



SOUTH YUBA RIVER CITIZENS LEAGUE

September 10, 2018

Brian Foss, Planning Director
Planning Department
Community Development Agency
950 Maidu Avenue, Suite 170
Nevada City, CA 95959
planning@co.nevada.ca.us

Re: Nevada County Commercial Cannabis Cultivation Ordinance NOP Scoping Comments

Dear Mr. Foss:

The South Yuba River Citizens League (SYRCL) respectfully submits comments and recommendations for the initial scoping process in response to the Notice of Preparation by Nevada County (County) Cannabis Ordinance Environmental review process as required by the California Environmental Quality Act (CEQA). We request that these comments be received regarding the substance and process of the environmental review process, the actual implementation of the cannabis ordinance (ordinance), and the scope of the resulting Draft Environmental Impact Report (DEIR) document as compliant with CEQA.

We were pleased to provide public comment at the August 22, 2018 scoping meeting. A written copy of our oral statement, as requested, is also provided along with these written comments.

For summary, the main points of the comments are as follows:

- a) General Draft Ordinance Concerns
- b) Water Quality Impacts
- c) Hydrology Impacts
- d) Forest Impacts
- e) Wildlife and Listed Species Impacts
- f) Energy Use and Conservation
- g) Proposed Project Alternatives

In this comment letter, we provide comments on the ordinance itself, the baseline for determination of environmental impacts from cannabis cultivation in the unincorporated areas of Nevada County, and the scope of the DEIR.

Introduction

SYRCL was founded in 1983 by grassroots activists determined to protect the South Yuba River from dams. Ultimately, SYRCL won permanent protections for 39 miles of the South Yuba River under California's Wild and Scenic Rivers Act. Today, SYRCL is the central hub of community activism to protect, restore, and celebrate the Yuba River watershed. With 35 years of achievements, 3,500 members and 1,300 active volunteers, SYRCL is doing great things for the Yuba watershed. Some of our work includes restoring wild salmon populations, meadow restoration, and inspiring activism across the globe with our environmental film festival.

SYRCL's vision is that well-regulated agriculture should not harm water quality, fish or wildlife. Inspired by that vision, SYRCL started the "Growing Green for the Yuba" (Growing Green) program in 2015. Through Growing Green, SYRCL staff and community partners have hosted a series of public workshops that have reached nearly 500 people in this community. The workshops feature a variety of best management practices for the Yuba River watershed, regulatory updates, and issue-specific panels on environmental concerns such as forest management, water use and conservation, water catchment and healthy soil.¹ Most recently SYRCL received funding from the Central Valley Water Quality Control Board and partnered with the Nevada County Cannabis Alliance (NCCA) to produce videos featuring local farmers and best management techniques for soil management and water conservation.²

While we acknowledge that SYRCL was not able to publicly participate or provide comment during the ordinance drafting process, we are now participating at this important juncture and look forward to contributing to this community effort. SYRCL encourages Kimley-Horn Consultants and the County to use the Growing Green resources during this environmental review process, and welcome additional consultation.

The negative environmental impacts of cannabis cultivation range from water diversions, water pollution, the poisoning of wildlife, litter, vegetation removal, and erosion issues.³ In California, the environmental impacts of cannabis cultivation have been further exacerbated by drought conditions, compounding the impact of less water and higher temperatures for already vulnerable species and ecosystems. While only a limited number of scientific studies have been produced, there are hundreds of news articles on the topic, many of them highlighting the impacts to water and wildlife. It is estimated that the water demand to grow cannabis from both illegal and legal grow operations exceeds the amount of available surface water in many watersheds.⁴ Each of the important environmental issues are explored in more detail in the comments.

¹ Video recordings of those public workshops are available on SYRCL's website.

² Those videos are available on SYRCL's website as well as the NCCA website.

³ Carah, Jennifer, Jeanette Howard, Sally Thompson, Anne Gianotti, Scott Bauer, Stephanie Carlson, David Dralle, Mourad Gabriel, Lisa Hulette, Brian Johnson, Curtis Knight, Sarah Kupferberg, Stefanie Martin, Rosamond Naylor, and May Power, "High Time for Conservation: Adding the Environment to the Debate on Marijuana Liberalization" *BioScience* Oxford University Press 65: 822–829 (2015).

⁴ Bauer et al. 2015.

General Draft Ordinance Concerns

We would like to first establish our underlying concern that this environmental review process is based on a *draft* that has yet to include the recommendations from the Community Advisory Group (CAG), the community stakeholder coalition that provided the Nevada County Board of Supervisors with regulatory recommendations.⁵

In addition, SYRCL believes that the present version of the ordinance does not encourage legal cannabis cultivation in this community and will allow for the proliferation of illegal cannabis cultivation. Without effective implementation of an ordinance and community consensus, an environmental review processes will not be an accurate determination of the extent of environmental damage in the Yuba River watershed caused by illegal cannabis cultivation.

In the Notice of Preparation (NOP), the County stated one objective of the ordinance is to “[r]educe the adverse effects of commercial cannabis cultivation on the environment through implementation of these regulations and permitting process.”⁶ This objective appears disingenuous based on the fact that the ordinance does not include analysis of small farmer cultivation that is known to occur in this region.⁷ SYRCL strongly encourages the County to review the ordinance in its current state, and consider altering certain zoning and acreage limitations in order to encourage transparency, disclosure and effective regulation of cannabis cultivation in this community. Our concern is that as written, the ordinance will not encourage many cannabis cultivators to come into compliance with this ordinance or state regulations.

Additionally, there is a lack of data to substantiate an accurate assessment of the local environmental impacts of this ordinance. Therefore, SYRCL believes this County should conduct a systematic, spatially-explicit survey to determine accurate environmental effects of cannabis cultivation on the Yuba River watershed. In order to obtain information regarding “cannabis agriculture and its potential impacts on the environment,” Nevada County needs to understand:

- 1) “How many cannabis grows are in the study area, and what are the attributes of these grows?”
- 2) Are there statistically significant spatial patterns of cannabis production within and across watersheds?
- 3) Do grows threaten natural areas by being located on sensitive sites far from developed infrastructure?

⁵ As noted in the “Project Background” description in the NOP, p. 3.

⁶ See Nevada County’s Notice of Preparation as to the contents of the draft Environmental Impact Report, page 10.

⁷ Specifically, the ordinance restricts personal outdoor cultivation in the Agricultural Residential zone, which is a hybrid zoning classification in Nevada County that accounts for many small, individual cannabis cultivators in this community. By not including them in this ordinance, many cultivators will either must shut down operations or continue to cultivate illegally.

- 4) Do grows pose a risk to threatened species due to their water consumption and location near critical habitat?”⁸

Ultimately, SYRCL hopes that these questions will be answered in the DEIR. Unfortunately, Kimley-Horn consultants orally confirmed during the Public Comment Scoping meeting on August 22, 2018 that they will not be conducting geographic-specific studies. Though SYRCL understands the additional cost and possible security risk, comparative assumptions based on other region’s cannabis cultivation patterns will not be an accurate determination of region-specific environmental impacts, and more research will need to be conducted to truly best serve this community and the Yuba River watershed.

Impacts on Water Quality

Marijuana is a water and nutrient-intensive crop.⁹ Therefore, SYRCL is concerned about the current effects and future effects of legal and illegal cannabis cultivation on water quality and the hydrology of the Yuba River watershed. Mainly, the overuse of chemical fertilizers, pesticides and herbicides pollute the water and poison wildlife and increased erosion mobilizes fine sediment. Run-off from cannabis cultivation into tributaries in the Yuba River watershed devastates water quality thereby permanently damaging the river and surrounding ecosystem.

Studies have found heavy use of pesticides, herbicides, fertilizers and petroleum fuels in legal and black-market cannabis cultivation.¹⁰ Those nutrients can then enter the river. The Yuba River provides drinking water for thousands of residents, as well as water for over 25,000 homes, businesses and farmers.¹¹

In addition to water quality concerns, heavy pesticide application poses significant risks to mammalian and avian predators by making their way into terrestrial food chains. Illegal cannabis cultivators often also use rodenticides to deter grazing, poisoning wildlife.¹² One study examined the devastating impact rodenticides have had on the Pacific fisher, a candidate for listing under the Federal Endangered Species Act.¹³ They reported that more than 80% of deceased Pacific fishers recovered in northern California and the southern Sierra Nevada were exposed to “anticoagulant rodenticides, pesticides used to control wood rats (*Neotoma spp.*) in black market–marijuana cultivation.”¹⁴ Furthermore, female fisher survival rates severely decreased in the presence of cannabis cultivation sites.¹⁵

Pesticide and herbicide application can also increase nutrient levels in the Yuba River. The scope of the ordinance only names one water source for legal cannabis cultivation, water supply from

⁸ These questions directed a study conducted in Humboldt County. Butsic, Van and Jacob Brenner, “Cannabis (*Cannabis sativa* or *C. indica*) Agriculture and the Environment: a Systematic, Spatially-Explicit Survey and Potential Impacts” Proceedings of the Coast Redwood Science Symposium, 383-393, 384 (2016).

⁹ Carah et al. 2015, p. 823; citing Vervantes 2006, HGA 2010.

¹⁰ Carah et al. 2015, p. 825; citing USDOJ NDIC 2007, Gabriel et al. 2013.

¹¹ See Nevada Irrigation District’s management plans and website. <<https://nidwater.com/>>.

¹² Carah et al. 2015, p. 825; citing Gabriel et al. 2013.

¹³ Gabriel et al. 2013; Thompson et al. 2014.

¹⁴ Carah et al. 2015, p. 824.

¹⁵ Carah et al. 2015, p. 824.

Nevada Irrigation District (NID). NID relies on the Yuba River watershed to deliver water, maintains 450 miles of raw water conveyance systems, and 350 miles of this system are already treated with herbicides with 62 delivery points. Those include glyphosate in Roundup, and copper-based aquatic herbicides Cutrine and Nautique. Not only does this ordinance and subsequent NOP ignore potential illegal diversions from the Yuba River watershed, but it also does not consider the current state of water quality that NID is purveying to cannabis cultivators. NID is currently looking into organic alternatives, but the DEIR needs to include the possibility that NID water quality will not improve by the time the ordinance comes into effect.¹⁶

SYRCL is concerned that these water quality fears will also serve as a deterrent for increased legalization, thereby rendering this ordinance ineffective. This watershed has a rich legacy of organic agriculture, that rich culture should be encouraged in this ordinance. SYRCL encourages the County to take this opportunity to push our community into a safer and conscious clean water future.¹⁷

We want to thank the County for noting existing cultivation area requirements in the NOP, especially that all cultivators must use “properly permitted water source and wastewater disposal system,” which will assist in mitigation of legal cannabis cultivation in the Yuba River watershed.¹⁸

Impacts on the Hydrology of the Yuba River Watershed

Cannabis cultivation implicates excessive water use concerns as well as negative changes in the watershed’s hydrology due to illegal diversions. Illegal water diversions result in dry creeks and undermine other regulatory efforts to maintain instream flows.¹⁹

Excessive Water Use

There is considerable variance in average water usage reporting for cannabis cultivation, depending on factors such as indoor or outdoor growth, plant maturity, irrigation technique and soil health.²⁰ In addition, it is important to consider the impact of cannabis production in comparison with the production of other local agricultural commodities to determine common

¹⁶ For more information, please see The Union’s recent article “Organic farmer pushes Nevada County’s water district to reduce herbicide use” by Liz Kellar August 30, 2018 and NID’s 2015 Agricultural Water Management Plan.

¹⁷ For more information on other state regulations pertaining to pesticide use and cannabis cultivation, see Feldman, Jay “Pesticide Use in Marijuana Production: Safety Issues and Sustainable Options” *Pesticides and You*, 2014.

¹⁸ NOP, p. 8.

¹⁹ Regulatory efforts include the FERC relicensing efforts for Dam and Hydropower projects already impairing and damaging the watersheds in the Sierra Nevada region, as well as local water management efforts led by local water agencies, such as Nevada Irrigation District, Placer County Water Agency or Yuba Water Agency.

²⁰ Carah et al. 2015, p. 823. Other studies that estimate a 22 or 22.7 liters per plant per day over a 150 day grow season include Bauer et al. 2015, Humboldt Growers Association 2010, and Butsic and Brenner, “Cannabis (*Cannabis sativa* or *C. indica*) Agriculture and the Environment: a Systematic, Spatially-Explicit Survey and Potential Impacts” 386-387.

irrigation techniques as well as compile total agricultural water use.²¹ Other crops cannabis have been compared to include almonds and grape vines used for wine production.²²

One study focused on water usage in the “Emerald Triangle” region of California and reported a drastic difference in water usage for indoor, or greenhouse, cultivation versus outdoor sun-grown cultivation. The study reported that “an estimated 22 liters (L) of water or more per plant per day are applied during the June–October outdoor growing season (HGA 2010).” To estimate regional water application rates, the study used a plant density in *greenhouses* of 900,000 plants per square kilometer (km²) and concluded that approximately 3 billion liters per square kilometer greenhouse-grown marijuana per growing season. In stark contrast, outdoor cultivation used much less water, due to less plant density.²³

Here, for commercial cannabis cultivation, the ordinance prescribes a maximum of 10,000 square feet of canopy for any method or combination of cultivation, on parcels 20 acres or greater in the General Agriculture, Agriculture Exclusive and Forested zones. This is drastically lower in possible density for indoor, mixed or outdoor cultivation. Though we support the overall water conservation this limitation on cannabis cultivation would produce, in actuality this level of regulatory restriction will encourage illegal cannabis cultivation – which furthers unregulated and undocumented water use in both outdoor and indoor cultivation scenarios.

Illegal Diversions

Illegal diversions are another water use concern. These diversions are understood to sustain illegal cannabis cultivation, which studies have postulated are “widespread, increasing, and largely unregulated...in many rural Northern California watersheds.”²⁴ If the County’s ordinance does not encourage legal cultivation, and instead triggers an increase in illegal cultivation, it will have devastating ramifications on the hydrology of the Yuba River watershed.

The normal cultivation season requires irrigation through summer and fall, requiring surface water diversions directly from rivers such as the Yuba River or groundwater pumping due to lack of consistent precipitation. Individual diversions are usually located in sensitive watersheds that are considered “hotspots” of aquatic biodiversity.²⁵ Although the state is currently considering water catchment regulations that would assist in mitigating this issue, in the meantime “surface water diversions for marijuana cultivation have been documented to significantly reduce or eliminate already low stream flow during California’s Mediterranean-type dry summer season,

²¹ Butsic and Brenner, “Cannabis (*Cannabis sativa* or *C. indica*) Agriculture and the Environment: a Systematic, Spatially-Explicit Survey and Potential Impacts” 390.

²² Carah et al. 2015, p. 386-387. “For comparison, wine grapes on the California north coast are estimated to use a mean of 271 million L of water per km² of vines per growing season. Marijuana is therefore estimated to be almost two times “thirstier” than wine grapes, the other major irrigated crop in the region.”

²³ Carah et al. 2015, p. 823. “If we assume a planting density of 130,000 plants per km², water application rates would be approximately 430 million L per km² of outdoor-grown marijuana per growing season.” The study received the information from Scott Bauer, California Department of Fish and Wildlife, personal communication, October 13, 2014.

²⁴ Bauer, et. al. 2015.

²⁵ Carah, et. al. 2015, p. 823; citing Bauer et al. 2015.

particularly during drought years, and therefore threaten the survival of rare and endangered salmonids, amphibians, and other animals.”²⁶

Sustainable water management is an important and imperative goal for this community. NID is currently taking a step towards this effort by updating their Raw Water Master Plan (RWMP), which dictates the management of the main source of untreated water needed for agricultural production. It will be very difficult to obtain accurate estimates of the hydrology for this region or determine accurate water use if there is an increase in illegal cannabis cultivation in the Yuba River watershed.²⁷

Additionally, excessive groundwater withdrawals can damage the unstable fractured granite groundwater reserves that lie beneath Nevada County.²⁸ SYRCL believes that this review process needs to consider and mitigate damage caused by overpumping in a sensitive groundwater region that provides drinking and agricultural water in this community. In order to assess the most accurate and current levels of shallow groundwater storage, the County may need to do a complete hydrogeology scan of the County’s jurisdiction.

Impacts on Land Use and Forest Management

Illegal and legal cannabis cultivation often comes hand in hand with poor land use practices. These include land terracing, road construction, and forest clearing for both semi-legal and black-market cannabis plantations.²⁹ The deforested and poorly graded land damages habitat for native fish and wildlife through the removal of native vegetation³⁰, increased soil erosion³¹ and damaging water quality.³² In addition, “trespass grows” on public lands wreak havoc on the landscape and leads to increased erosion. Cannabis cultivation also impacts soil health, a main component of environmentally-friendly cannabis cultivation. We therefore request that the County give special attention to land use in our community: the impacts of cannabis cultivation on forest health and management.

In 2010, government agencies eradicated 10.3 million cannabis plants and 46% of those plants were discovered on federal lands, primarily on national forests in California, Oregon and Washington.³³ Furthermore, cannabis cultivation in California is mainly concentrated in remote

²⁶ Carah et al. 2015, p.823; citing Gabriel et al. 2013, Bauer et al. 2015.

²⁷ Carah et al. 2015, p. 823; citing Gabriel et al. 2013, Bauer et al. 2015.

²⁸ For more information, please coordinate with the West Placer Groundwater Sustainability Agency and the Yuba Groundwater Sustainability Council, amid developing Groundwater Sustainability Plans that require water management strategies between groundwater and interconnected surface water sources, such as the Yuba and Bear rivers.

²⁹ Carah et al. 2015, p. 825.

³⁰ Carah et al. 2015, p.825; citing Milestone et al. 2012.

³¹ Carah et al. 2015, p.825; citing USDOJ NDIC 2007, Gabriel et al. 2013, Bauer et al. 2015.

³² We go into more detail regarding specific biological resource impacts below in “Impacts on Wildlife and Listed Species.”

³³ Koch, Frank H, Jeffrey Prestemon, Geoffrey Donovan, Everett Hinkley, John Chase, “Predicting cannabis cultivation on national forests using a rational choice framework” *Ecological Economics* 129 (2016) 161–171, 161.

forested watersheds, on private, public, and Native American tribal lands, and is often grown outdoors, with environmental impacts often extending far beyond the specific cultivation site.³⁴

Here, the NOP initially states that thirty percent of the land encompassed in the scope of this ordinance is public land. Additionally, the ordinance allows cannabis cultivation for four non-residential zoning zones, including forested land.³⁵ Forest management is another imperative and important issue for this community, because cannabis cultivation and general harmful land use practices exacerbate California's difficult forest management issues. We believe that devastating land use practices are one of the most concerning environmental impacts cannabis cultivation has on this watershed and encourage Kimley-Horn consultants to do a thorough review of this issue, working with SYRCL as well as other managing agencies.³⁶

Impacts on Wildlife and Listed Species

SYRCL strongly supports the County's inclusion of impacts on "Biological Resources." Cannabis cultivation will directly and indirectly impact the wildlife in our region. In addition to the Fisher case study mentioned above and threats caused by pesticide and rodenticide applications, cannabis cultivation specifically will impact native sensitive and threatened species in our watershed. Sensitive species potentially impacted by degraded water quality or less water available in the ecosystem are the Foothill Yellow Legged Frog, Western Pond Turtle, California Horned Lizard, Western Ridged Mussel, River Otter, Beaver, and Osprey.

Additionally, threatened local species that will be affected are the Layne's ragwort, Vernal pool fairy shrimp, Valley elderberry longhorn beetle, California red-legged frog, steelhead, Chinook salmon³⁷ and North American green sturgeon.³⁸ A number of these species, mainly the red-legged frog, the Chinook Salmon, the steelhead and green sturgeon, rely on the Yuba River watershed for critical habitat that allows the continued survival of their species.³⁹ Those fish species are particularly affected "because they are vulnerable to low flows (imposed by water withdrawals), soil erosion, and agrochemical contamination."⁴⁰ Additionally, soil erosion also increases fine-sediment in streams, damaging spawning and rearing habitat for salmon, such as the local spring-run Chinook salmon.⁴¹

Finally, "trespass grows" from illegal cannabis cultivation occur on public, tribal lands or large timberlands and cultivators "often camp out for many months at a time and poach wildlife for

³⁴ Carah et al. 2015, p.823. For more information, please see Gabriel et al. 2012, Milestone et al. 2012, Thompson et al. 2014, and Bauer et al. 2015.

³⁵ NOP, p. 5-6.

³⁶ NOP, p. 2. Federal agencies include U.S. Forest Service, Tahoe National Forest, and Bureau of Land Management. Nevada Irrigation District is also a land-owner in this area.

³⁷ Spring-run evolutionarily significant unit.

³⁸ Southern DPS.

³⁹ Carah et al. 2015, p.825.

⁴⁰ Butsic and Brenner, "Cannabis (*Cannabis sativa* or *C. indica*) Agriculture and the Environment: a Systematic, Spatially-Explicit Survey and Potential Impacts" 386.

⁴¹ Carah et al. 2015, p.825; citing USDOJ NDIC 2007.

sport and sustenance.”⁴² This could result in unregulated “takings” of threatened and endangered species in the Yuba River watershed, such as spring-run Chinook salmon.

The present spring-run Chinook salmon population in the Yuba River is at a critical all-time low this year.⁴³ Only 65 fish have been reported over Daguerre Point Dam as of August 7, 2018. Though the drought has also played a significant role, the local salmon populations have not recovered since 2016. Cannabis cultivation could be a contributing factor because it damages critical habitat, degrades water quality as well as promotes illegal cultivation, which increases the potential for unregulated takings of the species.

Impacts to Energy Usage and Conservation

When grown indoors, cannabis cultivation can require extensive energy inputs with potentially negative effects on climate.⁴⁴ Indoor cultivation is estimated to use a power density of around 200 watts/per square foot, similar to a data center, while providing four to five harvests a year versus one harvest season per calendar year of sun-grown cultivation. One study concluded that the complete carbon footprint of indoor cultivation produces close to 7,500 kg/CO₂. Essentially, in context, 1 “joint” would equal three pounds of CO₂, grown with a 100-watt light bulb for 25 hours, which equals 22 miles in a Prius vehicle.⁴⁵ Indoor cultivation, therefore, is a high-energy consumptive crop, which will have detrimental effects to local air quality as well as negatively contribute to climate change.⁴⁶

We are encouraged by the ordinance’s separation of artificial, sun and mixed-light tiers within the draft ordinance and the NOP. However, SYRCL strongly encourages the County to add additional incentives in the ordinance and project alternatives for sun-grown cultivation, and sourcing mixed light energy for cultivation from renewable sources such as solar and wind. Specifically, SYRCL finds the complete ban on outdoor cultivation for personal use in certain zones concerning. Notably, that outdoor personal cultivation in Residential Designation is completely prohibited, whereas indoor cultivation is allowed.⁴⁷

Purely sun-grown cultivation decreases fire risk due to requirements to comply with existing County code fire and electrical codes,⁴⁸ and reduces local emissions due to less energy consumption overall. In addition, sun-grown cultivation decreases the carbon footprint left by illegal cannabis cultivation.

⁴² Carah et al. 2015, p.824; citing Milestone et al. 2012, Gabriel et al. 2013.

⁴³ Personal communication from River Science Director Rachel Hutchinson, member of the Yuba River Management Team. Received September 10 2018.

⁴⁴ Carah et al. 2015, p.823; citing Mills 2012, O’Hare et al. 2013.

⁴⁵ Mills, Evan, “Policymakers’ Primer on Assessing the Carbon Footprint of Cannabis Production” Presentation given to Council of State Governments Annual Conference, Las Vegas NV December 14, 2007.

⁴⁶ See California’s recently released Fourth Assessment on Climate Change.

⁴⁷ It is especially important to note that Residential Agriculture zoning designations mean the parcels do not have public water nor public sewer system available.

⁴⁸ NOP, p. 8.

Project Alternatives

SYRCL thanks the County and Kimley-Horn for including an alternative that looks at Increased Cultivation Area Alternative, and furthermore strongly encourages Kimley-Horn and the County to consider a wide variety of Project alternatives in addition to the required “no project alternative” and Reduced Cultivation Area Alternative.⁴⁹ The reasons are three-fold.

First, a variety of alternatives will provide this community with a robust analysis, and subsequent flexibility, for a still-evolving state regulatory future while still protecting the Yuba River watershed.⁵⁰

Additionally, a variety of alternatives will also allow *local* knowledge and data to be formally considered through this robust environmental process. For example, “anecdotal evidence” may be one of the best forms of data Kimley-Horn consultants can glean from the public comments gathered through the CEQA scoping process. This evidence can bolster alternatives by providing a variety of mitigation techniques. For example, in a couple studies “[a]necdotal evidence suggests growers can reduce water use by 70 percent by cultivating small plants that mature quickly, although there is no suggestion of the implications of this production system for yields.”⁵¹

Finally, a variety of project alternatives will also give the community several options moving forward with the complete legalization of commercial cannabis cultivation.

Conclusion

In closing, we appreciate the County and the consultants at Kimley-Horn’s time and dedication to a robust environmental review of this ordinance. This community needs a thorough evaluation of overarching environmental impacts from local cannabis cultivation.

We welcome the opportunity to collaborate during the study period. For coordination, clarification or discussion of any technical matters raised in this letter, please do not hesitate to contact our River Science Director, Rachel Hutchinson, or our River Policy Manager, Ashley Overhouse, by email or phone (530-265-5961).

Sincerely,



Melinda Booth
Executive Director
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⁴⁹ In accordance with Section 15126.6 of the State CEQA Guidelines.

⁵⁰ See 2018 Legislation Update by California Growers Association for more information.
<https://www.calgrowersassociation.org/2018_legislation>.

⁵¹ Butsic and Brenner, “Cannabis (*Cannabis sativa* or *C. indica*) Agriculture and the Environment: a Systematic, Spatially-Explicit Survey and Potential Impacts” 390, citing Walker 2015.



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SYRCL Cannabis Comments

Public Scoping meeting 8/22/18 1:30PM
Presented by River Policy Manager Ashley Overhouse

Hello everyone, my name is Ashley Overhouse and I'm the River Policy Manager at the South Yuba River Citizens League, commonly referred to as SYRCL. I'm here to introduce myself to Board of Supervisors and the CEQA consultant.

I first want to thank the Supervisors and County personnel for initiating this environmental review process, and welcoming public comment in this initial scoping meeting. SYRCL is excited to participate, comment and educate our community regarding the environmental impacts of cannabis cultivation. In fact, the implementation of this ordinance and the subsequent CEQA process is the logical nexus for SYRCL's community efforts.

SYRCL has been an active environmental non-profit organization for the last 35 years, and recently became a member organization in the Waterkeeper Alliance. Additionally, as you may or may not know, SYRCL has been working for the last four years on the environmental impacts of cannabis cultivation with a program called Growing Green. Through this program we have held a series of educational workshops often in collaboration with the Nevada County Cannabis Alliance. Most recently, we produced a series of educational videos featuring local cannabis farmers and their techniques to increase soil health, lessen water usage and decrease agricultural run-off. Those videos can be found online, and I would be more than happy to share them with this group.

In relation to the implementation of this draft ordinance, SYRCL is focused on water quality and environmental impacts. I stress that the nature of the ordinance is still a draft, one that SYRCL did not have an opportunity to comment on. Therefore, we look forward to the many suggested project alternatives that will be initiated through this scoping process, hopefully that are varied, extensive and thorough to cover all the potential effects that could occur to the environment if the ordinance were to change. We would like to echo the Alliance's concerns that the ordinance does not include most of the local cannabis cultivation that already occurs in this community, mainly personal outdoor cultivation on less than 5-acre parcels. Therefore, the actual effectiveness of the ordinance remains to be seen.

Regardless, SYRCL acknowledges and appreciates our community's unique legacy of organic cultivation and environmental stewardship, that often includes innovative and environmentally friendly agricultural practices. We look forward to encouraging this legacy through this environmental review process, and by educating and informing our 1300 active members and volunteers about this exciting local endeavor through a renewed Growing Green program.

Thank you for your time.

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