

Jeff Watson

From: Julie Kjorsvik
Sent: Friday, April 04, 2014 1:53 PM
To: Gary Berndt; Paul Jewell; Obie OBrien
Cc: Darren Higashiyama; Clayton Myers; Gene Dana; Neil Caulkins; Lindsey Ozbolt; Jeff Watson; Doc Hansen
Subject: FW: Comment for I-502 hearing Monday 4/7/14

*Julie Kjorsvik
Clerk of the Board
Kittitas County Board of Commissioners
205 West 5th Ave. Room 108
Ellensburg, WA 98926
509.962.7508
<http://www.co.kittitas.wa.us>*

From: Timothy Betts [mailto:bett0068@gmail.com]
Sent: Friday, April 04, 2014 1:18 PM
To: Julie Kjorsvik
Subject: Comment for I-502 hearing Monday 4/7/14

Dear Board Clerk,
Please forward my comments below to the BOCC and have them submitted for consideration at Monday's public hearing.
Thanks--- Tim Betts

Dear Kittitas County Board of Commissioners,

I will be unable to attend Monday night's public hearing regarding I-502 but hope that you will be able to take my written comments into consideration or read them out loud at the hearing.

I am writing in support of Commissioner O'Brien's carefully-crafted zoning regulations for agriculture requiring security. I believe that this draft should be adopted WITHOUT the changes suggested by the Citizen's Advisory Planning Commission. Commissioner O'Brien and County staff thoughtfully put together these regulations while weighing input from several public hearings, law enforcement, public safety employees and numerous members of the Kittitas County community over the period of several months and came up with an ordinance that is well-reasoned and in the best interest of the County.

On the other hand, the Planning Commission has made hastily-conceived recommendations prompted by public comment in opposition of ANY marijuana growing in Kittitas County. Feeling pressure to appease the marijuana opponents, they quickly threw together recommendations that are seriously flawed in at least two ways:

1. The recommendations do NOT address the concerns of the marijuana opponents they are attempting to appease. The comments that the Planning Commission received were largely asking for a total ban on marijuana production. Their recommendations do nothing to change the fact that any state-licensed producer may begin growing marijuana on a 20-acre plot without even asking permission from the county.

2. The 10-acre lot size is arbitrary. Where did they get this number? Since we are dealing with a maximum size of 1/2-acre marijuana grows, it is the setbacks, not lot size, that matter. For example, someone on a 20-acre lot might legally set up their grow 100 feet from their neighbor. I could set up a grow on my 7.8-acre, forest/range zoned lot that is setback more than 100 feet from any property line, but would unfairly and arbitrarily be prohibited by the Planning Commission's recommendations. It is also worth noting that in the vast quantity of public comment on I-502 in Kittitas County, both written and spoken, no marijuana opponent or proponent has gone on the record suggesting a 10-acre minimum lot size--- this was simply an arbitrary and poorly-conceived attempt to placate.

I also believe that the Planning Commission heard only one side of the conversation that has been going on in the county for several months. Following the publication of Commissioner O'Brien's draft ordinance in February, I think that those of us who had been following and contributing to this debate for months were satisfied and felt no need to make further comment. The marijuana opponents, fearing they had lost the battle, were mobilized in a last-ditch effort to have production banned and became very vocal. The Planning Commission, no doubt, felt pressure to respond to these one-sided comments. However their recommendations make no one happy. They accomplish nothing substantive on the anti-marijuana side of the debate, but do arbitrarily and unfairly hurt many of us who would like to share in the prosperity that I-502 will bring to Kittitas County.

Thank you for considering my perspective---

Sincerely,

Tim Betts, Tier 3 production applicant
410 Elk Pond Rd
Cle Elum, WA 98922

Tim Betts

Senior Lecturer, Music Department
Central Washington University
400 E University Way
Ellensburg, WA 98926

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message id: 38eb45916c6dcbdac24bb8719d004a14

Jeff Watson

From: Doc Hansen
Sent: Monday, March 17, 2014 3:59 PM
To: Jeff Watson
Subject: FW: I-502 Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Robert "Doc" Hansen
Planning Official

From: Paul Jewell
Sent: Monday, March 17, 2014 2:27 PM
To: Doc Hansen
Subject: FW: I-502 Ordinance

Please include these comments in the record.

From: Ron Cridlebaugh [mailto:ron@kittitascountychamber.com]
Sent: Sunday, March 16, 2014 10:02 AM
To: Paul Jewell
Subject: I-502 Ordinance

Dear Commissioner Jewell,

Since I won't be able to make it to the Commissioner's I-502 public hearing on April 7th I wanted to let you know the Chamber's position on a few of the recommendations that came from the Planning Commission regarding the ordinance. We don't have issues with the Commission's recommendations to "not allow" production and or processing of marijuana in the Ag 5 zone or to require a minimum of 10 acres in rural Ag 20 and Commercial Ag zones. The 100' foot setback is acceptable in these zones and design standards need to be in place to insure the operation does not detract from our rural setting.

We do have issues with these recommendations if they are applied to indoor grow/processing operations in the Light Industrial Zone. This is the zone that we should be encouraging indoor grow/processing operations to locate. This zone is designed for larger buildings with commercial activity and in many of the areas the operations would have access to municipal services such as municipal water, natural gas and waste water treatment. Furthermore Kittitas County has a limited amount of Light Industrial Zoned land and to require a minimum of 10 acres is simply a waste of our land resources and is irresponsible. In the Light Industrial Zone we recommend that indoor grow/processing operations be allowed without any additional requirements beyond what the State is already requiring. Contrary to many comments I have heard, the State does not require any concertina wire or other types of razor, barber wire or other types of fencing around indoor grow operations. The facility must have security cameras, recording devices for controlled areas, the employees must wear ID badges and the building must be accessible to law enforcement officers without notice. With the increased security there is no need for additional setbacks and by allowing the buildings to blend in to the surrounding area they will not draw additional attention.

Thank you for your consideration.

Ron Cridlebaugh
Director of Economic Development
Kittitas County Chamber of Commerce

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message id: 38eb45916c6dcbdac24bb8719d004a14

Jeff Watson

From: Kittitas County Commissioners Office
Sent: Monday, March 24, 2014 7:40 AM
To: Gary Berndt; Obie OBrien; Paul Jewell
Cc: Darren Higashiyama; Gene Dana; Clayton Myers; Neil Caulkins; Jeff Watson; Lindsey Ozbolt; Doc Hansen
Subject: FW: DOJ/FBI refusing WA growers background checks

Follow Up Flag: Follow up
Flag Status: Flagged

Mandy Buchholz (Robinson)
Deputy Clerk of the Board

Kittitas County Commissioners Office
205 West Fifth Street Suite #108
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"Do not go where the path may lead, go instead where there is no path and leave a trail." Ralph Waldo Emerson

From: Connie Coleman [mailto:weareblessed@hotmail.com]
Sent: Friday, March 21, 2014 4:56 PM
To: Doc Hansen; Kittitas County Commissioners Office
Subject: DOJ/FBI refusing WA growers background checks

March 14, 2014

Article by Gene Johnson of the Associated Press.
Seattle

"The FBI is refusing to run nation wide background checks on people applying to run legal marijuana businesses in Washington State, even though it has conducted similar checks in Colorado.

The Justice Department declined to explain why.

WASHINGTON STATE HAS BEEN ASKING FOR NEARLY A YEAR IF THE FBI WOULD CONDUCT BACKGROUND CHECKS ON ITS APPLICANTS, TO NO AVAIL. The bureau's refusal raises the possibility that people with troublesome

criminal histories could wind up with pot licenses in the state - undermining the department's own priorities in ensuring that states keep a tight rein on the nascent industry.

The Obama administration has said it wants the states to make sure pot revenue doesn't go to organized crime and that state marijuana industries don't become a cover for the trafficking of other illegal drugs.

The Associated Press has learned, those who have received the first pot licenses have done so without going through the national background check.

Under rules adopted by the Liquor Control Board, the applicant's fingerprints must be submitted to the State Patrol and the FBI for checks as condition of receiving a license.

It's a strange jam for the feds, who announced last summer that they wouldn't sue to prevent Washington and Colorado from regulating marijuana after 75 years of prohibition." (as long as the state prevents criminal activity).

The state received 7000 applications during a monthlong window that began in November. Applicants are required to supply fingerprints and disclose their criminal history, with omissions punishable by license forfeiture or denial. But without a FEDERAL BACKGROUND CHECK, THERE'S NO WAY FOR STATE OFFICIALS TO VERIFY WHAT THE APPLICANTS REPORT."

IT ONLY TAKES 3 MONTHS, FOR ANYONE, TO ESTABLISH RESIDENCE IN THE STATE OF WASHINGTON, in order to apply for marijuana industry license!

WHAT A MESS! The hope is the Washington Highway Patrol will pick ou the criminals when they HAPPEN to stop them, when they pull them over for some infraction!

Connie Coleman

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message id: 38eb45916c6dcbdac24bb8719d004a14

Jeff Watson

From: Kittitas County Commissioners Office
Sent: Wednesday, March 19, 2014 9:51 AM
To: Obie OBrien; Paul Jewell; Gary Berndt
Cc: Neil Caulkins; Jeff Watson; Lindsey Ozbolt; Doc Hansen; Darren Higashiyama; Clayton Myers; Gene Dana
Subject: FW: concerns regarding industrial marijuana growers

Follow Up Flag: Follow up
Flag Status: Flagged

*Julie Kjorsvik
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Kittitas County Board of Commissioners
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From: Connie Coleman [mailto:weareblessed@hotmail.com]
Sent: Tuesday, March 18, 2014 12:16 PM
To: Kittitas County Commissioners Office
Subject: concerns regarding industrial marijuana growers

3/18/14

To Kittitas County Board of Commissioners:

You have a tough job! I appreciate the work that you are doing to ensure the future and safety of this county, amidst the state requirement to sink marijuana growers/sellers in all the counties of this state. I realize that much of what will happen here is out of the counties control. That being said, BEFORE the permits/licenses are issued, there is still a great deal the county officials can do to safeguard the land and resources. I applaud the progress that you have made. I am particularly referring to the article in the paper citing restrictions.

Because Yakima County has said NO to growers and the Indian Tribal Ban on growing marijuana on reservations, Kittitas County will be the biggest supplier of marijuana in a hundred mile radius. Perfect for "QUICKIE PURCHASING". Holland has experienced some real problems in the area of influx. All of a sudden the doors are open to anyone.

The residents of Kittitas County should have serious concern regarding the INDUSTRIAL POLLUTANTS that the new marijuana growers will bring to this county. I recently read an article entitled "Why Marijuana Indoors is a Major Environmental Problem" by Jacob Leland.

If this county has tough requirements of compliance, only those growers, that are interested in preserving the integrity of this county, would be willing to align themselves and be financially responsible for running safe and healthy operations. Some of these safeguards would preemptively deal with issues that have caused big problems in existing grow sites.

1. Sewer treatment - "industrial certified sewer" could and should be required by the county.
2. Additional traffic, trucks on existing county roads in rural neighborhoods has to be planned for.
3. Odor, the pervasive smell of crop, how will the grower mask the smell?
4. A. Water pollution - requirement of "installation of Industrial Scale Water Treatment"
B. Water consumption
5. Air pollution, production of greenhouse gas pollution. In 2011, a study by researcher Evan Mills, at Lawrence Berkeley National Laboratory, showed indoor marijuana production, accounting for 1 per cent of the national electricity production, using \$6 billion worth of energy per year, and creating greenhouse gas pollution equivalent to that of 3 million cars. Faced with the rapid growth of those numbers, the City of Boulder, CO put into place the kind of environmental regulation ordinarily associated with corporate polluters.
6. High electric usage - "Boulder, Colorado requires growers to purchase wind or solar energy (increasing growing cost by 20%) or to buy carbon offsets." I think Boulder has instituted a great plan.
FOR EXAMPLE, "one grower in the Denver, Colorado area, spends \$100,000 monthly for his warehouse operation".
7. Regulation enforcement, zero tolerance for pesticides, herbicides, poisons for insects rodent population.

Thank-you for hearing my voice.

Connie Coleman
964-2276

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message id: 38eb45916c6dcbdac24bb8719d004a14

Jeff Watson

From: Kittitas County Commissioners Office
Sent: Wednesday, April 02, 2014 7:44 AM
To: Gary Berndt; Paul Jewell; Obie OBrien; Doc Hansen; Jeff Watson; Lindsey Ozbolt; Darren Higashiyama; Gene Dana; Clayton Myers
Subject: FW: 502 & Ag activities requiring zoning

Follow Up Flag: Follow up
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Mandy Buchholz (Robinson)
Deputy Clerk of the Board

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"Do not go where the path may lead, go instead where there is no path and leave a trail." Ralph Waldo Emerson

From: JC Coppock [mailto:gocougs9798@yahoo.com]
Sent: Tuesday, April 01, 2014 6:37 PM
To: Kittitas County Commissioners Office
Subject: 502 & Ag activities requiring zoning

I support the recommendation by the Planning Commission to not allow agricultural activities requiring security in Ag-5. Something that was not considered or addressed in the staff recommendations is that there are many 3 acre lots that were previously zoned Ag-3, which are now non-conforming lots in the Ag-5 zone and both 3 and 5 acre lots are too densely populated for agricultural activities requiring security, both growing and processing.

I appreciated the discussion by the Planning Commission to consider only allowing agricultural activities requiring security on conforming lots within Ag-20, however, I was disappointed to see them not even try that motion, instead suggesting minimum lot sizes of 5 and finally recommending a minimum of 10 acres.

I felt like Doc Hansen tried to get the Planning Commission members to justify their recommendations, and yet, I don't feel like I understand the justification of the initial staff recommendations.

I was further concerned by Doc Hansen's suggestions to the Planning Commission that Washington State and the Liquor Control Board have so many rules and regulations for growers and processors, implying that we don't need to be worried at the local level. I am not aware of any offices being setup for the Liquor Control Board in Kittitas County to check in on how these facilities are obeying the rules. I feel like additional rules are needed in Kittitas County to supplement what the State is requiring.

I would like to see the same zoning rules apply to processing facilities as they do to growing operations

Nobody knows the future of I-502 and what changes will be made in the coming years. I am concerned that if the maximum canopy and grow sizes are increased, we will see that lot sizes less than 20 acres are inadequate for growing or processing.

I urge the Board of County Commissioners to consider requiring a minimum of 20 acres in the Ag-20 zone for agricultural activities requiring security, both growing and processing.

I also encourage you to follow the staff and Planning Commission recommendations to require a minimum 100 foot setback on all sides of any Ag-20 lot being used for agricultural activities requiring security, both growing and processing.

Please do not create rules and zoning based on properties applicants have already purchased. They were not required to purchase property in order to apply. And just as the applicants state that they have good intentions with their business, the Board of County Commissioner's business is to have good intentions for the residents of Kittitas County. I-502 is such new uncharted territory, that taking time and doing due diligence is in keeping with good intentions for residents.

I would also like to suggest that when citizens of Kittitas County voted on I-502 last fall, where it would be grown and processed was not a consideration or even a topic of conversation until after the ballots were tallied.

While each of you may want to feel like you are representing what the citizens of your district want based on how they voted, please consider that if they voted today on whether to have marijuana grown and produced in their backyard or anywhere in Kittitas County, more residents of Kittitas County would likely vote no.

Please take a strong stance and consider the future of Kittitas County, our water resources, our rural character and the safety of our citizens.

Respectfully,

Julie Coppock

Kittitas County Resident

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message id: 38eb45916c6dcbdac24bb8719d004a14

March 11, 2014

Dear County Commissioners:

I am a retired school teacher living in Ellensburg, and a graduate of Central. My family moved to the Kittitas Valley in 1947, and settled on a cattle ranch in the Badger Pocket. At age 74, I have a Medical Marijuana Green Card for the State of Washington.

This letter is about the pot zoning code being considered. It is my understanding that the commissioners could deny or delay the production/growing of this medication, depending on what action or inaction is taken.

Will it make much difference in its availability? Marijuana has always been easily available, as we all know. It has been spotted growing in back yards, roadsides, railway right of ways, wildlife areas, public lands, and closets. Anybody who wanted some could always get it. Just not legally.

Legalizing marijuana takes this substance out of the hands of underground dealers and cartels and puts it in the hands of regulated, taxed businesses where it belongs, similar to alcohol.

To deny the production/growing of this plant in our valley would be like a vote to thwart the intentions of a majority of voters in the State. It would encourage the continuation of underground, illegal, untaxed transactions to buy pot. If this is what happens, then I don't think Kittitas County deserves to benefit from any tax dollars raised by the State from pot sales.

I have needed a sleep aid for years, and used Tylenol PM. It has helped me sleep. However, this acetaminophen is not good for livers, and there are other cautions. Cannabis Indica helps me sleep, and does not have the negative aspects of Tylenol. When pot is used with a vaporizer, only the medicating vapors are inhaled.

Pain from arthritis in my back is another issue. It is eased by medical marijuana. Other pain relievers are unnecessary.

Please allow for legal marijuana in Kittitas County.

Sincerely, your resident, Bob Kibler



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KITITITAS COUNTY BOARD OF COMMISSIONERS
CDS
PA
SO

Lathrop, Winbauer, Harrel, Slothower & Denison L.L.P.

Attorneys at Law

Post Office Box 1088, 201 West Seventh Avenue, Ellensburg, WA 98926

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April 4, 2014

**Sent Via E-mail: bocc@co.kittitas.wa.us
And Hand Delivered**

Kittitas County
Board of Commissioners
205 W 5th AVE STE 108
Ellensburg WA 98926-2887

**Re: United States Bureau of Reclamation Policy on Use of Federal Water to Irrigate
Marijuana**

Dear Commissioners Jewell, O'Brien and Berndt:

I represent the Kittitas Reclamation District (the "KRD"), an irrigation district that provides irrigation water through a federal contract to approximately 59,000 acres within Kittitas County.

The KRD receives all of its water through a contract with the United States Bureau of Reclamation (the "Bureau"). The KRD has recently been informed by the Bureau that federal water delivered through the KRD cannot be used to irrigate marijuana which is illegal to grow under federal law. Under the KRD's contract with the Bureau the KRD is required to adhere to and follow Bureau rules and regulations governing the use and distribution of federal water.

We have asked the Bureau to provide this policy in writing to the KRD. We have been informed the policy is being developed at the national level because two of the states that now allow the growing of marijuana, Washington and Colorado, rely heavily on irrigation water from federal irrigation projects.

As soon as we receive the Bureau's written policy, we will forward it to you for your information. In the mean time, as you develop an ordinance allowing for the growing of

4/4/14

Page 2 of 2

marijuana in Kittitas County, please understand the KRD will be precluded by the Bureau from allowing water it delivers to be used to irrigate marijuana.

I ask that this letter become part of the public record in your development of the County's resolutions and/or ordinances allowing for the growing of marijuana in Kittitas County.

Very truly yours,



Jeff Slothower

cc: Client