

BOARD OF COUNTY COMMISSIONERS ,  
COUNTY OF KITTITAS, STATE OF WASHINGTON ,

re: response to  
**Zoning Conditional Use Permit Application,**  
**filed on May 13, 2014**  
**project at; 5810 Naneum road, Ellensburg, WA**  
**tax parcel no. 104334**

filed on June 23, 2014  
via email attachment  
att; Kaycee K Hathaway  
Kittitas County Community Development Services/ Planner  
Email: kaycee.hathaway@co.kittitas.wa.us

dear sirs,

After reviewing their application and SEPA check list, I found them inaccurate and misleading, and does not cover much larger issues we might face, if the use is granted, and their proposed use is incompatible to the letter and spirit of the current zoning codes.

**thus, the application shall be suspended for now, to be examined later, after sufficient public inputs and debate, for the following reasons.**

**1. timothy hay vs marihuana**

This county's economy is heavily depend on export of high quality hay to Japan, and in lesser amounts to places such as South Korea, China and the United Arab Emirates. Based on reputation of its superior quality, fetching highest price in global market.

Any brand, which based on perceived, subjective quality by their customers, must maintain, protect and enhance that elusive valuable assets. If loss of the precarious perception occurs, judgement and withdrawal by buyers will be swift and decisive, as we witnessed in cases of the mad cow diseases, the apple pesticide\*, or Lehman Brothers.

According to agri business experts, our praised hay in this county, although it looks good, but its substantive quality is not much different from any other ordinary hay, which comes with lower prices. In other words, for its ultimate customers, ie, cows or horses, it does not deserve high prices to satisfy their appetite, or formation of their Kobe Beef meat.

in other words, our superior standing of hay business, particularly among foreign customers, is not so sound and solid. if, for some reasons, say, a japanese broker/ buyer/ exporter decides to pull out of our hay, out of mere suspicion, all other japanese buyers must follow the one, to preserve their standing in that importers group, and credibility/ trustworthiness of their trade, and quickly seek other "safe" hay to satisfy their customers. Just like apple buyers did in the past, even if such hasty, irrational behavior was not warranted.

Regardless, all and every customers are always correct, and they are not interested in rational explanations or guaranteed by defending officials or scientists. Nor interested in investing their time for listening the accused.\* Expensive public relation counter campaign would produce no result. Only time, in scale of years or decades, may persuade return of the unfaithful customers, if ever.

now,

Filed SEPA check list, prepared by the applicant completely failed to even mention the potential devastating financial loss due to the hay business nature, precarious sensitive situation we operate.

The very fact that the county has been even contemplating to allow large industrial scale marijuana growing factories in the midst of our hay field, if conveyed to oversea hay buyers, would raised a big red flag, and they may already had started to seek alternatives, in the States where such production is still prohibited.

### 1.1. Global consideration

japan in particular, most of our hay importer nations, has very strict drug prohibition laws. Once large scale marijuana production begins in this county, they will undoubtedly raise question of not only possible contamination, but also possible illegal contraband of "legal" substance mixed with tons of hay bales in thousands of containers shipped every year.

in case of mad cow diseases, japan raised inspection criteria up to 100% of every meat imported, which increased the cost of US beef prohibitively expensive, which quickly lead to "safer", cheaper Australian beef. Similarly hasty reaction to weeds scare would be highly likely.

we are inquiring the Port of Seattle, and its counterpart in Japan, and other entities, of their response on this new development. (you might say, i am behaving recklessly raising the sensitive issue, endangering economics of the Kittitas co. But, as you know they too read our local newspapers, and the county record.)

### 2. Questionable business model

furthermore,

1. once some of the other 48 states pass similar laws which allow marihuana production, our production may not be competitive or profitable to continue its operation in this county. For instance, southern states may not need to heat the air during winter months, or spend power to supplement weak winter sun. that is the challenge coming from outside of WA state.

2. remember the fact that currently, the black market exists to satisfy the market satisfactorily, and with competitive prices, without paying no taxes on their products. On the other hand, new "legal" drug business must bear very large tax, estimated 100% or so, (which is the very reason to legalize by politicians, to fund valuable social issues of their choices) and costs associated with host of regulatory, labour laws.

The black market operators would not happily retire and surrender their market, their profit and customers to newcomers without fights. most likely outcome would be, i predict, new business fails, due to their inherited legal/ tax disadvantages. Warm mexican rich soil and sun, with no minimum wage farmers can provide very competitively priced products. Our marihuana business owners may quickly respond to outsource the production, to survive, as many other business did to China?

besides, all of the existing customers are accustomed to buy the illegal, now legal, weeds from the black market for decades. why switch to visit fancy stores to pay high tax, for the same products? it is akin to cigarette business, where high tax produces black market to avoid the high prices to customers.

thus, the new highly profitable weeds business, everybody wants to jump in, is indeed high risk untested, questionable venture. Failure, if not total, should be in the equation in the checklist. In other words, if fails, what would be the consequences?

### 3. After failed

1. As stated, if such factories were built here, hay busines lose, along with loss of tax revenue associated with it. even if weeds business failed and disappeared totally, the previous hay buyers would not quickly to return. Thus, if we bet on weeds, we lose on both.

2. What will happen after LLCs declare bankruptcy, abandon the factory? they are designed and built for marijuana growing operation with the expected high profit margin, and its operational costs are too high to grow anything else, except plant which produces opium or cocaine.

thus, such tailor made buildings, hard to convert to any other uses, may be unused, at all.

at the end, productive farm land turned into dilapidated large buildings and empty parking surrounding it.

### 4. Cash only business operation

Since the Fed does view the weed as the same class of cocaine and heroin, it is illegal for any banks to deal with the weed business, even the state of WA had approved such existence. Recently, HSBC paid record \$1.9bn fine to settle US money-laundering accusations. Bank guilty of 'blatant failure' to implement money-laundering controls and wilfully flouted sanctions. therefore, this new business can not have checking account, or any connections with legal financial institutions in this country. All transactions, including paying wages to its workers will be cash only basis. if it turned out to be successful, the large amount of cash, in and out of the building would inevitably attract attention of criminals.

## 5. Farm culture, question of suitability of use in A20 zoning site.

The zoning code states that its purpose is,

**“...to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture.”**

marihuana, undoubtedly a plant, is fundamentally different from all other agricultural products such as hay, wheat, potato, apple, which are consumed for primarily for its nutritious value for body of human or animal. they are harvested, processed and sold at grocery stores for such consumption. they are generally inexpensive merchandize for daily routine consumption.

marihuana shares none of these characteristics of normal agri products. its appearance is indeed deceiving. it is much closer to other plant, opium, which produces morphine and heroin, or coca plant, produces cocaine. They are closer to products of **pharmaceutical industry. The domain of FDA, rather than USDA. their efficacy, potency to generate mind alternating power is the only sales point, rather than filling stomach or its taste. their high price is measured on units of ounce or gram, rather than pound or ton.**

They all associated with criminal subculture, contribute destructive consequences to families or nation (British Empire used opium to fail the China, or currently many South American states are failing for coca, marihuana)

It appears, as our good christian citizen prohibited successfully to amend US Constitution to ban alcohol for ethical reasons, US as a whole, we adhere to this principle, dealing with drugs.

Our humble zoning code states:

**“...to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture.”**

Injecting and subjecting us to this foreign drug culture and economy should not be allowed, per code.

## 6. Kittitas vs Olympia vs DC

Finally,

Simply because the Federal government continues to expand its power to States, Olympia does not have to imitate such intrusive behavior. Olympia should not compel all county to comply with all of its decisions. Porn shops in WA state may be legal, but our county zoning codes do not have explicit “allowable use” endorsement for such facilities.

**Commissioners who approved the revisions (while Paul Jewel, chairman opposed)** sided with Olympia, rather than respect and represent local interests, their constituency, which overwhelmingly oppose the revision, states that:

WHEREAS, Kittitas County does not wish to expose the County to legal and liability issues associated with Federal and State laws in relation to use and growth of marijuana.

Also, the two commissioners expressed bizarre judgement:

WHEREAS, Kittitas County on March 3, 2014 **rendered a Determination of Non-Significance (DNS) for proposed amendments to the Kittitas County Code...**and issued a Final Determination of Non-Significance on March 20,2014 with an appeal date ending April 4, 2014.

the revision (no.2014-004) allows marihuana factory, enacted in May 6, 2014 should be re-examined, and repealed. It is not non-significant issue, and we do not support such open arm invitations to the drug industries.

**For this particular conditional use application, the application shall be suspended indefinitely. comprehensive re-examination, and public involvement, particularly by hay farming business, shall be conducted to arrive at more accurate assessment of the impact of the new very significant different type of business.**

BOARD OF COUNTY COMMISSIONERS , COUNTY OF KITTITAS  
STATE OF WASHINGTON , **ORDINANCE NO. 2014-004**  
REVISIONS OF KITTITAS COUNTY CODE 17, ZONING,  
**FOR THE PURPOSE OF ALLOWING THE GROWTH AND PROCESSING OF MARIJUANA IN**  
UNINCORPORATED KITTITAS COUNTY

<https://www.co.kittitas.wa.us/uploads/bocc/ordinances/2014-004-ordinance.pdf>

Thank you for your attention,

respectfully submitted by

kaz murata, a resident in AG20 zone at  
7180 Sorenson rd, 98926

for questions, contact via email to: [kmurata206@yahoo.com](mailto:kmurata206@yahoo.com)

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\*note:

“...The WTO found that Japan’s import restrictions on U.S. apples were without sufficient scientific evidence and not based on a risk assessment....”

Resolution of the U.S.-Japan Apple Dispute, oct, 2005, USDA

file:///home/chronos/user/Downloads/fts31801\_002.pdf

end