

## Kaycee Hathaway

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**From:** SOARS Save Our Ag & Rural Spaces <saveouragandruralspaces@gmail.com>  
**Sent:** Friday, March 27, 2015 1:12 PM  
**To:** CDS User; Kaycee Hathaway; Neil Caulkins  
**Cc:** Kittitas County Prosecutor; Sheriff Office; steven.tomson@us.doj.gov; tom.dent@leg.wa.gov; Kittitas County Commissioners Office; madizone@gmail.com; Manweller, Rep. Matt; jufkes@johnufkeslaw.com; Jslothower@lwhsd.com; holmquistnewbry,janea@leg.wa.gov; info@ap.org; Yakima Herald-Republic; newsroom@kvnews.com; maureen.malahovsky@lcb.wa.gov  
**Subject:** communications with DOJ regarding Old McDonald Farm  
**Attachments:** McDonald request CDS deny CUP 3-27-15.pdf; McDonald pending not issued 3-24-15.jpg; Binx Buds CDS hints decision March 2015.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Hanson,

T.J. McDonald posted on his Binx Buds webpage that your office told him there would be a decision regarding his CUP around the end of March. I have attached a letter explaining why you need to reject this application with some new information. I am also attaching proof that his license with the WALCB has not been granted as of three days ago and a screenshot of his webpage making that claim.

Please read the attached letter before making a final decision on the Old McDonald Farm application on Emerson Road.

Sincerely,

Julie Ufkes  
Save Our Ag & Rural Spaces  
707 N. Pearl St. Suite A  
Ellensburg, WA 98926  
509-968-3371

Robert "Doc" Hansen  
Planning Official  
Kittitas County Community Development Services  
411 N Ruby St., Suite 2  
Ellensburg WA 98926

March 27, 2015

Dear Mr. Hanson,

I urge you once again not to approve the C.U.P. for Old McDonald's Farm, a 502 recreational marijuana producer processor that would be illegally located next to a church school/youth center/playground. The federal government made it clear that several conditions needed to be met to prevent federal intervention in regards to I-502. Protecting children by keeping these businesses a minimum of 1000' from sensitive uses is one of the most basic requirements.

I will remind you of the written statement by then Seattle U.S. Attorney Jenny Durkan to The Associated Press. She said, "Prior marijuana enforcement in both Eastern and Western Washington has focused on keeping dispensaries out of school zones, and that work will continue... "It has been an important bright line and a well-established one. It is to protect children and will not be compromised for convenience."

I have written the Eastern Washington Department of Justice and Mr. Steven Tomson of the Law Enforcement Division has informed me that the attorneys are reviewing the issue. The state is using a WAC, a state law, to justify defying an important federal law whose upholding was entrusted to the state as a condition of not being sued by the federal government over I-502. Can this county afford to be sued by both the neighborhood and the Department of Justice?

More importantly, denying this application is the right thing to do, and you have many reasons besides the school to confidently and justly do this such as inadequacies in the application. There is a reason for the provision in Title 21 that prohibits controlled substances from being manufactured near sensitive uses such as schools, playgrounds and youth centers. The German Baptist's Brethren Frontier School serves as the location where these hard working and upright members of our community educate, play and gather their children.

I am certain the vast majority of the less than 60% of the voters of this state who approved this measure did not envision these businesses being allowed to be sited in such inappropriate places. If the populace were aware I am sure they would be shocked and dismayed at the state's and local government's failure to protect the

children and adhere to these few basic but important tenants the federal government required compliance with.

I would also like to remind you that of the handful of municipalities that have banned 502 businesses, four judges have upheld their right to do that. This industry basically wrote an unclear law and used it to bully small municipalities with the threat of law suits. This did not happen in Colorado where 87% of municipalities chose to opt out of recreational marijuana businesses. Whatever threatening posture this producer processor, T.J. McDonald of Old McDonald Farm (aka Binx Buds, Rodeo City Meds, New Leaf, Canyon Creek Gardens, Sensimilla) might make, he should be stood up to for the sake of doing the right thing as well as not risking the consequences of defying the federal government on an issue they have stated they will not concede.

Sincerely,

Julie Ufkes  
Save Our Ag & Rural Spaces  
707 N. Pearl Suite A  
Ellensburg, WA 98926

Cc:

Brethren Frontier School  
Neil Caulkins, Chief Civil Prosecutor Kittitas County  
Kaycee Hathaway, CDS Planner  
Gene Dana, Kittitas County Sheriff  
Greg Zemple, Criminal Prosecutor Kittitas County  
Kittitas Board of County Commissioners  
Steven Tomson, Law Enforcement, U. S. Attorney's Office  
Rep. Matt Manweller  
Rep. Tom Dent  
US Representative Dave Reichert  
Senator Judy Warnick  
Senator Janea Holmquist  
Senator Patty Murray  
Senator Maria Cantwell  
Concerned Residents of Kittitas County  
Board Members of the WALCB  
WALCB Licensing  
The Daily Record Ellensburg  
The Associated Press  
The Yakima Herald  
Washington Association for Substance Abuse and Violence Protection

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A1594 OLD MCDONALD'S FARM

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1	Tradename	Licens	UBI	Street Address	S	City	St	County	ZipCode	PrivDe	Privilege Status	DateCreated	DayPhone			
1588	OKANOGAN HIGHLANDS	412033	6022158800010002	415 N EMPIRE CREEK RD		MALO	W	FERRY	991509713	MARIJ	ACTIVE (ISSUED)	20140617	5097794086			
1589	OKANOGAN NATURAL	413170	6033532750010001	176 VAN DER SCHELDEN		TONAS	W	OKANO	988550000	MARIJ	PENDING (NOT ISSUED)	20131213				
1590	OKANOGAN NATURAL	413171	6033532750010002	3405 LIND AVE SW STE B		RENTO	W	KING	980574924	MARIJ	PENDING (NOT ISSUED)	20131213				
1591	OKANOGAN VALLEY	412262	6033461300010001	125 GREENACRES RD		RIVER	W	OKANO	988490000	MARIJ	ACTIVE (ISSUED)	20140904	5094210931			
1592	OKPGA	413000	6033526800010001	504 MCLAUGHLIN CANYON		RIVER	W	OKANO	988499622	MARIJ	ACTIVE (ISSUED)	20140910	5094861086			
1593	OLD MCDONALD'S FARM	415856	6033564940010001	6011 COOKE CANYON RD		ELLEN	W	KITTITA	989266993	MARIJ	PENDING (NOT ISSUED)	20131220				
1594	OLD MCDONALD'S FARM	415857	6033564940010002	1006 EMERSON RD STE C		ELLEN	W	KITTITA	989268438	MARIJ	PENDING (NOT ISSUED)	20131220				
1595	OLD SCHOOL	413377	6033570470010002	3110 STANDARD RD STE B		DEMIN	W	WHATC	982449104	MARIJ	ACTIVE (ISSUED)	20140827	3605950166			
1596	OLIVER'S FARM	412185	6003696410010002	22330 15TH AVE NE		ARLING	W	SNOHO	982230000	MARIJ	PENDING (NOT ISSUED)	20131120				
1597	OLSONS FARMS	417314	6034080200010001	1717 MALAGA ALCOA HWY		WENAT	W	CHELAN	988018968	MARIJ	PENDING (NOT ISSUED)	20131225				
1598	OLY SMOKES	416092	6018773140010001	6503 DELPHI RD NW STE A		OLYMP	W	THURST	985122848	MARIJ	PENDING (NOT ISSUED)	20131224				
1599	OLYMPIC FARMS	413334	6033447830010001	9225 LITTLEROCK RD SW		OLYMP	W	THURST	985128537	MARIJ	PENDING (NOT ISSUED)	20131123				
1600	OLYMPIC GARDENING	416589	6034394010010001	5693A MUDGETT LAKE RD		FRUITL	W	STEVEN	991299767	MARIJ	PENDING (NOT ISSUED)	20140101				
1601	OLYMPIC GROWERS	412147	6033481040010001	35100 MILES CRESTON RD	S	CREST	W	LINCOL	991178515	MARIJ	ACTIVE (ISSUED)	20150108	2064988502			
1602	OLYMPIC MOUNTAIN MAN	413001	6033531990010001	295 BEAR MEADOW RD STE		PORT	W	CLALLA	983628221	MARIJ	PENDING (NOT ISSUED)	20131211				
1603	OLYMPIC PRODUCTION &	416702	6033554580010001	89 W AIRVIEW WAY		SHELT	W	MASON	985841283	MARIJ	PENDING (NOT ISSUED)	20140101				
1604	OLYMPIC SATELLITE	412267	6033497460010001	26404 PIONEER WAY NW		POULS	W	KITSAP	983709424	MARIJ	PENDING (NOT ISSUED)	20131120				
1605	OLYMPUS HORTCULTURE	413107	6034495230010001	123 ELWHA RD		PORT	W	CLALLA	983629385	MARIJ	PENDING (NOT ISSUED)	20131213				
1606	OLYMPUS MONS	417383	6033522990010001	PARCEL #230911210090	1	QUINA	W	GRAYS	985759701	MARIJ	PENDING (NOT ISSUED)	20131221				
1607	OM SHIV	412235	6033105320010001	13026 W MCFARLAND RD		AIRWA	W	SPOKA	980010000	MARIJ	ACTIVE (ISSUED)	20141215	2066596011			
1608	OM SHIV	415703	6033105320010003	9485 KNAPP ROAD N		MOHLE	W	LINCOL	991540000	MARIJ	PENDING (NOT ISSUED)	20131217				
1609	OM SHIV	417583	6033105320010004	9485 KNAPP RD N STE A		MOHLE	W	LINCOL	991541409	MARIJ	PENDING (NOT ISSUED)	20140226				
1610	OMG SYKES	412720	6033520350010001	5115 WOODS CREEK RD		MONR	W	SNOHO	982727249	MARIJ	ACTIVE (ISSUED)	20140923	4253271350			
1611	ONE LOVE INNOVATIONS	412231	6034644300010001	17603 105TH AVE SE		SNOHO	W	SNOHO	982968063	MARIJ	PENDING (NOT ISSUED)	20131120				
1612	ONE OF A KIND	413095	6033495420010002	26819 VAN BROCKLIN RD		MONR	W	SNOHO	982720000	MARIJ	PENDING (NOT ISSUED)	20131213				
1613	ONMI GROWERS	416274	6023984070010001	43095 CHALLENGER RD STE		CONCR	W	SKAGIT	982379416	MARIJ	PENDING (NOT ISSUED)	20131225				
1614	OORI	416129	6033599460010001	7302 26TH ST E # D		FIFE	W	PIERCE	984243774	MARIJ	PENDING (NOT ISSUED)	20131224				

Producer 03-24-15 Processor 03-24-15 Retailer 03-24-15

Ready 100%



### Our Road to becoming a WA State Licensed Marijuana Producer/Processor

March 15, 2015 - Well its halfway through March and the County came out last week to inspect the facility and take pictures documenting that we are following the rules. They also said that they are wrapping up our C.U.P. and should have a ruling for us in a couple of weeks. We are so excited to start the 2015 growing season and hope things proceed quickly and in our favor.

February 23, 2015 - We have passed our Final State inspection and are ready for the county to wrap things up! Spring is nearly upon us and we are very eager to start our first Washington State Crop!

February 7 2015- After a battle with UL listings and security cameras we are finally ready for an inspection! The Date is set and we couldn't be more stoked!

December 17 2014- We are currently in the Public Comment phase of our conditional use permit. Any positive input to the county would be greatly appreciated. Aside from that we have started setting up our security system and finishing up the loose ends for our electrical inspection. This has been a long bumpy road but we can finally see the finish line and then the work starts



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**BinxBuds** @BinxBuds 19 Mar  
Greenhouses are warming up this season is about to start! [pic.twitter.com/423oS0YIFR](http://pic.twitter.com/423oS0YIFR)



**The Cannabist** @cannabist 16 Mar  
In #Mexico, new demand for "the good stuff" grown in U.S., Europe [dpo.st/1BrhZOI](http://dpo.st/1BrhZOI) by @Peter\_Orsi #pot