

Imagine the odor from a cannabis outdoor grow that is only one acre. On a one acre planting site there are 2,000 to 5,000 cannabis plants. The plants will be concentrated measuring 12 to 16 feet tall and 6 to 8 feet in diameter. A big concentrated group of odor producing cannabis plants that blow terpenes wherever the wind takes them. All the reason for sealed indoor grows only. Outdoor grows use more water: 5-6 gallons per plant per day. With 2,000 plants that would be 11,000 gallons a day. Indoor grows should use water catchments to reduce the water usage by reusing runoff water.

Why is hemp required to grow pollen producing hemp plants indoors and in a sealed filtered greenhouse and cannabis does not have the same requirement? (Code of Ordinances, Article VII, 3-84-3)

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From : California Environmental Quality Act (CEQA)

Mitigated Negative Declaration (MND)

- 1--Encourages protection of all aspects of the physical environment through disclosure of potential impacts and appropriate action to these impacts.
- 2-- Determine whether the project may have a significant adverse effect on the environment. If such an effect may occur, the lead agency must prepare an Environmental Impact Report (EIR).
- 3-- Substantial evidence supports a fair argument that a MND improperly defers mitigation of projects measures and are insufficient to avoid or reduce those impacts to a less than significant level, an EIR is required.

Potential Impacts:

- A-- Electricity: 25 watts per square foot = 336,000watts in a 96'X140' greenhouse.
- B--Water: A 96'X140' greenhouse uses 714,000 gallons of water for less than ¼ acre (8820 sqft of growing).
- Proximity to creeks and lakes are highly likely to have the wells recharged by riparian water. The Cannabis Cultivation Policy prohibits riparian water use from April 1 to October 1.
- C-- Waste: Single use plastic bags, grow bags and compost delivery bags. Pesticides, herbicides and their containers.
- D--Odor: Terpenes render grapes unmarketable. Over 100 identified terpenes in cannabis. Cannabis growers are growing cannabis that is extremely high in terpenes for the smell and flavor.
Terpenes are classified as volatile organic compounds that off gas and release airborne chemicals and oils. Links have been made between cannabis terpenes and the creation of ozone, a greenhouse gas.

Sources:

EPA	California Air Resources Board
US Forest Service-Air Resource Program	Iowa Dept. of Natural Recourse
Environmental Science and Technology - ACS Publication	
NIH-National Library of Medicine 10-2024	Centers For Disease Control
Denver Public Health and Environment	European Geoscience Union
Oregon Air Quality	University of North Carolina
University of Colorado	
National Oceanic and Atmospheric Admin.	

- 6-- Growing: There should be no permitting of large outdoor grows. Growing by the acre puts a huge concentration of plants, grown aggressively and with high values of terpenes, in areas that have no control of the terpenes being spread by the air currents and drift. Oxidizing methods of

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Is Lake County willing to degrade our excellent air quality, without safeguards? Do pears, walnuts, grapes or farmers market crops produce noxious odors like cannabis? Odors that can cause the production of ozone and myrcene, known health hazards for humans and the environment.

Grapes were Lake Counties number one crop for 2023. An increase of 35% from 2022 which was an increase from 2021 by 43%. Acreage has increased since 2021, 10,987 acres in 2022 up to 11,094 acres in 2023. (Lake County Dept. of Agriculture 2023 report). No odor concerns or setbacks required.

1-Setbacks from roads reduce the formation of ozone by separating the terpenes drifting from cannabis plants and the nitrogen oxides that are produced from cars and trucks driving on those roads. 2-Setbacks from the public protect the people from the odor and ozone. 3-Setbacks from forests protect wildlife and natural vegetation from the harm of ozone. Decaying vegetation also produces nitrogen oxides. 4-Setbacks from agriculture protect the possible contamination of crops. Farming vineyards and orchards in close proximity to cannabis sites endanger the farm workers who operate tractors and equipment. Tractors also produce nitrogen oxides that combine with terpenes and sunlight to make the ground hugging ozone. An operator can spend hours in the ground hugging ozone.

There are no regulations in state laws, that I am aware of, governing the type or amount of pesticides or fungicides used on marijuana plants. This poses a threat to consumers of agricultural crops grown in proximity to the marijuana.

Standards are necessary to protect adjacent property owners and residents who find the odor of mature marijuana plants offensive.

Cannabis emits potential health effects from emitted compounds. Myrcene, identified in cannabis terpenes, has been linked to higher cancer risks. Technically all cannabis flower and smoke is subject to Prop 65 warnings. (OEHHA-Office of Environmental Health Hazard Assessment). Indoor workers need to know about the risks. Soon indoor grows will need to post Prop 65 warnings but how can warnings be posted for all that could be affected outdoors.

Outdoor grows, unsealed "hoop houses" and greenhouses cause more drift of terpenes, pesticides and fertilizers. Outdoor grows would use more water. Outdoor grows would harm native vegetation and wildlife that exist around the grow sites There is a much greater odor from an outdoor grow with no way to contain the odors.

In CEQA it is improper to defer the formulation of mitigation measures until after the project's approval. The determination of whether a project will have significant environmental impacts, must occur before the project is approved. (Cal. Code Regs. section 15176.4 (a)(i)(b)).

The narrow exception to the general rule under CEQA applies only for the kinds of impacts for which mitigation is known to be feasible, when there are specific performance criteria articulated at the time of project approval.

If the County determines that it will not require an EIR, under CEQA the courts can only uphold that decision where there is no credible evidence to the contrary. Degradation of the environment, malodorous smells, health, safety and the well-being of the County would be the credible evidence.

No human in a modern society should suffer noxious, cancer-causing odors in their home from a commercial enterprise. The only mitigation to prevent terpene odors from outdoor cannabis grows from harming residential neighbors is distance. Growing cannabis indoors is the alternate option.

Odor from indoor grows or greenhouses can be removed with properly installed and maintained filtration systems. These systems prevent volatile terpenes from exiting the immediate cultivation area. However, neighbors living adjacent to indoor cultivation sites rely on a cannabis business to maintain this system which is expensive and not in the financial interest of the business to comply. Indoor grows must have mandatory maintenance standards and required shutdowns enforceable by neighbors if they fail to meet those standards.

Odors from outdoor grows cannot be contained or destroyed. Large cannabis grows can blanket a sizable area in noxious odors, negatively impacting residents, food products, wine grapes and tourism. Grows of 6 to 20 acres of outdoor cultivation are being considered as large parcels, the regional dispersion and effects of such projects must be studied using air quality modeling. The modeling should study various topographies, including valleys where air can be stagnant for days and windy areas with dynamic air circulation. Analysis should also consider, at minimum, potential impacts related to multiple cannabis operations in specific geographical areas.

Cultivations of various sizes should be studied, as well as the cumulative effects of all grows within at least a two-mile proximity. "Streamlining" of CEQA for discretionary permits cannot be allowed regarding odor impacts for outdoor cultivation unless these issues are exhaustively studied and modeled in an EIR in all specific areas where outdoor cultivation may be permitted.

The odor from cannabis plants is not just a nuisance. It is dangerous to human and animal health. California's Environmental Protection Agency's Office of Environmental Health Hazard Assessment listed beta-myrcene as a chemical known to cause cancer. Cannabis terpenes contain large amounts of this carcinogen. Beta-myrcene is highly volatile and can travel up to 3,281 feet or more if down-wind. However, quantification is not needed. Simply ask neighbors living near a commercial cannabis grow how far the odor travels, and they will tell you at least 1,000 feet.

Proposition 65 requires employers to post warnings when there is exposure to any listed carcinogen, so the public and employees can choose to leave the premises to avoid the carcinogen. However, for outdoor grows impacting neighboring parcels with these carcinogens, it is not possible to post the warning on the neighbor's land. Additionally, neighbors are subjected to the noxious and cancer-causing odors for months at a time. Carcinogen exposure is unavoidable.

Development standards are proposed in a total absence of data, factual analysis, or modeling. Establishing setbacks without considering odor is nonsensical.