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Agenda Item #46, Board Meeting on June 23, 2020

1 message

Joe Rodgers <joerodgers05@gmail.com>

Sun, Jun 21, 2020 at 2:19 PM

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Cc: Charlene Carveth <charlene.carveth@edcgov.us>

Comments to El Dorado County Board of Supervisors regarding Agenda Item #46: Commercial Hemp; Regular Meeting, Tuesday, June 23, 2020

I write because this item seeks your input, on the public's behalf, regarding El Dorado County's permissive program for the commercial cultivation of "industrial hemp." For just over one year now, the State of California has allowed the commercial cultivation and processing of "industrial hemp" under strict regulations to ensure that it is not "marijuana." As your staff's presentation shows, not all counties even allow the commercial cultivation of "industrial hemp;" and some that do allow it impose additional requirements beyond those expressly set forth in state law. El Dorado County does not appear to currently impose any additional requirements. It should.

As the Agricultural Department's presentation states: Last growing season there were only two growers who planted and the total acreage was 4.3 acres. It goes on to state that there are currently nine registered growers with two more planning to register -- and "potentially plant 43 acres this season." The math is simple: Going from 4.3 acres to 43 acres is a 1,000% increase! This exponential growth will result in more prevalent interfaces with other land uses in the County.

Given that "industrial hemp" is distinguishable from "marijuana" (both being a variety of cannabis) only in terms of its level of THC (hallucinogen), the issues of odor and security that accompany growing "marijuana" are also important considerations with respect to growing "industrial hemp." A simple search of on-line sources demonstrates why this is important, as we can learn from the experiences of other locales.

Odor Issues:

An example of the odor issues is this excerpt from an article from the fall of 2018 that appeared in the *Medford Mail Tribune* newspaper regarding the obnoxious odor coming from neighboring hemp farms:

“School sours on scent of hemp

by Kaylee Tornay of the *Mail Tribune*

Tuesday, November 27th 2018

For several weeks, a neighbor's skunky smell filled the air, and students at Oak Grove Elementary complained that their heads hurt and they felt nauseated.

Staff, too, were not pleased. They said the odor followed them to their vehicles and homes.

From September through October, people at Oak Grove said, they were constantly aware that their neighbors were hemp farms ready for harvest.

"Many staff, students and families have significant concerns about noxious odor during the harvest season and its impact on the health of the students and the staff," said Michelle Cummings, Medford School District chief academic officer.

Hemp plants, cousins to marijuana, often release strong smells as their flavor-producing terpenes reach maturity. The scent of even a few rows of plants can travel far, and Oak Grove is within a quarter-mile of at least two industrial hemp grows."

Another newspaper had a similar report, this one in the *Baltimore Sun*, which included the following report:

"Odor of industrial hemp farm has Baltimore County residents fuming

By CODY BOTELER

BALTIMORE SUN MEDIA |

FEB 17, 2020 | 5:00 AM

Some Baltimore County residents have complained for months of an overpowering stench coming from an industrial hemp farm. They said the odor would cling to their clothes, cause headaches and drift through open windows.

The farm, tucked off Broadway Road between Greenspring Avenue and Falls Road, reeked from late July or early August and until early November, when the plant was harvested, and now nearby residents say they're worried about the next growing season.

The neighbors, who asked to remain anonymous, said they were not opposed to industrial hemp. Rather, the group wants the county or the state to impose restrictions that would prohibit industrial hemp farming within 2 miles of a residential area. The Broadway farm is surrounded by suburban homes, just north of Stevenson, between Lutherville-Timonium and Owings Mills."

Closer to home, here in California, where "industrial hemp" cultivation has only become legal in the last 12 months, the City of Camarillo had to implore the Board of Supervisors of Ventura County to reign in cultivation of "industrial hemp" that was polluting the City and its residents with noxious odors. The letter from the City to the County is set forth below.



page 1 image 2802446560 **City**
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October 30, 2019

Supervisor Kelly Long

County of Ventura Board of Supervisors, Third District 1203 Flynn Road, Suite 220

Camarillo, CA 93012

RE: Industrial Hemp Cultivation in Ventura County

Dear Supervisor Long:

Via E-Mail: kelly.long@ventura.org

As you are aware, we have a serious odor nuisance issue in Camarillo. Industrial hemp cultivation has slowly surrounded our City and has created an issue of significant community concern. Approximately eighteen acres of cultivation has been permitted by the Agricultural Commissioner within our city limits, and several hundred acres of industrial hemp is being cultivated in various locations surrounding our City: on the Oxnard plain, immediately east of Leisure Village; north of Mission Oaks in Somis; west of Spanish Hills in Saticoy; and west of the Camarillo Airport. It became clear to our City Council during a lively discussion at our public meetings on October 9 and October 23, 2019, that this is not an issue we can handle alone; rather, this is an issue that requires coordination and collaboration with the Board of Supervisors to protect the public health and welfare of our community.

We have received a considerable amount of comments from our community, on all sides of this issue: from the farming community who urge Camarillo to continue to be at the forefront of the agricultural industry; to the entrepreneurs and general farming advocates who desire protection and preservation of agricultural independence; to the residents of our community with severe allergies and, in some cases, life-threatening reactions to the pollen associated with the cultivation of hemp who have threatened to move if the cultivation persists; to the business owners who despise the smell of "cannabis" permeating their commercial establishments; and to all those in our City who are concerned that this City literally stinks like a skunk, day in and day out.

The purpose of this letter is to raise awareness about the odor that has permeated our community from the industrial hemp fields that surround Camarillo, and to shed light on the concerns we have received from our community. We understand that an item will be brought before your Board on November 5, 2019, regarding the potential regulation of commercial medical cannabis activities and businesses in unincorporated Ventura County. We understand that the Board of Supervisors will provide direction to staff, regarding the regulation of commercial medical cannabis activities and businesses in unincorporated Ventura County. Although this item will be specifically about medical cannabis activities and businesses, we feel compelled to express to you the problems we are experiencing with hemp cultivation, the odor of which is the same as that produced by cannabis.

October 30, 2019 Industrial Hemp Cultivation

We will be attending the November 5th meeting on cannabis and asking the Board of Supervisors to take action on protecting the City of Camarillo from the nuisance of both cannabis and hemp odors, which are causing illness in some individuals, business interruption, and threats of residents and businesses leaving the City.

We appreciate the opportunity to engage you and your fellow Supervisors in a meaningful conversation pertaining to the cultivation of industrial hemp in the unincorporated areas of Ventura County, and respectfully request that you consider the public welfare of the Camarillo community in your discussion about how to regulate the growing of cannabis and hemp in Ventura County.

Thank you for considering the City's position on this important matter. Sincerely,

Kevin Kildee Mayor

Attachments: Comments from Camarillo community

c: Camarillo City Council

Clerk of the Board, County of Ventura Board of Supervisors

Ed Williams, Ventura County Agricultural Commissioner

Andy Calderwood, Ventura County Deputy Agricultural Commissioner Dave Norman, City Manager

Tully Clifford, Assistant City Manager

Joe Vacca, Community Development Director "

Security Issues:

Security issues surrounding "industrial hemp" are not all that dissimilar to those surrounding "marijuana." An article in *Forbes Magazine* highlights several concerns facing "industrial hemp" growers, among them theft:

“American Hemp Dreams Are Being Crushed By These 5 Challenges

Mike Adams Former Contributor

Vices

I cover various facets of the cannabis culture.

Oct 23, 2019

* * *

Thieves Are Stealing Hemp Plants Thinking It Is Marijuana

Because hemp and marijuana have a similar appearance and odor, thieves have been sneaking into hemp fields at night and stealing crops with rabid enthusiasm. Some farmers in New York complain that they have lost beaucoup bucks because pot-seeking pirates keep showing up night after night.

Thieves are apparently targeting hemp plants because they have mistaken them for marijuana. It's a problem that is only getting worse, some farmers say.

"It started out with taking 20 plants and escalated to 100 plants. It was just once a week, and now it's escalated to every day," New York farmer Dale Weed told the television station WHAM. "To them, it's worthless. You can smoke a whole telephone pole of this without having any effect."

And while theft must be factored into any business plan, those cultivators that got into hemp production to keep their farms from being sucked into the great oblivion are concerned that such a significant loss right out of the gate could cripple them before they even get started.

This problem is forcing them to either invest in increased security or assemble an independent brigade to keep a constant lookout.

"My family has spent quite a few nights here watching the property. I've spent nights here where I'm sleep deprived. It's a big problem for us," Weed said."

Again, closer to home here in California, last year's first year of legal "industrial hemp" cultivation has resulted in crime problems. As reported last fall in the *Fresno Bee*:

“You can't get high, but hemp thefts in Valley are on the rise, sheriff says

BY JIM GUY

OCTOBER 08, 2019 01:32 PM, UPDATED OCTOBER 08, 2019 02:21 PM

Thieves out to steal marijuana from farmers, sometimes at gunpoint, are taking industrial hemp from farms, even though the plants do not contain a significant amount of THC, the Fresno County Sheriff's Office reported Tuesday.

According to department spokesman Tony Botti, it appeared suspects in a recent theft were under the mistaken impression that they were taking plants that could be used or resold by those seeking a marijuana

high.

It is difficult to distinguish between the psychoactive plant and the hemp plant, so farmers often use signs to tell passersby what is growing in their fields.

Nevertheless, thefts are taking place, including three recent ones in Fresno County, Botti said.

On Sept. 27, a property owner near South Leonard and East American avenues in the Del Rey area approached two men taking plants from a field. One of the men brandished a firearm before the pair fled.

On Friday, 15 to 20 people were at the same field taking plants, one of them armed, as well.

On Monday, two men were arrested after they were found in possession of about 25 plants near South Willow and East Mountain View avenues. They were identified as Frank Carrillo, 39, and Abraham Garza, 51, both of Fresno.

Botti said they face charges of grand theft, and Garza was also booked on charges of possession of methamphetamine.”

In yet another California county, the experience has been similar, as reported in Kings County, in the *Hanford Sentinel*:

“Officials arrest 3 men for theft of 33 industrial hemp plants

- [Lauren Wagner](#) Oct 30, 2019

LEMOORE — Officials arrested three men involved in the theft of 33 hemp plants after a high-speed police chase Tuesday.

Kings County Sheriff's deputies were dispatched to a rural area south of Lemoore around 1:30 a.m. on reports of several individuals who stole hemp plants from an industrial hemp field, according to a media release.

The suspects fled the scene at a high speeds in a red Chevrolet pickup truck after being confronted by the field's caretaker. Officers then located the pickup traveling north on 17th Avenue near Kansas Avenue. Deputies attempted to stop the pickup, but the driver sped away, officials said. Deputies continued to pursue the pickup at speeds in excess of 100 miles per hour.

The pickup finally came to a stop near an orchard in the 13000 block of Kent Ave., where three male suspects exited the pickup and fled on foot.

A perimeter was established around the orchard and a California Highway Patrol helicopter was requested to help locate the trio, officials said. A K-9 from Kings County and the Hanford Police Department were also utilized to help locate each suspect.

Officials eventually found all three suspects, who were later identified as 37-year-old Jesus Alvarado, 36-year-old Jose Torres and 27-year-old Javier Martinez.

During the apprehension of Martinez, a K-9 was utilized to safely take him into custody after he resisted arrest. Martinez kicked the K-9 in the head multiple times during the struggle, but the K-9 was not severely injured during the incident.

Officials later determined that the suspects stole from the field believing the plants to be marijuana. A total of 33 plants were recovered and returned to the owner.”

So, just imagine that you are living right next to an "industrial hemp" field. You will have the stench and you will have the criminal element invading your neighborhood looking for a quick buck! Think about it!!! At present there appears to be NO regulation in El Dorado County regarding setbacks (odor/security) or security measures (screening?) to dissuade criminal elements from invading in search of quick profits. In fact, based upon personal observations by other residents, it appears this season that some "industrial hemp" growers are planning to plant right up to neighboring property lines!! We don't need/want "independent brigades" in our neighborhoods trying to protect "industrial hemp" crops from desperados!! We don't need Sheriff's deputies being shot in the process either!! Please set some standards!! Get a handle on this situation before it gets out of hand!!

Thank you for considering my views! The Zoom interface does not work well for me, so -- although I can watch your meetings on-line (as usual) -- I will not be able to comment during your meeting. Therefore, I appreciate your time and attention to reviewing my views on this important topic.

Joe Rodgers