

MEMORANDUM

Date: October 8, 2024
To: Lake County Board of Supervisors
From: Mireya G. Turner, Director Community Development Department

Subject: Response of the Lake County Community Development Department (CDD)

The Lake County Civil Grand Jury issued the “2023-2024 Lake County Civil Grand Jury Report” (hereinafter, report). Contained within the report is a section titled "The State of Cannabis in Lake County" The report addresses an abundance of issues as they relate to both legal and illegal Cannabis in Lake County. The report makes findings and recommendations as it pertains to the previous mentioned matter and compels response to those findings and recommendations pursuant to California Penal Code 933 (C). This memo serves as an official response to those finding and recommendations.

Findings:

F-1: Due to the tax burden and the large number of illegal farms, many of the legal cannabis companies are going out of business or leaving the state.

- AGREE with finding.
- DISAGREE wholly with finding.
- NEUTRAL No position
- DISAGREE partially with finding.

Explanation: There are many factors burdening Lake County’s permitted cannabis businesses. CDD’s priority is to support Permittees, and also to take abatement action on unpermitted cannabis activities.

F-2: Laboratory testing is unreliable and needs to be monitored more closely.

- AGREE with finding.
- DISAGREE wholly with finding.
- NEUTRAL No opinion
- DISAGREE partially with finding.

Explanation: There are no licensed laboratories in the county. Monitoring and oversight of laboratories outside Lake County is not within the purview of the Community Development Department.

F-3: There are no legal cannabis testing laboratories in Lake County.

- AGREE with finding.
- DISAGREE wholly with finding.
- DISAGREE partially with finding.

Explanation: The facts contained in this report substantiates the basis for this finding.

F-4: Lake County law enforcement has insufficient resources to investigate illegal farms.

- AGREE with finding.
- DISAGREE wholly with finding.
- DISAGREE partially with finding.

Explanation: CDD Staff works in tandem with law enforcement, where appropriate. The BOS recently approved funding for the Community Orientated Policing and Targeted Restoration (COPTR) Program, which will focus on improving the communities of Nice and Lucerne for the next three (3) fiscal years, by both Sheriff and Code Enforcement personnel. Enforcement and abatement of illegal cannabis activities is included in the COPTR tasks. This focused approach has shown results that positively impacts our communities.

F-5: Illegal growers undercut the legal growers causing market deflation.

- AGREE with finding.
- DISAGREE wholly with finding.
- DISAGREE partially with finding.

Explanation: The CDD continues to use all resources available to identify and abate illegal grows.

F-6: Lake County's ground water needs to be protected.

- AGREE with finding.
- DISAGREE wholly with finding.
- DISAGREE partially with finding.

Explanation: Protecting ground water is essential to the wellbeing and sustainability of natural resources.

Recommendations:

R-1: That the Board of Supervisors increase oversight to inspect cannabis companies more closely and to shut down illegal grows in the County.

- AGREE with finding.
- DISAGREE wholly with finding.
- DISAGREE partially with finding.

Explanation: Department Staff has consistently performed annual compliance monitoring site visits to all permitted cannabis-related businesses, for the last two years.

Lake County has vast areas of remote lands, full of nooks and crannies which make illegal cannabis a challenge to abate. CDD continues to develop and enrich its grant program operations to expand staff capacity to abate illegal farms. The department appreciates support of the Board of Supervisors for this endeavor.

R-2: That Board of Supervisors consider a portion of cannabis revenues to be used to enforce compliance with cannabis laws.

- AGREE with finding.
- DISAGREE wholly with finding.
- NUEUTRAL, out of purview of CDD.
- DISAGREE partially with finding.

Explanation: Use of cannabis funds is at the discretion of the Board of Supervisors, and we defer to them for comment.

R-3: That the Board of Supervisors take steps to protect groundwater overuse by cannabis growers (legal and illegal).

- AGREE with finding.
- DISAGREE wholly with finding.
- DISAGREE partially with finding.

Explanation: CDD requires a hydrology report for every discretionary permit application that proposes use of ground and/or surface water. The report must be conducted by a licensed professional, and must report the existing water capacity, the proposed use for the project, and what impacts this new use would have on the project and surrounding area.

Illegal cultivation, with no regulation of water use, is a threat to the supply and quality of groundwater resources, and must be abated. The Department appreciates the ongoing support of the Board of Supervisors to continue this endeavor.

The tireless work of the Grand Jury is very important for the betterment of our systems and community. Our department appreciates the opportunity to respond to the Grand Jury's Final Report. As always, CDD stands ready to assist the Grand Jury, should they have future questions or concerns.

Community Development Department Director, Mireya G. Turner