

Kaycee Hathaway

From: Steph Mifflin
Sent: Tuesday, April 07, 2015 4:46 PM
To: Doc Hansen; Kaycee Hathaway
Subject: FW: Please confirm receipt of my letter dated March 27, 2015
Attachments: McDonald request CDS deny CUP 3-27-15.pdf

FYI

Mr. Hastings ☺I responded to Julie already.

Stephanie Mifflin
Senior Permit Technician
Kittitas County Community Development Services
411 N Ruby Street, Suite 2 Ellensburg, WA 98926
(p) 509-962-7506 (f) 509-962-7682
steph.mifflin@co.kittitas.wa.us

From: SOARS Save Our Ag & Rural Spaces [<mailto:saveouragandruralspaces@gmail.com>]
Sent: Monday, April 06, 2015 12:09 PM
To: CDS User
Subject: Please confirm receipt of my letter dated March 27, 2015

To Whom It May Concern:

I sent a letter to Mr. Hastings on March 27 via email and I just wanted to make sure it was received. I am resending it just in case it wasn't.

Julie Ufkes
Save Our Ag & Rural Spaces

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

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