

Julie Patterson-Hunter

From: Wade L. [REDACTED]
Sent: Friday, September 1, 2017 2:56 PM
To: Clerk of Board
Subject: Fwd: Wade Laugher letter to BOS re: Cannabis Regulation for Nevada County
Attachments: USDA to NID Aquicide Letter.pdf; ATT00001.htm

RECEIVED

SEP 01 2017

Sent from my iPad

Begin forwarded message:

NEVADA COUNTY
BOARD OF SUPERVISORS

From: wade <[REDACTED]>
Date: September 1, 2017 at 2:15:53 PM PDT
To: clerkofboard@co.nevada.us
Subject: Wade Laugher letter to BOS re: Cannabis Regulation for Nevada County

September 1, 2017

Dear Julie Patterson Hunter
Clerk of the Board of Supervisors County of Nevada
Eric Rood Administrative Center
950 Maidu Avenue, Suite 200
Nevada City, CA 95959-8617

Wade Laugher
[REDACTED]

Per our in person conversation at the county offices in the Rood Center on Monday, August 28, 2017: I asked about how to get a message to each of the supervisors regarding the upcoming BOS meeting scheduled for September 5 at 9 a.m. Here is my message:

Dear Supervisor,

I applied to be on the CAG but was not selected to serve in that way. I have made it a point to be at each CAG meeting where i've've spoken during public comment and submitted written comment. I would ask for your attention to my feedback on the process so far.

Up to this point all of the CAG meetings have been devoted to presentations that showcase only two views of cannabis. One of these views is focused on all the harm that is caused by irresponsible cannabis cultivation in Nevada County. The other point of the presentations has been how to restrict cannabis, commercial and personal. The most egregious example that comes to mind was the meeting where Amber Morris, who is the head of the CDFA CalCannabis Cultivation Licensing program, came to the meeting and stood around while two lobbyists from the Rural Counties Representatives Council spoke at length on how to restrict cannabis activity. She spoke for at most ten minutes while the RCRC reps ran through their slideshow and long winded stories. Amber Morris is responsible for the newly created state agency that will be in charge of cultivation licensing in the coming statewide market. This was a waste of her time and a lost opportunity for the CAG to learn how the new state law will play out.

It is my concern that MIG and the county's representatives appear to have been directed to steer the conversation at the CAG meetings to ensure that you, as a responsible

representatives of your constituents, will have no choice but to be as restrictive on cannabis policy as Measure W was.

I would ask that you to consider two different ways that you, as our elected representatives, can move forward from here. One way is to continue the current course to make it as hard as possible for cannabis business activity to happen in Nevada County. It appears to be your unstated intention so far as the CAG presentations reveal.

There are hundreds, if not thousands, of families in Nevada County that get some portion of their income from working with cannabis. When the new state laws come into effect on January 1, 2018 these families will be faced with a choice that is very difficult. Do they continue to work with cannabis illegally or try to find another way to support themselves? Some of them will try to find another income (doing what in our local economy?). Do they grow at home where they feel stewardship of their property but face the threat of law enforcement or do they retreat back into the woods where they can hide what they are doing? This is a terrible idea for our environment and the culture of our county. Or they can go Hungry and become Homeless.

I want to propose a completely different direction. Why not make it as practical as possible at the local level? The state regulations will be quite challenging for most folk who work in this existing industry. Make it easy for people at the local level and let the state sort out who and how folk here can go forward with compliance under state law. I have a number of concrete suggestions on how the county could make it simple for ALL concerned parties.

Create a voluntary registry. Any person who thinks they want to apply for a state license will tell the county all of their contact info and what type of license they plan to seek from the state. Depending on what type of license they are seeking they are given a specific checklist they then use to self-inspect for compliance. They then return the completed inspection checklist where the county staff can review, as time allows, for glaring issues that need action (fire safety, public health, fish and game, etc.) Having a voluntary registration system would allow easy non-confrontational communication to resolve any issues that arise.

Consider allowing for “existing use”; conditional use permits with a grace period of three to five years (renewed after annual review). This will allow many of the existing farms that are not compliant now to come into compliance. Existing use can be defined however you like but it seems ideal to include some requirement for a history of time in the county and involvement in cannabis activity here. Allow exemption from setback requirements with approval of impacted neighbors.

There are a number of other suggestions i could make but I do not want to take too much of your time. I personally would be glad to help county authorities to structure a system that encourages responsible folk to come into the regulated market instead of the black market.

The purpose of my email to you is to ask a question: Do you, as our elected representatives, see allowing cannabis business activity in Nevada County in 2018? If your personal answer is yes, then make it easy for people to fit into the system. Many will try. Some may even succeed. Those who are committed to compliance will be hiring workers, paying taxes, protecting the environment and obeying the law.

Or, if your answer is no to cannabis business activity, please take a moment to consider how that will play out economically over the next few years. The families I spoke of earlier will have to go through the decision chain I described and way too many will end up doing trespass grows on private and public lands. Consider all the problems that come with that type of grow. Please refer to the attached exhibit letter from the head of the Tahoe National Forest to NID regarding pesticides and herbicides in the national forest as an example of what will occur in this county should the BOS not implement reasonable regulations. Saying no continues to teach people to

ignore the law. Prohibition necessitates criminality and abusive relations with the environment. Folk that can afford to leave in a deflating real estate market likely will do so. Those who cannot or do not want to go will have a problem. How to put food on the table and pay their bills? People get desperate when they are hungry.

Prohibition does not work. An openness to reasonable local regulation would allow these families to plan for their future and to pursue the american dream right here in Nevada County.

With much appreciation for all the responsibility you carry and thanks for taking the time to get this far in my email to you.

Respectfully,
Wade Laughter



United States
Department of
Agriculture

Forest
Service

Tahoe National Forest
Supervisor's Office

631 Coyote Street
Nevada City, CA 95959
530-478-6100
TDD: 1-800-735-2929
FAX: 530-478-6109

File Code: 2770
Date: September 17, 2015

Jacqueline Longshore
Hydroelectric Compliance Analyst
Nevada Irrigation District
28311 Secret Town Road
Colfax, CA 95713

Dear Ms. Longshore:

I am writing in response to a request that Nevada Irrigation District made to Tahoe National Forest, Yuba River District staff, to use pesticides (herbicides and rodenticides) on National Forest System lands in association with your FERC-licensed hydropower project (no. 2266). The original request was sent in February with more detailed information provided in July of this year.

The three areas proposed for pesticide use are on two Tahoe National Forest Ranger Districts (Yuba River and Sierraville) and your current FERC license (Article 77) requires Forest Service approval for use of pesticides and herbicides on these lands.

District staff/specialists, the District Rangers from both districts, and I have evaluated this request. At this time I do not approve your proposed use of pesticides (herbicides and rodenticides) based on the following:

- Anticoagulant rodenticides have effects to non-target organisms, such as birds and mammals. Because rodents disperse poisoned pellets, exposure to non-target species occurs directly through ingestion, and secondarily through predation on rodents. Rodenticides have been found at high proportions in several owl species, and they are identified as a major threat to Pacific fishers, where exposure appears to be widespread in Sierran populations. As such, they present a problem for numerous wildlife species, including several Forest Service Sensitive species that are known to be present in the vicinity of the project, including martens, spotted owls, and wolverine.
- Herbicides and other pesticides have known detrimental effects on amphibians, and the Tahoe National Forest Land and Resource Management Plan requires mitigation for the use of pesticides within 500 feet of known locations of the Federally Endangered Sierra Nevada yellow-legged frog. The proposed sites are all within the elevational range of this species and within 500 feet of habitat. The absence of any survey data specific to the Sierra Nevada yellow-legged frog for any of your proposed locations leaves us unable to determine that these activities would not affect this species. As such, we must assume that herbicide use may have an adverse effect. Consultation with the U.S. Fish and Wildlife Service would be needed prior to any approval from the Forest to insure that this



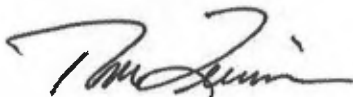
action complies with the Endangered Species Act and that any needed mitigations to reduce effects are included.

- The Tahoe National Forest has effectively used mechanical and manual methods for brush clearing and vegetation control over much larger acreages than you are proposing. The Forest has also worked with Pacific Gas and Electric Company to allow trapping and other depredation methods for marmots at their facilities. We are also aware of other National Forests that have allowed trapping of ground squirrels around campgrounds. Note these depredation methods would need to be permitted through California Department of Fish and Wildlife.

Because there are reasonable alternative methods that eliminate the above concerns, I am requiring you to use other methods.

If you have any questions, please contact Amy Lind, Tahoe National Forest hydroelectric coordinator (530-478-6298, alind@fs.fed.us) or Heather Newell, Yuba River District Public Services Staff lead (530-288-3231, hnewell@fs.fed.us).

Sincerely,



TOM QUINN
Forest Supervisor

cc: Karen Hayden, Quentin Youngblood