Cortez DRC2019-00058

1 message

Jessica Edmondson <jessica@kirk-consulting.net> Fri, Jul 12, 2019 at 4:58 PM
To: Art Herbon <afherbon@gmail.com>, Kevin Beauchamp <kevin.beauchamp@kw.com>, "ron@smithane.com" <ron@smithane.com>, "tomnelaine@charter.net" <tomnelaine@charter.net>, "zwrights229@aol.com" <zwrights229@aol.com>, "vdahl@lmusd.org" <vdahl@lmusd.org>, "pattiaci@yahoo.com" <pattiaci@yahoo.com>
Cc: Jamie Jones <Jamie@kirk-consulting.net>, Ian McCarville <Ian@kirk-consulting.net>

Dear SCAC Members,

This correspondence is intended to clarify project elements in response to concerns raised by your Council and members of the public at the June 3rd SCAC meeting.

First, the project was brought before your Council during the initial review phase and is currently on Information Hold with the County. Mr. Cortez is working through information requests as well as ensuring the project is compliant with any and all recent changes made to the Cannabis Ordinance by the Planning Commission and Board of Supervisors prior to resubmittal. The concerns raised by your Council and the public are of concern to the applicant and will be addressed.

Below is additional information on the main topics of concern heard during the meeting and listed in letters of concern:

Odor: The requirement for odor management does not go into effect until a project is approved through the land use permit process, something that no project in Nipomo has completed. Therefore, any odor related to cannabis currently witnessed in the community is resulting from either unauthorized cultivation, or sites authorized to cultivate without odor control until their land use permit is complete. The County's Ordinance ***requires*** that greenhouses growing cannabis and all cannabis manufacturing or processing buildings shall be equipped with an odor control system that prevents nuisance odors from being detected offsite.

The project is in the early design stage, and in the event a more effective odor management system is deemed appropriate, the project may be redesigned to accommodate a different system. Regardless of the system design, the project is required to be fully compliant with this and all ordinance requirements. Of the 10 approved cultivation projects in the County thus far, only 3 have indoor greenhouse cultivation included in the project scope and zero of those are in operation to date. Once these are up and running, the County will be able to collect data to supplement what has been installed in other jurisdictions on the effectiveness of the various odor mitigation systems proposed.

Another technique for greenhouse operations is to filter the air coming into the building to ensure no offsite pesticides or other contaminants come through the vents. This process is very similar to how the air leaving the building gets filtered for odor and helps to ensure the viability of the crop.

Neighborhood Compatibility: Nipomo is a unique community with small- and large-scale agricultural uses occurring on residentially zoned properties and scattered residential uses integrated into areas comprised of predominately commercial agricultural uses.

The high school is not only surrounded primarily by Agriculturally- zoned parcels, the high school itself is located on an Agriculturally zoned parcel. The project site exceeds the required 1000' setback for sensitive uses such as schools. This distance is measured from property line to property line. The proposed greenhouse is located more than 2,100 feet from the high school.

The properties in this area are primarily intended to be used for agricultural operations, with residences being a secondary use. The proposed indoor cannabis operation is consistent with the neighborhood fabric of crop production and continues the on-going agricultural use of the property with cultivation of crops for commercial sale. In response to neighbor concerns regarding cultivation of an outdoor cannabis crop, the outdoor cannabis portion of the original project has been removed from the project description.

Cannabis Cultivation vs. Other Crops: The regulations specific to the cultivation of cannabis in California are much stricter than any law governing pesticide or fertilizer usage on commercial agriculture, including consumable crops. Cannabis plants must go through a rigorous testing procedure to ensure compliance with State standards, which requires careful consideration to ensure the growing environment is as safe as possible. All cannabis operations are required to provide a detailed Site Management Plan to the Regional Water Quality Control Board and meet strict standards on the amount of nitrogen used in the operation, best management practices for all chemical use and proper storage techniques. Additionally, cannabis is regulated by multiple agencies such as the California Department of Agriculture, County Environmental Health, County Code Enforcement, and many other departments and agencies. All of these agencies oversight requires a cannabis cultivator to treat their crop with the utmost care when it comes to fertilizer and pesticide use, among all of the other regulations to be met.

This project complies with the County's cannabis ordinance, and the scope of the project was reduced to be more compatible with the neighborhood (removal of outdoor cultivation).

Safety: The proposed security plan includes security cameras with motion-detection lighting (down-cast), 6-foot secure fencing with black polyethylene screening cloth, and secure entry and access gates to all cultivation areas. Security cameras will be placed around the perimeter of the property and fenced cultivation area surrounding the greenhouses. The manufacturing operation will occur within a non-descript building. The entrance to the property has a secure electronic access gate, with keypad entry. The site will operate in full compliance with State Licensing requirements for track and trace which will further ensure adherence to security protocols. There will be no signage specific to the cannabis operation. There is no outdoor cultivation associated with this project.

-

Manufacturing: The manufacturing operation will use no chemicals and will instead consist of an ice-water extraction system. Ice water extraction is one of the most common processes used to create hash. The main goal and fundamental idea behind the ice water extraction process is to isolate the trichome heads, which house the essential oils of cannabis, from the stalks and plant matter that carry little-to-no medicinal value. Ice water extraction removes the THC laden trichomes from the plant material by washing the material in cold water. This method works because THC is denser than water. Ice water extraction is a solvent-less or non-volatile solvent form of hash making which makes the resin brittle so it can be easily separated. This process is extremely clean and creates a pure, clean product, high in THC with no chemical residue. Once the water is filtered the hash is dried and prepared for market.

I hope these responses have provided more clarification on the proposed project and helped to resolve some concerns. We understand that this is a fluid process and you may have more questions in the future. The applicant, Emilio Cortez, would be happy to meet onsite and answer any other questions. You can contact him at 805-478-0164 or element365@msn.com.

Best Regards,
Jessica (on behalf of Emilio Cortez)

Jessica Edmondson

Assistant Planner/Permit Coordinator

KIRK CONSULTING|8830 MORRO RD | Atascadero, CA 93422

Office 805.461.5765 | Fax 805.462.9466