



Legislation Details (With Text)

File #: 22-343 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 4/7/2022 **In control:** BOARD OF SUPERVISORS

On agenda: 4/12/2022 **Final action:**

Title: 3:30 P.M. - a) Consideration of Interim Urgency Ordinance Placing a Moratorium on New Agricultural and Cannabis Cultivation Projects; and b) Consideration of Letter to Governor Newsom Requesting a Halt on New Cannabis Cultivation Licensing Statewide; and c) Consideration of Requesting the Lake County Drought Task Force Discuss, Draft, and Provide Ag/Cannabis Guidelines During Drought Conditions; and d) Consideration of Discussion of Other Actions Regarding Drought

Sponsors: Bruno Sabatier

Indexes:

Code sections:

Attachments: 1. A - Urgency Ordinance Moratorium of Agricultural and Cannabis Projects, 2. B - Letter to Governor Newsom Regarding Moratorium on Cannabis Cultivation Licenses, 3. PublicComment_HollyHarris, 4. PublicComment_RedbudAudubon, 5. PublicComment_LCCC, 6. PublicComment_BlairGue, 7. BOS Letter AK LCDC 220411, 8. 2022 0411 D. Lanferman Letter to Board of Supervisors County of Lake(17716221.1)

Date	Ver.	Action By	Action	Result
4/12/2022	1	BOARD OF SUPERVISORS		

Memorandum

Date: April 12, 2022

To: The Honorable Lake County Board of Supervisors

From: Bruno Sabatier, District 2

Subject: Drought discussion and actions

- a) **Consider Interim Urgency Ordinance Placing a Moratorium on New Agricultural and Cannabis Cultivation Projects**
- b) **Consider Letter to Governor Newsom Requesting a Halt on New Cannabis Cultivation Licensing Statewide**
- c) **Consider Requesting the Lake County Drought Task Force Discuss, Draft, and Provide Ag/Cannabis Guidelines During Drought Conditions**
- d) **Discussion of Other Actions Regarding Drought**

Executive Summary:

As we know, we are facing an unprecedented, modern day, drought. A recent study states that this drought “represents the largest Southwestern North American area to experience a top-five 22 year drought-severity ranking in at least 1,200 years.” On March 15, Water Resources presented about our current drought conditions sharing with us that lake levels may get close to 1976/77 lake levels, one of our worst documented droughts of our recent past. Last year, we approved a water truck

ordinance due to the number of water trucks moving water around our county. For some it was for drinking water to those who could no longer pull water out of their wells, for others these deliveries also included other activities such as providing water to illegal cannabis grows. The number of trucks was alarming enough to create an ordinance restricting their activities, but proof nonetheless that this drought has impacted our groundwater and not just our lake. Bottom line, Lake County needs to do a better job of conserving water and not adding any new burden to an already stressed water system any more than it already is.

A) Agriculture and cannabis is a part of Lake County. While walnuts and pears are decreasing their acreage in Lake County, we have seen a continued increase in vineyards and quick increase in cannabis acreage. In 2018, total vineyard acres were 9,254 and in 2020 it increased to 9,584, a total of 330 acre increase occurred. Cannabis started in 2018 with less than 20 acres and has climbed to approximately 272 acres in 2021, an approximately 252 acre increase.

Adding more agricultural operations and cannabis cultivation projects to a 22 year drought that is currently exhibiting severe drought conditions is not appropriate. We do not know how much longer this drought will continue. We know that all water purveyors struggled last year, and this year is not proving to be any different.

I propose a 45 day moratorium on new projects relating to agriculture and cannabis due to the drought with possible extensions in the future. During this time, I hope we can come up with greater measures to protect and conserve our water, please see Part C of this item.

Agricultural operations converting native land to ag land will be prohibited under this moratorium. Both cannabis cultivation and agricultural operation projects who have already had their projects sent to the State Clearing House can continue with their approval process, but all other projects will be not be allowed to obtain approval until the moratorium has been lifted.

Projects can and will continue their process towards approval, this way when the moratorium is over (hopefully the drought as well) then projects will be ready to be approved.

B) I am requesting that the Board review and approve a letter to Governor Newsom asking that the state follow our example from Part A of this agenda item, and pause providing more cannabis cultivation licenses until the state finds itself in a better drought situation. Our traditional ag, as well as cannabis cultivations that have been approved, are impacted by each new acre of cannabis being approved. The state needs to take the drought into consideration over the need for more taxes. The state has been in a surplus the last two years and should focus on long term issues and long term solutions while the drought persists.

C) During our April 5th Board of Supervisors meeting we requested to realign the Lake County Drought Task Force to work on a comprehensive plan, the final makeup of this Task Force will be coming back to a future agenda item, possibly by the end of the month. I would like the board to give the Lake County Drought Task Force the direction to come up with new drought guidelines for agriculture and cannabis as well as new standards for hydrology reports as well as review standards. By creating these new guidelines and standards, we can continue to approve future ag and cannabis projects with an elevated standard to meet so that their activities will be successful and not have a cumulative impact to neighboring areas whether or not there is a drought.

D) Discussion on future drought actions needed to be taken such as: illegal grows and its illegal use

of our ground water or lake water and the need to make an impact this year, the need to regulate commercial water sales, the need for enforcement on drought issues.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 (check all that apply):

☐ Not applicable

- | | | |
|---|--|--|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input checked="" type="checkbox"/> Economic Development | <input type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> County Workforce |
| <input checked="" type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake |

Recommended Action: A) Approve the Interim Urgency Ordinance Placing a Moratorium on New Agricultural and Cannabis Projects. B) Approve letter to Governor Newsom regarding Moratorium of Cannabis Cultivation State Licenses C) Provide Direction to Lake County Drought Task Force D) Discussion only