

**From:** David Harde <davidharde123@gmail.com>  
**Sent:** Thursday, October 27, 2022 10:34 AM  
**To:** BOS-District I; BOS-District II; BOS-District III; BOS-District IV; BOS-District V  
**Cc:** BOS-Clerk of the Board  
**Subject:** Special Meeting, EDC BOS, 11/1/2022,2:00 PM

Please add my comments for the record regarding Agenda Item 1. #22-1529. Thank you,

David Harde

Thank you for the opportunity to share my perspective with you regarding the Industrial Hemp Pilot Program proposed for El Dorado County.

Since December 2020, The County has banned the cultivation of Industrial Hemp, defined as a United States Essential Agricultural Commodity in 2018. The United States Department of Agriculture Final Rule confirming this status was published March 22, 2021. There is no doubt that Industrial Hemp is now an essential and valuable crop for the United States, as well as for El Dorado County.

The Industrial Hemp Pilot Program proposes for two years, five (5) trial cultivation projects within the County. In 2019 and 2020, Industrial Hemp was cultivated in the County with mixed perceptions and experiences. Only one cultivation operator received repeated complaints from a neighboring parcel. In addition, the same operator processing (drying) and storing their hemp at an off-site location received additional complaints. In each case, "odors" were the dominant complaint and only confined to a 30 day period of duration in the growing season. No criminal nor illegal activities were associated or recorded with any of these El Dorado County licensed industrial hemp cultivation sites.

The County Agricultural Commission and CEDAC has thoroughly reviewed past county hemp cultivation experiences, received comments from stakeholders, law enforcement, county staff, and the agricultural community. They have reviewed the California Department of Food and Agriculture Industrial Hemp Regulations and the Sonoma County Department of Agriculture Hemp Regulations thoroughly to create and propose the Hemp Pilot Program.

The Planning Commission recently reviewed the Program. Their recommendation altered the original program with unusual, highly restrictive, exclusionary and inflexible operating definitions. Contrary to usual or standard definitions of the area or premise to use as the site to grow, process and store industrial hemp, the Planning Commission recommended the area or site as the "parcel" as the Assessors Parcel, APN. This is contrary the CDFA Hemp Regulations defining the site or area of activity as premise, not parcel. Sonoma County Department of Agriculture Hemp Regulations, Chapter 37, define area as premise, not parcel. This restriction prohibits the use and enjoyment of the remainder of the parcel(outside the hemp cultivation area) for other licensed and governmentally regulated activities. In essence, this restriction eliminates the economic potential and other uses of the remainder of the parcel, solely due to this definition. In our particular case for example, our parcel is 57 acres. Our area of hemp activity is one acre total for cultivation and other post- harvest activities as processing and storage. To identify the total parcel as the hemp "site", misidentifies the area of production, restricts the use of the remainder(56 acres) for other regulated activities and would wrongly allow the county taxing authorities to reassess the entire property rather than on improvements limited to one acre.

The Industrial Hemp Program promises new products and a new direction for our county agricultural producers. If the Board Of Supervisors establish as the area of the cultivation site as premise and not parcel, the industrial hemp agricultural community will flourish.