks for reading this!

Sincerely, Faith Wakefield

Sent from Yahoo Mail on Android

Deborah Rogge

From: Carol
Sent: Wednesday, February 16, 2022 12:25 PM
To: Info.Planning
Subject: Opt out comments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,
I live in the Rush Creek Opt Out Neighborhood.
I am grateful that we got our temporary opt out, and I am hoping it is made permanent. But, a commercial cannabis grow should never have been allowed in our neighborhood. We were not informed that a license had been applied for, and the grower actively LIED to us about his plans to operate a commercial cannabis grow. JUST so we couldn't fight the grow. Why were the rights of new owners given more rights than the existing owners?
I am asking that the opt out areas contain language that does not allow any commercial cannabis activity.
Licenses in existing opt out areas should NOT be transferable, it is an opt out! The fact that grows are NOT monitored and proved to be following all the rules, is just another big reason not to allow the transfer of licenses.
Licenses in an opt out should have an exit date, the neighborhood should be returned to neighborhood status.
Licenses should be able to be transferred to properties that are conducive to commercial cannabis.
Growers should have to prove that their location is ideal for commercial cannabis. It SHOULD NOT be the duty/responsibility of the non growing property owners to prove NO cannabis & thus protect their neighborhood.
Thank you,
Carolyn Fencil

Sent from my iPad

Archived: Wednesday, February 16, 2022 12:17:34 PM
From: Pam Carthew
Mail received time: Wed, 16 Feb 2022 09:59:17
Sent: Wed, 16 Feb 2022 09:59:05
To: Info.Planning
Subject: Cannabis
Sensitivity: Normal

\f0Lewiston is a beautiful community. Let□s keep it that way.
\f0I don□t want to see Lewiston become a cannabis community. If Lewiston were to become a cannabis community housing would become unaffordable to so many people.
\f0 I don□t want to smell marijuana when driving or walking here.
\f0Where would the water come from?
\f0What positive impact would it have on our small community?
\f0Would the income generated from cannabis actually impact Lewiston?
\f0If not, then why do we need or want it here.
\f0I don□t see any benefits for our town
\f0I remember when Hayfork used to be affordable. It is no longer affordable for the average Trinity County person. I don□t want to see Lewiston become unaffordable for those that live here on a very limited income.
\f0Please don□t let cannabis come to our town.
\f0Pam

\f0

Archived: Wednesday, February 16, 2022 12:18:31 PM
From: Susan Chatterton
Mail received time: Wed, 16 Feb 2022 10:27:35
Sent: Wed, 16 Feb 2022 10:27:30
To: Deborah Rogge
Subject: Fwd: Input for Planning Commission re: opt out zones
Sensitivity: Normal

\f0
\f0Sent from my iPad

\f0 Begin forwarded message:

> **\f0From:** Roger Chatterton
> **Date:** February 16, 2022 at 9:27:49 AM PST
> **To:** trinityriversue
> **Subject: Fwd: Input for Planning Commission re: opt out zones**
>
> \f0
>
> ----- Forwarded Message -----
> From:
> To: "drogge"
> Sent: Wednesday, February 16, 2022 9:24:20 AM
> Subject: Fwd: Input for Planning Commission re: opt out zones
>
> ----- Forwarded Message -----
> From:
> To: "info planning"
> Sent: Tuesday, February 15, 2022 4:16:58 PM
> Subject: Input for Planning Commission re: opt out zones
>
> To the Planning Commission:
>
> Re: Cannabis opt out areas.
>
> I am submitting this input in support of maintaining the existing opt out status of the north Trinity Lake area (Supv District 1).
>
> There are two factors which I believe are relevant to this issue.
>
> 1. Going back to the Planning Commissions meetings in 2015-2016, and continuous since then, the north Trinity Lake area has been the area most opposed to cannabis cultivation of any region within the county. This can easily be verified by minutes of your own meetings where many of us spoke strongly to be an opt out area, the same

comments before the Board of Supervisors, mailed in submissions to both bodies, and letters to the Trinity Journal. The only opposition to our position came from growers who advocated for no opt out zones at all. Wisely the Board of Supervisors concurred and we became an opt out zone.

This then set the precedent.

2. The current legal cannabis system is in complete disarray. This is not confined to Trinity County; it is state-wide. The reason is because the black market is proliferating and can sell their cannabis far cheaper than can the licensed growers. Unless or until the state takes the lead by funding and supporting local law enforcement to definitively shut down unlicensed grows the situation will not change. Up to this point the state has shown no such resolve. In fact, at the state level, there seems to be no idea how to even approach the task, so nothing is being done. Part of this comes back on the licensed growers themselves. It is an open secret that if legally grown cannabis cannot be moved via legal markets, it is moved on the black market. So instead of licensed growers strongly advocating for the elimination of black market growers, there is collusion driven by economic necessity.

The result is an extremely unstable legal cannabis industry.

Given these two factors, this is not the time to be reviewing opt out zones generally, and especially not in the case of the north lake area.

From the outset our area wanted to opt out of legal cannabis cultivation. Obviously nothing has transpired in the interim to warrant review of that status.

Thank you,

Roger Chatterton
Trinity Center

Deborah Rogge

From: jimmy cook
Sent: Wednesday, February 16, 2022 4:15 PM
To: Info.Planning
Subject: Cannabis Opt Out Regulations - Planning Commission Workshop

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

As a licensed cultivator within the temporary Rush Creek opt out zone, I would like to provide my input on opt out regulations.

In other states that have recently legalized I have seen a deadline imposed for creating opt out areas. This is being done prior to license issuance. I don't believe creating opt outs 5 years after licensing is fair to the preexisting cannabis businesses if they are located in a proposed opt out zone. I think when creating regulations this late into existing licensed operations, they should be fair to both sides, opt out requestors and licensed cannabis businesses.

Maybe omitting the parcel or road the preexisting licensed cannabis business is located on could be a consideration when creating an opt out zone.

In past opt out meetings, I have heard the request that preexisting cannabis businesses within the proposed opt out be held to higher standards than others regarding violations. I don't think it's fair to say you are never allowed to make a mistake no matter how small it is. To err is human.

I feel all licensed cannabis activities should be allowed the same privileges set forth in each activity's ordinance throughout the duration of licensure. I don't believe removing the privilege of license transfer with the sale of the property for which the license was issued is fair either. I feel the transfer should be allowable until the license is revoked or rescinded. The property was developed and licensed specifically for a cannabis business and if not sold as one, it would need to remove all cannabis related infrastructure. How would it be fair to first pay to develop then pay to revert a property that has been modified for a specific purpose?

Also, regarding requests in past temporary opt out meetings, I don't believe it's fair to impose a sunset clause nor do I think it's fair to ban expansion on a preexisting site. Again, I'd suggest that all privileges be granted equally among licensed cannabis business throughout the duration of licensure.

Most complaints I hear regarding cannabis activities is that it doesn't belong in a residential area or people don't want commercial activities next door due to water quality, water quantity, noise, traffic, etc. Well, I was unaware that the county has allowed licenses in residential areas. It was my understanding that licensing is allow in rural residential areas. Some argue that the general plan and zoning needs to be updated but how? The parcels would actually have to be rezoned to remove the allowance of agriculture. Rural residential by definition in real estate means a low population density with the allowance of farming and agriculture. As for the arguments regarding commercial activity, I'd ask how many of these proposed opt outs allow other types of commercial agriculture activity? Why are those activities acceptable and not cannabis? I'd argue that a winery or an animal farm could be detrimental to water quality, water quantity and possibly noise, smell & traffic depending on the type of activity. So again, why single out cannabis?

I thank you in advance for your time and consideration in this matter.

James Cook

Deborah Rogge

From: Debra Crawford
Sent: Wednesday, February 16, 2022 12:09 PM
To: Info.Planning
Cc: Carol Fall
Subject: OPT OUT Ordinance Support

Follow Up Flag: Follow up
Flag Status: Flagged

February 16, 2022

To: Info.planning@trinitycounty.org

Cc: Cfall@trinitycounty.org

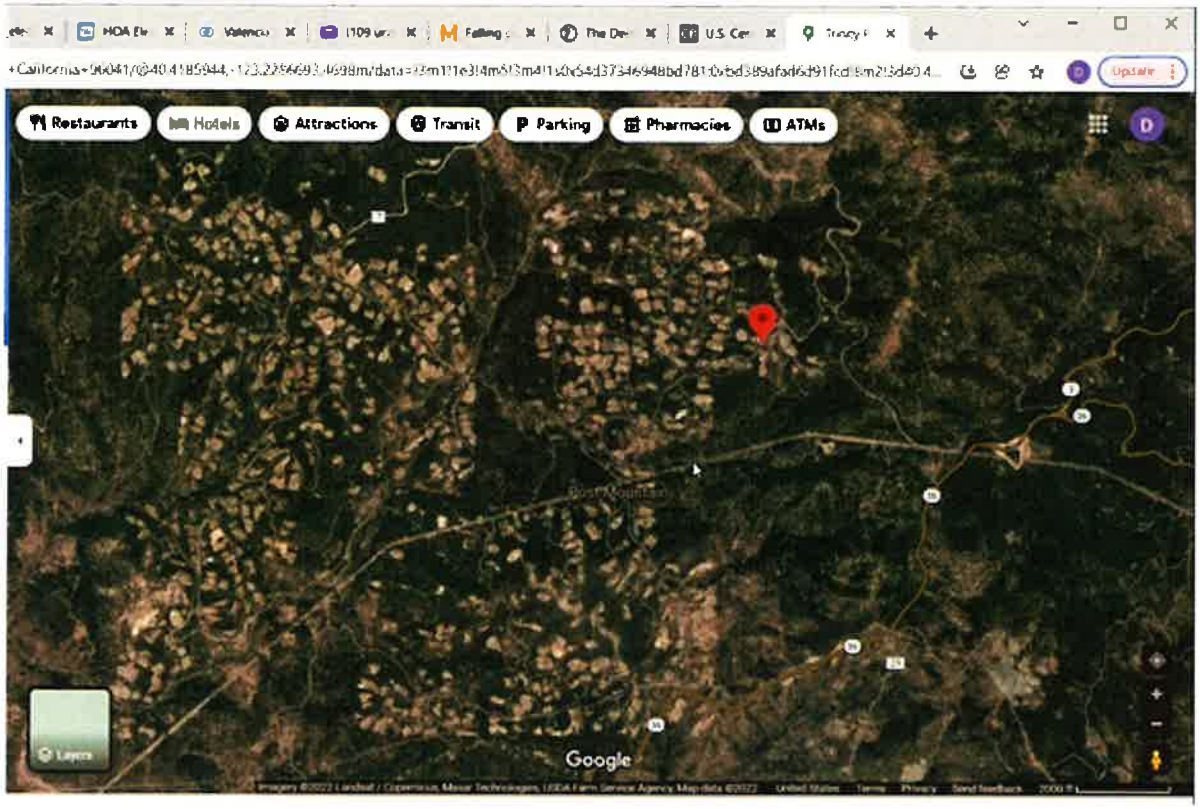
Re: Cannabis Opt Out's – Lewiston, Rush Creek

To whom it may concern,

So, once again we have to outline our support of the Opt. Outs that residents have fought long and hard to obtain. The small notice in the paper states that comments must be received by end of today, February 16, 2022, or they may not be considered. How many more times do we need to state the obvious? Weed grows should not be permitted in rural residential areas, period!

While growers use the argument that they have invested their money into these grows, the residents in these areas have invested a 100 x's over the growers' investments over decades. For growers, this is the Green Gold Rush, make what you can, at no consideration to the surrounding residents. The false narrative that grows will increase property values will only do so for the growers. A grow opens next to your residence, suddenly you are the one dealing with the cumulative effects smells, increased traffic such as water trucks tearing up your road, security cameras following your every move, unknown occupants, grow lights, fan noise, etc., and tell me how that will increase potential buyers' interest to my property? Will a buyer be attracted to the rows upon rows of grow bags, or the deteriorating bags of fertilizer we see daily from our property? The smells? Or to the security cameras that follow your every move? How does that not impact the resident's daily quality of life?

We are not opposed to the product, just where it is grown. This commercial crop should be grown in commercial agricultural areas, where the land is vast, largely unpopulated, and more easily regulated – out in the open, so to speak. Lewiston has the second highest density of population per sq. mile [1], with 66 residents per sq. mile of land. Take a look at a Google Map of Trinity Pines/Post Mountain. What you will see is hundreds of grows absolutely CONSUMING the landscape, the area has literally been taken over by grows. I've clipped a map for you to see just to get perspective. We DO NOT WANT THIS FOR OUR COMMUNITY!!! Make no mistake, this can be the future of Lewiston if you continue to allow grows in rural residential areas.



Is there a need for additional grows? "The market is super-flooded," the source said. "There's a huge glut. Nothing is moving. … [2] There is certainly no need to destroy Lewiston as Trinity Pines/Post Mountain has been.

We are all concerned, for our neighborhood safety, our water, our forest, and growers appear to be vastly under inspected. It was confirmed in a BOS meeting, by a verbal report given to the Board, that water inspectors have been out **twice in three years** and have not responded on request. So, let's not be fooled that the agencies that are supposed to be regulating this are actually doing so.

As a historic town, Lewiston residents enjoy the quiet, the views, the sights of wildlife, sound of birds, the wind in the trees and the smell of fresh air. We value our local history and economy built on fishing, camping, hiking, boating, historic hotel offerings, biking and other recreational activities. We support our historic roots, our Peddlers Faire, annual Bridge Lighting, and family centered events throughout the year. The cumulative impact of allowing grows in our community will vastly impact our appeal as a tourist town. How many tourists do you think visit Trinity Pines?

Please consider our quality of life and the following cumulative impacts:

1) SMELL of weed – throughout the year with indoor grows.

2) Water considerations – we are in the worst drought with no sign of relief. Grows, particularly indoor demand water year-round.

3) Sights of huge greenhouses blighting the landscape.

4) Clearance of forest land for grows (look at the google map) to be replaced by unsightly grow bags or greenhouses.

5) Light and noise pollution (when the lights on left on at the coffin road grow it looks like a fire through the trees from Ohio hill.

6) Security risks

We have had an overwhelming support of the residents in Lewiston wanting to Opt Out of this future nightmare! Please, we implore you to stop permitting cannabis in Lewiston and other rural residential areas. Thank you

The Crawford's

[1] https://statisticalatlas.com/county/California/Trinity-County/Population

[2] https://mjbizdaily.com/falling-prices-in-california-marijuana-wholesale-market-alarms-some-growers/

Deborah Rogge

From: Katie Quinn
Sent: Wednesday, February 16, 2022 8:50 AM
To: Info.Planning
Cc: Carol Fall
Subject: OPT OUT

I am writing on behalf of my husband, Mel Deardorff, and myself to strongly encourage the Planning Dept to keep OPT OUTs in Trinity County. We live in Lewiston and may have formed the first Opt Out. We're just sorry that it didn't include more areas and that we had to go back each and every time a new cannabis activity was before the board.

We want to prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail …) within opt-out areas.

Including the following:

- Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted
- Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Example __ years.
- Include fee/tax incentives for licensees to relocate outside of opt-out areas
- Include a clause that violations of any kind within opt-out areas will result in termination of license… without the option to renew within the opt-out area
- Include a clause that no variances to CEQA standards will be allowed within opt-out areas
- Prohibit licensee site growth beyond the previously approved site plan (i.e., no stacking, expanding).

Thank you,

Katie Quinn and Mel Deardorff

Deborah Rogge

From: Becky Duncan
Sent: Wednesday, February 16, 2022 12:35 PM
To: Info.Planning
Subject: Want Opt Out in Lewiston

Afternoon,

I'm a resident of Lewiston and would ask that you please keep Lewiston "area" in Opt Out" category - no commercial cannabis of any kind! I live here full time and care about the safety of my neighbors and visiting family (including very small grandchildren), fresh air and views I love. I know cannabis can bring dishonest & criminal activity which is clear to see from the murder rate in Trinity County. I know California voted to make it legal to grow but do not want commercial cannabis in my small town or its outskirts.
Thank you.
Rebecca Duncan

Lewiston CA

Deborah Rogge

From: Tony Miller
Sent: Wednesday, February 16, 2022 1:43 PM
To: Info.Planning
Cc: Carol Fall
Subject: Fwd: Input regarding the County's efforts to draft a new Cannabis Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

This is in response to the Trinity Journal posting request for providing process excepted input helping form Cannabis Opt Out language for the Cannabis Ordinance.

First thank you for your focus on the Opt Out subject and an opportunity for residence not participating in the cannabis industry, For 15 years there has been an incredible focus, direct support to cultivating participants and public resources directed to the growth of a cannabis industry in Trinity County. An opportunity to formally have considerations and concerns addressed for the other majority of residence in Trinity is welcome. My family has cautiously been in support of a regulated cannabis industry in California while being very patient locally for the past 15 years as Trinity County has been navigating the development of this new phenomenon. We live inside the Lewiston Opt-Out expansion area on Lewiston road. Please except my considerations in bullet form below in no sequence of importance.

- The Opt Out language should include and reflect the existing Lewiston community development/activity diversity language inside the current Lewiston community plan. This was established to recognize the existing resources, attractions and community development for Lewiston.

- No transfers of new licenses into or the leasing of existing licenses in all opt out areas.

- Enforcement limitation in the evening do not experience the cumulative impacts of the smell/fan noise/water trucks/road traffic happening through the night. Fans do not run during the day or not on high speed during the day when enforcement visits, green house structures are opened in the morning for natural ventilation and heat exhaustion. Cannabis smell concentrates while cooling air is sinking to the valley floor during early evening/night, when it warms up in the morning the air lifts moving the smell aloft. Enforcement visits sites during the day when impacts being reported are not represented from the night before.

- No stacking, multiple license inside opt out areas

- No Cannabis sub-industry: production, manufacturing, distribution that uses raw cannabis product example: the plant, oil or other bi products from the plant inside opt out areas.

- Current active cultivation or production of cannabis inside opt out areas to be set back to 2016 operation plan. "This was the size of operation we were told in our area that was not going to exceed" again we were being cautiously supportive at the time.

- Recognition of the intent an overwhelming majority of opt out area residence inside the Lewiston Opt Out Expansion that have demonstrated and provided the county requested process and documentation for an opt out expansion in Lewiston. The opt out community residence have been going through this process in good faith following a provided process in a public transparent forum. Managing through this process has been accomplished by some of our community women leaders who have often in private and in public format meetings have been called racist, bribed and intimidated by some cannabis industry leaders. This cannot be excepted and exemplifies why we have come together to slow the grow in our neighbor hoods.

Thank you again for your time and help,

Tony Miller

Trindel Insurance Fund

Safety & Loss Prevention Analyst · Risk Control

· /span>PO Box 2069 Weaverville, CA 96093

Deborah Rogge

From: Janet Mitchell
Sent: Wednesday, February 16, 2022 1:19 PM
To: Info.Planning
Subject: Draft of New Cannisbis Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

My daughter has a home in Lewiston that I enjoy visiting often. I love the town and spending time taking in the beautiful views. I was made aware of an effort to draft a new Cannabis Ordinance that threatens the bucolic setting. As someone who comes to visit and supports the local business of Lewiston I am disappointed to hear this.

I respectfully urge that a new opt out ordinance include the key components listed below:

- Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail ...) within opt-out areas
- Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted
- Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Example __ years.
- Include fee/tax incentives for licensees to relocate outside of opt-out areas
- Include a clause that violations of any kind within opt-out areas will result in termination of license... without the option to renew within the opt-out area
- Include a clause that no variances to CEQA standards will be allowed within opt-out areas
- Prohibit licensee site growth beyond the previously approved site plan (i.e., no stacking, expanding).

I appreciate your listening to the residents and those who love to visit Lewiston.
Best-
Janet Mitchell

Deborah Rogge

From: Julia Mitchell
Sent: Wednesday, February 16, 2022 11:32 AM
To: Info.Planning
Cc: Carol Fall
Subject: Keep Lewiston an OPT OUT area!

Follow Up Flag: Follow up
Flag Status: Completed

I purchased my house in Lewiston 6 years ago because the area embodied what I wanted in a rural, country setting- beautiful hills, blue skies and good people. I enjoy fly fishing, hiking and preserving the environment as well as the history of our amazing town. I voted to legalize marijuana but I did NOT want it to come into our neighborhoods and destroy our environment. I did not purchase a beautiful home to have to smell putrid skunk all the time in my backyard. I want to be able to enjoy my home and have friends visit to enjoy Lewiston -as well as put money into our local business.

Residents of Lewiston have been very clear that they do not want cannabis in our neighborhood. We have expressed this over and over and over again with our Opt Out votes. Please respect the wishes of our community.

I've been made aware the effort to draft a new Cannabis Ordinance that will cancel out our constant and ongoing wishes to remain an OPT OUT area.

We respectfully request that a new opt out ordinance include the key components listed below:
· Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail ...) within opt-out areas · Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted · Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Example __ years.
· Include fee/tax incentives for licensees to relocate outside of opt-out areas · Include a clause that violations of any kind within opt-out areas will result in termination of license... without the option to renew within the opt-out area · Include a clause that no variances to CEQA standards will be allowed within opt-out areas · Prohibit licensee site growth beyond the previously approved site plan (i.e., no stacking, expanding).
THANK YOU SO MUCH!!

Best-
Julia Mitchell

Deborah Rogge

From: Richard Morris
Sent: Wednesday, February 16, 2022 3:31 PM
To: Info.Planning; jillcoxtrinity2@gmail.com; Richard Kuhns
Cc: rkuhns@trinitycounty.com
Subject: Opt Out planning designation

Follow Up Flag: Follow up
Flag Status: Flagged

February 16, 2022

Dear members of the Trinity County Board of Supervisors and members of the Trinity County Planning Commission,

The decision to purchase a home or business, or construct a new home or business, is one of life's most challenging and critical financial decisions. The role of planning in that decision here in Trinity County has been severely tested with rag-tag efforts to provide some degree of certainty for our citizens. So far, the result has been more unnecessary uncertainty, with free-for-all commercial cannabis activity imposed on quiet neighborhoods, and neighbors fighting with neighbors.

Several years ago, in an attempt to provide a degree of certainty, Weaverville was granted cannabis free "Opt Out" status within the foot print of the Weaverville Community Services District boundaries. At that time cultivation was the primary focus, however all cannabis activity was considered to have been included in the designation.

Although an Opt Out area designation may be a limited attempt to provide some degree of certainty in the planner's rule book, numerous areas in the county have made known they want, and deserve, uniform cannabis free designation, which prohibits commercial cannabis licenses, manufacturing, distribution, retail, as-well-as cultivation and other cannabis restrictions.

It is our hope you will respond to the current lack of a county-wide general plan by providing Opt Out status to the communities and neighborhoods who have commented and come before you.

Sincerely,

Richard and Sandra Morris

Weaverville, CA 96093

Deborah Rogge

From: chris parkan
Sent: Wednesday, February 16, 2022 2:59 PM
To: Info.Planning
Subject: Rush Creek Opt Out

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Commissioners,

Shortly you will be drawing the final language for the Opt Out in the Rush Creek area and I would like to take this opportunity to review some of the issues the residents of this Opt Out Area have.

The on 3 occasions the BOS have all agreed with the majority of the land owns that Cannabis operations (growing, drying, processing, packaging, storing, transacting) should not be allowed in our residential neighborhood. Reasons for the Opt Out including, but not limited to:

Inadequate Water Supply- Even without permitted grows our residential water supplies (Creeks) are drying up and any wells drilled tap in to the underground springs that feed the creeks. Cannabis wells will hasten the streams drying up for over 52 parcels in the Bear Creek Road Subdivision and the wells in the Rush Creek Estates area already run at minimal rates for just domestic use.

The dirt roads are poorly maintained with few pull-outs and have blind corners. Large commercial trucks and moving vans transporting soil, Fertilizers, workers and other support equipment causes a strain and damages presents a danger to the seniors who live along this road.

The inherent dangers associated (including human) with cannabis operations and are a particular problem for vulnerable seniors. Response times for assistance are 30-40 minutes away.

Then there is the Human issue. These operations can hire unvetted employees who can be hiding from law enforcement and here they are in our neighborhoods with free time to roam and explore driveways had vacant homes.. There have been situations in recent past where unrelated people exploring vacant parcels and buildings were asked to leave. We do not need the angst in the neighborhood, it isnt safe.

In creating the final language for the Opt Out I ask that you use the original language of our Emergency Ordinance and to address the issues including:

No new cultivation permits, in the Rush Creek Opt out area.

No commercial cannabis activity including but not limited, to planting, growing, watering, harvesting, processing, manufacturing concentrates, storing, transacting. In other words, no activity associated with commercial Cannabis.

In the Rush Creek opt Out area there is one commercial cannabis operation. The language of the opt out shall I include that the current owner operator shall lot be allowed to sell the property to another Cannabis operator nor lease it to another operator. Once he sells or vacates his property it shall revert back to Rural Residential. He has stated that he felt that it wasn't right that he couldn't benefit from his investment in his property. Business is a gamble. Residential property values drop when commercial cannabis operations

spring up I the neighborhood. Consideration for the property values of the other 52+ parcels in the Opt Out area need to be taken in to consideration and should not be to the detriment caused by a single Cannabis cultivator.

Thank You,

Chris Parkan

Deborah Rogge

From: Paul Paspa
Sent: Wednesday, February 16, 2022 12:49 PM
To: Info.Planning
Cc: Carol Fall
Subject: please support Op-Out measures to keep commercial cannabis out of Lewiston

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
My wife and I own a home in Lewiston and am writing to ask that everything be done to keep commercial cannabis out of Lewiston and to maintain the current cannabis Op-Out status in our town. Lewiston is a residential community which we both enjoy and call home and do not want the completion of our community to change from a family based town to a marijuana focused neighborhood with the introduction of commercial cannabis interests. If commercial cannabis is allowed in Lewiston, like it is in some surrounding communities, we'll definitely want to sell and move elsewhere. Thank you.
Best regards,
Pamela and Paul Paspa

Deborah Rogge

From: Peggy Prestidge
Sent: Wednesday, February 16, 2022 12:47 PM
To: Info.Planning
Cc: Carol Fall
Subject: County cannabis ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern
We have just become aware that Trinity County is in the process of reviewing its cannabis ordinance. Although we do not live in this county, we visit the Lewiston area several times a year and have been doing so for over twenty years. We have brought several different friends with us, including our grandchildren. We have come to this area to enjoy the small town feel, unique businesses and, most of all, the gorgeous and relatively unspoiled outdoors!
Unfortunately, in recent visits throughout the area, we have become aware of several businesses related to cannabis cultivation and retail sales. We were even assaulted by the awful stench outside that was evidently coming from cannabis grows! We strongly urge you to keep Lewiston free of these disturbing businesses. Lewiston needs to remain an OPT OUT area to keep its appeal to tourists as well as families who wish to live there!
Thank you for listening to our concerns regarding this matter and look forward to continuing our delightful visits to Lewiston in the future knowing it will remain an OPT OUT area!
Sincerely, Dennis and Peggy Prestidge

Sent from my iPad

Deborah Rogge

From: Gale & Theresa
Sent: Wednesday, February 16, 2022 11:40 AM
To: Info.Planning
Subject: Lewiston opt out

Follow Up Flag: Follow up
Flag Status: Completed

We live in Lewiston please keep Lewiston free from commercial cannabis sales, growing, distribution or anything related to cannabis in the now opt out area.

Thank you for your time

Gale and Theresa Ickes

Archived: Wednesday, February 16, 2022 1:33:25 PM
From: Jvorp
Mail received time: Tue, 15 Feb 2022 14:06:42
Sent: Tue, 15 Feb 2022 22:06:31
To: Info.Planning
Subject: comments on cannabis opt-out criteria and process
Sensitivity: Normal

\f0How does creating opt-out areas now interface with the General Plan currently being created? Will opt-out areas sunset before the General Plan is in place?
\f0How is an opt-out area defined? What is the minimum size (area, people)? Does the area, like redistricting, need to be contiguous? How can the opt-out area be challenged?
\f0Who can create an opt-out area?
\f0What is the basis for an opt-out area? Is "not here" a sufficient basis?
\f0Will a super-majority of those in the opt-out area be required? Can the same majority reverse an opt-out area designation?
\f0Will current licensees in good standing be grandfathered? Will they be able to mitigate any impacts identified?
\f0If opt-outs result in defined areas with no cannabis licenses, how will the county support services that are funded by cannabis funds? Code enforcement is fully supported by cannabis fees and licenses. Are opt-out areas entitled to free services?
\f0Cannabis licensees are currently highly regulated to minimize and mitigate environmental impacts. What impacts will occur when the extensive system of environmental checks in place disappears?

Deborah Rogge

From: Veronica Kelley-Albiez
Sent: Wednesday, February 16, 2022 12:51 PM
To: Info.Planning
Subject: Opt Out Workshop Input for 02/24/22

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Commissioners,

I am looking forward to participating in the upcoming workshop on February 24, 2022. Unfortunately, I have another Board meeting that I am required to attend that will delay my participation. So, I want to take a moment to share my thoughts for the creation of cannabis opt out areas in Trinity County.

Rural residential has become a hot spot for heavy commercial activities within the cannabis industry. This continues to create discord between neighbors and within rural neighborhoods. Quality of life and enjoyment of residential life has been diminished to a point that life long residents of Trinity County have left taking with them not only the heritage of T.C.; but, the input of their professional work, volunteerism, and spending dollars. They are not being replaced 100% in the same capacity by new residents as most are focused on personal commercial endeavors vs community advancement.

As we have discovered, the zoning of rural residential for cannabis, while intended to bring legacy cultivators into the program, created an avenue for large new commercial cultivation projects to overtake and overburden residential resources.

I would really like to see the following incorporated into any opt out ordinances created for Trinity County.

Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail …) within opt-out areas

Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted

Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe.

Include fee/tax incentives for licensees to relocate outside of opt-out areas

Include a clause that violations of any kind within opt-out areas will result in termination of license… without the option to renew within the opt-out area

Include a clause that no variances to CEQA standards will be allowed within opt-out areas

Prohibit licensee site growth beyond the previously approved site plan (ie, no stacking, expanding).

I look forward to working together as a community to provide some strong foundations for the consultant to use in writing a draft ordinance.

Thank you for the opportunity to provide written comments.

Sincerely,
Veronica Kelley-Albiez
Douglas City, CA

Deborah Rogge

From: H C Kemper
Sent: Wednesday, February 16, 2022 3:30 PM
To: Info.Planning
Subject: Lewiston opt out. I and my wife spend about four months each year up at the town of Lewiston. We do not want our local to become another Hayfork. Henry and Dixie Kemper.

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPad

Deborah Rogge

From: William Koch
Sent: Wednesday, February 16, 2022 9:47 AM
To: Info.Planning
Subject: Opt out of cannabis commercial growing, sales or other related businesses in Lewiston, CA

Follow Up Flag: Follow up
Flag Status: Completed

I am FOR Opting Out of commercial growing cannabis and related businesses in Lewiston, CA. Bill Koch- Home owner, Lewiston, CA

Deborah Rogge

From: Jay Koenecke
Sent: Wednesday, February 16, 2022 2:45 PM
To: Info.Planning
Cc: Carol Fall
Subject: Voter/resident input.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear sirs, I am a full time resident near Lewiston , Ca. I am a home and land owner. I also vote every chance I get. I would like to strongly encourage you to support the Opt Out policy for this area. In my opinion it should be structured and enforced as strictly as possible. Sincerely, Jay V. Koenecke

Lewiston, CA. 96052

Deborah Rogge

From:
Sent: Wednesday, February 16, 2022 12:57 PM
To: Info.Planning
Cc: Carol Fall; kgroves@trinity county.org
Subject: Opt Out

Follow Up Flag: Follow up
Flag Status: Flagged

As Lewiston residents we agree with and support the following request.

We respectfully request that a new opt out ordinance include the key components listed below:

- Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail …) within opt-out areas
- Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted
- Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Example __ years.
- Include fee/tax incentives for licensees to relocate outside of opt-out areas
- Include a clause that violations of any kind within opt-out areas will result in termination of license… without the option to renew within the opt-out area
- Include a clause that no variances to CEQA standards will be allowed within opt-out areas
- Prohibit licensee site growth beyond the previously approved site plan (i.e., no stacking, expanding).

Thank you,

Tim Lannoy

Kelly Lannoy

Deborah Rogge

From: Ric
Sent: Wednesday, February 16, 2022 1:10 PM
To: Info.Planning
Cc: Carol Fall
Subject: Cannabis Opt-Out Ordinance Input

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

This input is provided for consideration by all parties involved in drafting and approving the new (cannabis opt-out) ordinance.

I have invested a great deal of time in reaching out to people about the subject of commercial cannabis in Trinity County. I helped with the efforts that brought our own property in Lewiston into an opt-out area (through the Grass Valley Creek initiative). I've met with consultants who support commercial applicants and with members of the TCAA.

I believe there is a place for commercial cannabis operations in Trinity County. I don't believe that place is in communities with mixed size rural residential lots. As you are likely aware, the existing opt-out areas in Lewiston were the result of strong efforts on the part of residents to stand up for their rights to protect their quality of life, the value of their properties, their access to water and air that does not smell like a skunk den. Each of these opt-out initiatives represented support by an overwhelming majority of residents in the areas.

Many (if not all) of the existing cannabis operations in these opt-out areas were allowed to process applications without any notice to residents impacted by the decision/action. While these operators may have proceeded in good faith, the flawed process followed by the County left the residents near these operations to suffer with virtually no means of addressing their concerns. The opt-outs were the only way they could hope to stop the spread and potentially (eventually) restore the value and quality of their communities.

Very limited resources (County, State and Federal) have been applied to enforcement of commercial cannabis-related regulations. So, while regulations/code my provide some "protections" for residents nearby these operations... the reality is that in many instances the negative impacts are real and ongoing. I'm sure this is not the case in all situations... but it is a regular occurrence in Lewiston.

I believe the new ordinance should reflect the opinion of the overwhelming majority of residents in these opt-out areas... and provide a means for protecting and (hopefully) restoring these communities. I also believe the new ordinance should provide a means of assisting those applicants/operators who have "followed all the rules" and yet found themselves in an area in which their applications should never have been authorized. This could include incentives to support the transfer of their license/operation out of the opt-out areas.

There may well be rural residential areas in with the residents near commercial cannabis operations are in support of the operations. Allowances should be made for communities to opt-in.

Additional thoughts on components to include in the new ordinance include:

- Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail ...) within opt-out areas
- Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted
- Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Example __ years.
- Include fee/tax incentives, financial support for licensees to relocate outside of opt-out areas
- Include a clause that violations within opt-out areas will result in termination of license... without the option to renew within the opt-out area
- Include a clause that no variances to CEQA standards will be allowed within opt-out areas
- Prohibit licensee site growth beyond the previously approved site plan (ie, no stacking, expanding).

As a historic town, Lewiston residents enjoy the quiet, the views, the sights of wildlife, sound of birds, the wind in the trees and the smell of fresh air. We value our local history and economy built on fishing, camping, hiking, boating, historic hotel offerings, biking and other recreational activities. We support our historic roots, our Peddlers Faire, annual Bridge Lighting, and family centered events throughout the year. The cumulative impact of allowing grows in our community will vastly impact our appeal as a tourist town.

Thank you for your consideration.

Ric

Ric Leutwyler
Candidate for District 1 Supervisor

M **W** **E**

Deborah Rogge

From: Jerry McDonald
Sent: Wednesday, February 16, 2022 3:57 PM
To: Info.Planning
Subject: opt-out area

Follow Up Flag: Follow up
Flag Status: Flagged

I live in Lewiston on mountain view road, last year we started petition for a opt-out in mt. view and Wilson road to stop any addition CCL in our area. The petition was sent to the planning dept with 78% of residents in favor of the opt-out, the planning dept said we needed maps, those maps were provided, we did not hear from them again, numerous phone calls went unanswered asking what was happing. We contacted the supervisions and was told Dan and Keith would have a meeting about opt-out areas, we were again told we need maps, we are confused what the step might be.? We feel that CCL,s do not belong in subdivisions that rely on wells for domestic water supply. The roads are dirt and increased traffic in always a major issue, Guard dogs roam areas that are not associated with the grow, lights are on at night and generators can be heard at nights. As you can tell my wife and I and 78% of our neighbors strongly support an opt-out in the Lewiston area.
Jerry & Sandy McDonald
Lewiston

Sent from Mail for Windows

Deborah Rogge

From:
Sent: Wednesday, February 16, 2022 11:08 AM
To: Info.Planning
Subject: Keep Lewiston an Opt Out Cannabis Area

Follow Up Flag: Follow up
Flag Status: Completed

Gentlemen

I own the property at in Lewiston, Ca. I want to keep Lewiston free from pot grows, cannabis farming, retail sales or any other activity involving weed. Keep Lewiston an Opt Out area!

Sincerely

Pauline McGrath

Sent from my iPad

Deborah Rogge

From:	Natalie McNamara
Sent:	Wednesday, February 16, 2022 4:38 PM
To:	Info.Planning
Cc:	Carol Fall
Subject:	Cannabis ordinance
Follow Up Flag:	Follow up
Flag Status:	Flagged

Hello,

This is Natalie and Patrick McNamara. We have a farm in the Grass Valley area of Lewiston. We are emailing regarding the proposed new cannabis ordinance going on. We'd just like to make a few comments about it. Thank you.

We understand:
- the necessity to not overwhelm a community with any single industry and therefore to limit additional and/or **new** licensed operations for all businesses.

- The lack of knowledge of facts and figures in regards to the environmental impact of the **existing** cannabis operations in Lewiston compared to other "acceptable" operations - wineries, camping, raising alpaca, horses, cattle, endless raft and fishing expeditions on our pristine rivers and lakes

- There are unfounded and ignorant stereotypes in regards to the people involved in the cannabis growing business when the truth is, it is no different than any other business in the area and perhaps, even more in tune with the environment than others.

Opt-out Areas:
- For an area that already has an existing license-- it is unfair to simply ignore the existing operations and their right to continue operations, and to resell their operation in the future. Just because a person doesn't like or understand the cannabis operation, this is discriminatory.

- If an opt out area chooses to not allow additional licenses for *all* industries in order to maintain a balance for the community, this seems reasonable as long as it is fair across all industries in the county.

- Regarding the Sunset Clause-- this again comes across as discriminatory. A decision based on stereotype, prejudice and ignorance - not facts and figures and an irresponsible reaction to a commitment already given to tax paying business owners, who by the way, also have families, love the community in which they operate and contribute to the local economy in a significant way.

Going forward:
- Whatever is being enforced, reviewed, or amended should be for *all* businesses in the area

- It is unethical to negatively impact any operation that has already been approved as long as they are complying with all rules and regulations established.

- Checking environmental impact must be for all industries, not just cannabis.

Deborah Rogge

From: Donna Teuscher
Sent: Wednesday, February 16, 2022 10:55 AM
To: Info.Planning
Subject: Keeping Cannabis out of Lewiston!!

Follow Up Flag: Follow up
Flag Status: Completed

As residents here we moved here because it was such a beautiful and safe place to live. We did not nor do we want to live in and around any Cannabis grows!! The smell is horrible, the sounds from their fans are horrible and the lights are horrible!! They never abide by the rules. Their always going against the law and they don't care about it either! The way the system is setup at the moment, it's going to ruin Trinity County the county that we love!!
Thank you
Donna and Roger Teuscher

Deborah Rogge

From: Tina Teuscher
Sent: Wednesday, February 16, 2022 12:04 PM
To: Info.Planning
Subject: Lewiston Opt Out

Follow Up Flag: Follow up
Flag Status: Completed

Please keep Lewiston an Opt Out area! This is rural residential! Kids, families....we do Not want Commercial grows in our neighborhood!

Thank you,
Tina Teuscher

Sent from my iPhone

Deborah Rogge

From: Christy Gadbois-Vail
Sent: Wednesday, February 16, 2022 10:32 AM
To: Carol Fall; Info.Planning
Subject: Cannabis in Trinity County

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern,

I am a frequent visitor to Trinity County. I love it for is rural, small-town feel and friendly folks living there. I believe that commercial cannabis would ruin that safe, small-town existence, making Lewiston unsafe. I don't believe you have the law enforcement needed in Lewiston to keep residents safe from the crime associated with commercial cannabis business.

Let's keep commercial cannabis in the bigger cities that have lots of eyes, ears, and police protection to keep the community safe.

I respectfully request that a new OPT-OUT ordinance include the key components listed below:

- Prohibit any and all types of commercial cannabis licenses (cultivating, processing, manufacturing, distribution, retail ...) within opt-out areas

- Prohibit the transfer of licenses within the opt-out areas; with the exception of transfer outs which shall be permitted

- Include a time-based sunset clause, requiring the licensed operation to cease operations within the opt-out area within a specified timeframe. Example ___ years.

- Include fee/tax incentives for licensees to relocate outside of opt-out areas

- Include a clause that violations of any kind within opt-out areas will result in termination of license... without the option to renew within the opt-out area

- Include a clause that no variances to CEQA standards will be allowed within opt-out areas

- Prohibit licensee site growth beyond the previously approved site plan (i.e., no stacking, expanding).

Thank you,

Deborah Rogge

From: Steven Varnell
Sent: Wednesday, February 16, 2022 10:07 PM
To: Info.Planning
Cc: Carol Fall
Subject: Lewiston OPT-OUT

Follow Up Flag: Follow up
Flag Status: Flagged

Please keep Lewiston as opt-out city. I recently bought land, visit often, and plan to build a home soon. I chose to buy in Lewiston because it was an opt-out city and do not intend to build if it becomes otherwise. Please keep commercial cannabis away from Lewiston. Don't let this beautiful city degrade. The only thing you get with commercial cannabis is more crime. Sincerely, Steve Varnell.

Deborah Rogge

From: John and Evelyn Ward
Sent: Wednesday, February 16, 2022 4:39 PM
To: Info.Planning
Cc: Carol Fall
Subject: Cannibus Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

To the Planning Commissioners:

We would like to provide our input as you work on developing a new cannabis ordinance.

We have lived in Trinity County for 36 years and in Lewiston for 33 years. We feel very strongly that Lewiston needs to remain an Opt Out area. We formed a coalition 10 years ago of people who had cannabis growers threaten the quality and safety of their neighborhoods. We have friends in Hayfork and have seen how the influx of cannabis growers and trimmers over the year has seriously compromised the quality of life in that community. We don't want that to happen to our community of Lewiston.

As an Opt Out community, we urge you to make it clear that there will be no commercial cannabis grows, manufacturing, or retail shops.

Thank you.

John and Evelyn Ward
Salt Flat, Lewiston

Deborah Rogge

From: Gayl Ward
Sent: Wednesday, February 16, 2022 2:38 PM
To: Info.Planning
Cc: Carol Fall; Gayl Ward
Subject: Support of Opt-Out Areas Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

We are writing to express our continued support of designating defined Opt-Out Areas within Trinity County to preserve residential and rural residential areas as commercial cannabis free zones. This needs to be permanently established by means of an Ordinance addressing these issues and to not only retain the Opt-Out Areas already approved, but to also create a procedure to approve new Opt-Out Areas if desired by residents of other communities. In order to clarify and permanently protect these areas from the encroachment of commercial cannabis interests, we support the following restrictions within any and all defined Opt-Out Areas in Trinity County:

-Requirements that prohibit all commercial cannabis license types within opt out areas. Cultivation is the only license type prohibited in the majority of opt outs at this time. With that being said, the County could allow manufacturing, processing, nurseries, distribution, non-storefront retail, storefront retail, testing facilities, microbusiness, and other future types of commercial cannabis licenses in our neighborhoods unless otherwise prohibited.

- Prohibiting growth of "grandfathered" CCLs, such as stacking of licenses, license type changes, and modifications to site plans.

-Prohibiting the sale and/or transfer of license ownership of "grandfathered" CCLs. The CCLs in in our neighborhood have changed ownership a total of 9 times in the last 6 years.

-Prohibit the transfer of licenses within the opt-out areas, with the exception of transfer outs which shall be permitted.

-Include a clause that violations of any kind within Opt-Out areas will result i termination of the license, without the option to renew within the Opt-Out area.

-Include a clause that no variances to CEQA standards will be allowed within Opt-Out areas.

Please consider all these requests as you move forward with your efforts to define and clarify the commercial cannabis ordinances to best serve the communities and residents of Trinity County.

Roy and Gayl Ward

Lewiston CA 96052

Archived: Wednesday, February 16, 2022 1:39:18 PM
From: Scott and Sheri White
Mail received time: Mon, 14 Feb 2022 13:32:44
Sent: Mon, 14 Feb 2022 13:32:38
To: Info.Planning
Cc: Carol Fall
Subject: Cannabis "Opt Out" Regulations
Sensitivity: Normal

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\f0Planning Department -

\f0
\f0I am extremely concerned that regulations are being proposed that □may be used to evaluate established permanent opt out areas□As the notice acknowledges, these areas are □permanent"Webster□s dictionary defines □permanent" as follows: □Lasting: durable; not decaying; abiding; fixed□Theses areas don□t need any □evaluating□ since they are □fixed□ They are just fine and were never intended to be □evaluated□ - especially if the goal of the □evaluating□ is to try and reduce our protections in any way. Cannabis gets the rest of the county - not our opt out areas.

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\f0I provided comments on the □Draft Environmental Impact Report - Trinity County Cannabis Program□ which are hereby incorporated by reference. Two points made at that time which I want to especially emphasize here are: The baseline for evaluation was the □existing cannabis program□ which included the opt out areas in existence at that time and the manner to be us in approving/not approving opt out areas.

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\f01. DEIR/Existing Conditions. As I noted at the time, the DEIR was fatally flawed and should not be adopted. Sadly, County Supervisors approved it anyway. The entire DEIR and its analysis included the opt out areas in the baseline condition. That means there was no evaluation of the impacts of commercial cannabis activity originating within the opt out areas since it was/is not allowed. Only impacts on the opt out areas (albeit poorly done) from commercial cannabis outside of the opt out areas was considered. The importance of this is that if one, some or all of the opt out areas in existence at that time are removed/modified from opt out status, the EIR would need to be reopened to evaluate the impacts that would occur from allowing cannabis activity within the area. You can□t just ignore the issue□The County has lost several court cases so far because of inability and/or unwillingness to comply with CEQA. The County would be exposing itself to litigation again if it failed to evaluate the change in baseline for its commercial cannabis activity by removing opt out areas that were in existence at that time.

\f0
\f02. Manner to add/remove/modify opt out areas. Opt out status has saved the areas covered from the worst of the cannabis chaos that has overwhelmed the remainder of the county. The ONLY FAIR WAY to add/remove/modify opt out areas is by vote of the LAND OWNERS within it. Renters and other transitory type uses/users have no long standing investment so they should not be allowed to be part of the decision to affect committed investors in an area. Think of an area where a significant portion of residents are renters. They could influence the outcome of a vote - say allow cannabis. What happens if it doesn□t work out - they pull up and leave. Land owners can□t do that so easily□What of the elderly couple who just barely get by? They can□ afford to sell, so they must live with whatever happens.

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\f0To address the points above, I offer the following two policies for the County to adopt:

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\f0**Prior** to considering removal or modification of an opt out area in existence at the time the "Trinity County Cannabis Program - Final Environmental Impact Report was certified by the Board of Supervisors, full analysis of potential impacts from removal/modification **shall** be conducted in compliance with the California Environmental Quality Act.

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\f0Adoption, recision and/or modification of an opt out area **shall** only occur upon majority vote of the land owners within the existing or proposed opt out area.

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\f0
\f0Thank you,

\f0
\f0Scott and Sheri White
\f0Lewiston Road, Lewiston
\f0Owners, two parcels within the Lewiston Opt Out Area

Deborah Rogge

From: L Wills
Sent: Wednesday, February 16, 2022 3:48 PM
To: Info.Planning; Carol Fall
Subject: Corrected - Comments for Opt Out Workshop on 2/24/22

Dear Chair Sharp and Commissioners,

Please accept my comments when developing a draft opt out ordinance for future submission to the Board of Supervisors. As a resident in the Lewiston Expansion Opt Out area, Urgency Zoning Ordinance 315-850, I speak from experience about the tremendous amount of time involved in collecting signatures and bringing these urgency requests before the Board of Supervisors for approval; and the additional time it takes to obtain extensions each time the temporary ordinances are set to expire. It is imperative that a permanent solution be enacted for the residents in these communities - who have demonstrated through the petition process that they are the majority - and for future communities who wish to create opt out areas in their neighborhoods as well. Not in any particular order, I urge you to consider the following points when crafting opt out regulations:

- **Process for Expanding Opt Out Areas**: Provide a process for communities to bring their requests before the Board of Supervisors for their neighborhoods to be added as a permanent opt out area(s) in an expedited manner upon the County receiving additional requests/petitions signed by the majority of residents.
- **Transfers:** Prior to our urgency opt out being enacted, ownership changed nine (9) times cumulatively between the CCLs in our neighborhood. This information was researched and confirmed through public records and it is quite an alarming statistic since these CCLs have only been operating legally since 2016,2017 and 2018 respectively. I'm not going to sit and speculate the reasons for this "revolving door of operators" but it certainly demonstrates turn over is a problem and operators do not appear to be committed to these operations for the long term. The numbers speak for themselves that these farms attract "flippers" within the cannabis community and it disrupts the peace and serenity of the majority of residents living in these neighborhoods who are raising their families or living out their retirement years. Additionally, non-resident landowners lease their properties to cannabis farmers and if they encounter legal issues with enforcement agencies, such as the California Cannabis Track and Trace (CCTT) system, that licensee may lose his/her license and the property owner then proceeds to enter into a new lease agreement with another prospective licensee - always benefiting financially no matter who is managing the operation ... and often at the detriment of the neighbors. For these reasons, it is imperative that this perpetual behavior is stopped/curtailed by including language that prohibits the transfer of licenses within designated opt out areas. If the "NO TRANSFER" language cannot be immediately implemented for **all** opt out areas (as with the Rush Creek Opt Out area) then at minimum, preserve this provision for Rush Creek and consider ***phasing in*** "no transfer" language for the other opt out areas that currently do not have this language. For example, a clause that states, "Effective January 1, 20___, licensees with "grandfather rights" within a designated opt out area will be prohibited from transferring their license after this date. Licensees may transfer

out of the opt out areas at any time; however, transfers within the opt out areas are strictly prohibited. Rush Creek [list any other communities with no transfer protections] are the exception whereby grandfathered licensees in these areas are strictly prohibited from transferring their licenses effective immediately."

- **Sunset Clause**: The true intent of opt out areas is to prohibit cannabis activity of "any type" within these designated zones. Accordingly, a sunset clause is a practical means for encouraging "grandfathered" CCLs within the opt out zones to relocate their operations to areas within the County that are more conducive to the nature of their commercial businesses. The County has received overwhelming public input that rural residential neighborhoods are not suited for commercial cannabis operations, particularly in Districts 1 and 2. I recognize that many of these CCLs were permitted dating back to 2016; however, it is equally important to remember the County was not complying with CEQA noticing requirements so neighbors were NOT NOTIFIED that licenses were being approved, nor were neighbors being notified of their appeal rights until 2019 - at which point we started exercising our rights through the appeals process and opt out petitions.
- **Stacking/Growth:** Stacking and license type changes that expand existing operations are strictly prohibited within designated opt out areas.
- **Public Safety, Health, and Welfare**: At the Board of Supervisors hearing on June 15, 2021, the Board discussed some of the strong arguments to protect public safety, health, and welfare before enacting Urgency Zoning Ordinance 315-850 for the Lewiston Expansion Opt Out which included:

1. The Grass Valley Creek is a sensitive watershed and cumulative impacts have not been studied.
2. The close proximity of houses to each other and the nature that this jurisdiction is being looked at is in of itself a factor.
3. One of the imminent threats is the number of unlicensed parcels for sale that are/(were) being advertised as cannabis parcels.
4. Staff confirmed that complaints have been filed against the 3 licensed projects (of which only two were grandfathered into the Opt Out). Staff also admitted they cannot personally verify the after hours complaints regarding lights and fan noise at night because they're not on duty. Our group (at the time of the meeting) submitted PRA requests for the complaint data and the County failed to accurately fulfill this request. We know this because every time a complaint is filed the complainant receives a bounce back reply that their complaint was received. I encourage you to ask staff to verify this. This is how we can say with confidence the County's complaint records do not match our own.
5. County Counsel confirmed Director Hunter referenced other safety, health and welfare findings in her staff report and the required language was referenced in the Ordinance.

- **Transparency**: Please ensure the FEIR Appendix C process and reports are transparent to the public who express an interest in reviewing these records including for those licensees currently operating within designated opt out areas.
- **Violations**: I would request that any code enforcement violations at the local and/or state level and/or compliance issues result in termination from the local program.

Although the Opt Out workshop may not be the appropriate forum for these other topics, I wish to bring to your attention some ongoing concerns that continue to resurface and may or may not impact opt out areas and the crafting of new opt out regulations. They include: a.) cumulative impacts and whether illegal grow sites should be included when determining cumulative

impacts. There have been conflicting opinions from all sides on this issue and it would be nice to have some clarity on whether known illegal operations are factored into cumulative impacts under CEQA guidelines before licenses are renewed/approved within the opt out areas especially, if TSO Code Enforcement has repeatedly raided sites in designated opt out areas, b.) drought conditions that have persisted and are expected to continue in Trinity County, particularly where multiple commercial cannabis operations exist in sensitive watershed areas. Many cannabis project plans cite rainfall averages that appear to be outdated and overstated (i.e., 43 inches). I certainly urge the decision makers to review the project plans regarding water data carefully since it doesn't take a rocket scientist to know these are not accurate numbers based on the persistent drought conditions plaguing our area. The Trinity Journal's recent issue dated Feb 9th had an article on the front page titled, 'Headed to dead pool?' and it certainly highlights the water crisis Trinity County is facing, and c.) the pitfalls of the current appeals process and the need for possible updating of these procedures when updating ordinance regulations.

Thank you in advance for your continued and mindful consideration of preserving opt out areas that protect the communities that have fought so hard for many years to get to this point, and for those communities still submitting signed petitions to achieve opt out zones in their neighborhoods.

Sincerely,
Laurie Wills

Deborah Rogge

From: Pam Yearout
Sent: Wednesday, February 16, 2022 10:15 AM
To: Info.Planning
Subject: I am a resident of Lewiston, CA.

Follow Up Flag: Follow up
Flag Status: Completed

I am a full time resident of Lewiston and have been for going on 20 years. I t is alarming to me that " powers that be " would even consider allowing the growing of an agricultural products in a small (or ANY residential area). An agricultural products must be grown in ZONED agricultural land. I don't understand why this is even a topic foot discussion (still). That being said, I must insist that Lewiston remain an "OPT OUT" town.

Pam Yearout. 2/16/22

Deborah Rogge

From: Susanne Risso
Sent: Wednesday, February 16, 2022 3:11 PM
To: Carol Fall; Info.Planning; Sue Risso
Subject: Opt Out Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commissioners,

As residents of Lewiston we are very concerned about our quality of life here.
All commercial cannabis activities have no place in rural residential areas. There are vast agricultural areas in Trinity County where these operations can take place safely without disrupting the quality of life of the residents.

Smell, water quantity and quality, forest clearcutting, light polution, noise polution, and security are all issues of concern when commercial grows are allowed in residential areas. As for the grandfathered in licenses (which were originally illegal) they should not be included in the sale of the property. They were permitted for the original owners when the ordinance was adopted not subsequent owners. These activities do not increase but rather decrease the value of our property. We agree that there should be incentives for licencees to relocate to appropriate areas.

Thank you for your time,
Susanne Risso
Paul Baldwin

February 16, 2022

Trinity County Draft Ordinance for

Commercial Cannabis Opt-out

My name is Thomas Sanders, my wife and I live at which is within the designated Rush Creek Opt out area. In 2017, I initiated our Opt out petition and circulated a request for signatures to 100 Rural Residential parcel owners within the proposed Rush Creek area for Commercial Cannabis Opt out. We were granted temporary Opt out status by the Trinity County Board of Supervisors and are on our 3rd and last extension of the temporary status. I speak on behalf of the 74 signatures on our petition, 74% of the property owners within the Rush Creek Opt out area. We are hopeful that a permanent Opt out Ordinance for our area will come into existence prior to our last and final temporary extension.

I, along with several of my neighbors, have attended many meetings within Trinity County related to commercial cannabis including Board of Supervisor's (BOS), Ad Hoc, Draft EIR to name a few. We have previously spoken in person at meetings and have submitted numerous written documents relating to Commercial Cannabis licensing in our Rural Residential neighborhoods. It is my understanding that Trinity County BOS has acquired a consultant to draft the Commercial Cannabis Opt out Ordinance. It is our hope that all of our previously submitted documents relating to Opt out have been made available to the drafting agency. In the event that this material has not been made

available to the consultancy, we hereby submit once again our concerns.

- We believe that properties such as ours have been zoned as Rural Residential for the intended use as residential, not commercial. We have experienced the impact of commercial cannabis in our neighborhoods and for that reason we have requested that our designated zoning be respected and commercial cannabis licensing be prohibited from the area designated as Rush Creek Opt out. We live along narrow privately maintained roads surfaced with shale, roads with blind corners and few turn-outs. Water sources are limited to slow wells, small creeks and water imported by truck. Cannabis licensees are restricted from importing water, yet they have regularly done so. Our current continuing drought conditions makes our water even more precious. Excessive traffic, including large trucks and empoyee vehicles have excessively worn our roads and created clouds of shale dust in the summer (shale contains asbestos). We have had tresspassing and for the first time in memory, burglaries and thefts. The odor from maturing cannabis has been overwhelming, not allowing us to open windows. These issues and more have been acknowledged in the Draft Environmental Impact Report adopted by the County.
- When commercial cannabis licenses were first being issued in Rural Residential neighborhoods, it was done without public notification and without opportunity for those opposed to have their voices heard. Following a law suit against the County, a settlement agreement included publishing in the local newspaper licenses that were about to be issued, rather than ones that were being applied for. Impacted neighbors who opposed issuance of such licenses could appeal after paying a $500 fee to do so. We believe the applicant should be the appellant needing a variance to change the zoning from Rural Residential to either Commercial or Agricultural.
- We believe that Commercial Cannabis Opt Out status for our Rural Residential neighborhoods should include the prohibition of all types of

commercial cannabis activity, including cultivation, nurseries, processing, packaging, manufacturing and retail.

- We believe that existing license(s) within commercial cannabis opt outs may be "grandfathered" and exist as long as the license holder is in compliance with all licensing requirements. Transfer of such license(s) upon sale is an issue requiring debate. To allow a license to be transferred with sale greatly dilutes the intention of and meaning of the designation "Opt out". Existing grandfathered license holders should not be allowed to add additional cannabis licenses to the licensed property within an Opt out.

Deborah Rogge

From: Becky Savage
Sent: Wednesday, February 16, 2022 7:04 AM
To: Info.Planning
Subject: Opt out for Rush Creek

I'm for the opt out for the Rush Crk and Lewiston areas.

Deborah Rogge

From: Brittany Seay
Sent: Wednesday, February 16, 2022 1:21 PM
To: Info.Planning
Subject: Cannabis Opt Out Regulations - Planning Commission Workshop

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

Below is my input regarding cannabis opt out regulations:

After reviewing other newly legal state's regulations regarding cannabis activities, I think it's a great idea to put a deadline on opt out requests. That way the issue can be dealt with in a timely manner then the county can move forward with other matters.

Another idea, just like there is a license cap for cultivation in the county maybe there should be an opt out cap....maybe number of opts outs allowed per district or maybe percentage of area per district. This could help reduce environmental impact by allowing cannabis activities to remain spread out between districts instead of forcing higher concentrations in certain areas.

Also, since opt outs are being established after cannabis businesses have become established and licensed, I feel as though some fairness should be bestowed to both the opt out requestors and the established cannabis business owners. Maybe if there is a preexisting licensed cannabis business in the proposed opt out area the parcel or road containing the licensed cannabis business could be omitted from the designated opt out zone. Or maybe it can be grandfathered so it is allowed to stay and maintain the same privileges as all other licensed cannabis businesses in the county until revoked or rescinded. Specifically, still allowing the transfer of a license with the sale of the property for which the license was issued. This could also help mitigate environmental impact. By allowing a previously established cannabis business to sell as a licensed cannabis business it would reduce impact that would be created by the business having to remove all cannabis related infrastructure if it's not allowed to sell as a cannabis business. It would also reduce impact on another parcel that would need to be modified to create a new cannabis business.

I thank you for your time and consideration in this matter.

Brittany Seay

Deborah Rogge

From: Spare Thyme
Sent: Wednesday, February 16, 2022 7:19 PM
To: Info.Planning; Carol Fall; Keith Groves; Dan Frasier
Subject: Opt-out/ Cannabis cultivation ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

To all whom it may concern

I would like to respectfully comment on the opt-out zones for commercial cannabis cultivation, specifically the Trinity Center and Coffee Creek areas. I do not reside or own a business in any of the other opt-out zones. However, I do reside in and have a cannabis cultivation facility at my residence on East Fork Road.

People in different opt-out areas have different concerns. Not all of the opt-out areas are looking for the same thing. The facility on my property has a good reputation and has had positive feedback from our local community. East Fork Road is not the same as Lewiston.

The current Trinity County Cannabis Program Ordinance in section
17.43.050 Limited on Location to cultivate cannabis, states 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.

I am simply asking for this to remain the same. This was fair and reasonable when it was first written and continues to be so. There are no new farms coming in to the area. In fact, of the 5 farms that were Grandfathered into the North Lake area, only 1 farm continues to hold a state license.

While I, absolutely feel that a sunset clause is entirely inappropriate, a sunset clause with tax and fee relief is entirely inadequate. The cost for a permittable property has sky-rocketed since our initial investments. Any incentives to leave should take into consideration astronomical replacement value of our investments.

Also, the EIR states that it would be very beneficial to spread the farms out and limit the density all in a single area. It then seems very counter productive and in conflict with the EIR to move farms out of low density areas into areas that already have a high density of existing farms.

All licensees should be allowed to grow and expand their business as long as the site growth is within the capacity of the license.
(example: upgrading facilities to improve efficiency, finishing infrastructure as money allows) This is a long and expensive process.
It takes time to build a business.

Licenses must remain transferable. A person must be allowed to transfer their license to their children when they are ready to take over the family business and the parents retire. What if a person were to die, shouldn't they be allowed to pass on their legacy? In a capitalist system, it is expected that a person can work hard, build a business and use that as a means to retire just like any other business owner.

I have made multiple requests for information and there is no access to an appeal process for Planning Department or Health and Human Services violations. Licenses can not depend on discretionary violations for which there exists no

appeal process. Therefore a violation should not be used as a reason to force someone out of their home or shut down their business.

If there is a process to opt-out, there MUST be a process for areas to opt back in. It is essential that we do not inhibit possibilities for future generations based on the feelings of the current residents who will certainly not be there forever.

Thank you for your consideration.

Rhoda Cain

Trinity Center, CA 96091