

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Tuesday, February 25, 2014 11:38 AM  
**To:** Gary Berndt; Obie OBrien; Paul Jewell  
**Cc:** Neil Caulkins; Darren Higashiyama; Clayton Myers; Gene Dana; Doc Hansen; Lindsey Ozbolt; Jeff Watson  
**Subject:** FW: Pot zoning hearing

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

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**From:** Robin Anderson [mailto:Robin.Anderson@anderson-hay.com]  
**Sent:** Tuesday, February 25, 2014 10:54 AM  
**To:** CDS User  
**Cc:** Kittitas County Commissioners Office  
**Subject:** Pot zoning hearing

Community Development Service and  
Kittitas County Commissioners: Gary Berndt, O.B. O'Brien, Paul Jewell  
We would like to voice our objection to the request by Bottles of Grapes for a permit to grow Marijuana at their location. This business is at the end of our driveway, Pott Road, intersecting with Dolarway Road. This property is in the city and Pott Road is a city street. It is also where the school bus stops to pick up our grandchildren if they stay at our home. We are located at the end of Pott Road, 1501 N. Pott Road since 1970. We do not want attention drawn to the location and our surrounding property. We wish we could attend the hearing but are out of town.  
Thank You . Ron and Robin Anderson

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message id: 38eb45916c6dcdbdac24bb8719d004a14

## Doc Hansen

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**From:** Julie Kjorsvik  
**Sent:** Tuesday, February 04, 2014 3:53 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Gene Dana; Clayton Myers; Darren Higashiyama  
**Subject:** FW: short comment on i502

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

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**From:** Timothy Betts [mailto:bett0068@gmail.com]  
**Sent:** Monday, February 03, 2014 6:29 PM  
**To:** Julie Kjorsvik  
**Subject:** short comment on i502

Hello Clerk of the Board,

Please forward my short written comment on i502 to the County Commissioners---

Thanks,  
Tim

Hello Kittitas County BOC,

I am writing a short note to share my personal perspective on i502 implementation in Kittitas County. I am a Marijuana Producer applicant hoping to start an outdoor operation on my 8-acre property in the Elk Heights area this spring/summer. I have made Kittitas County my home for the past nine years and hope to raise a family and spend the rest of my life in this beautiful valley. For the past nine years I have been, and remain, a full-time faculty member at CWU and a leading artist/educator in the classical music field. Although I have a good, stable, government job, with benefits, the prospect of raising a family on a \$35k annual salary is daunting and I am constantly on the lookout for additional opportunities --- especially in the summer months. Most recently I have been commercially harvesting morel mushrooms from the Table Mountain fire.

For me, i502 boils down to prosperity. I spent much of my childhood on a 300 acre family farm in Minnesota and have first-hand knowledge of agriculture. I see an incredible opportunity for myself and other county residents of modest means to benefit from the new state law. The sunny, dry climate of this valley will give Kittitas county growers a competitive advantage over those attempting to grow on the Westside or indoors and the 3/4 acre cap on garden size will keep land owners with a few acres, such as myself, competitive.

We know that illegal growers are already recklessly and dangerously producing marijuana and massive profit in Kittitas County (as a huge August 2013 raid shows...). Now we have a chance to take that prosperity from the criminals and put it in the hands of tax-paying, responsible, residents who have invested in the community and will continue to give back.

Thank you for your time and consideration,

Tim

\*\*\*\*\*

Tim Betts

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

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**Gary K. Billingsley**  
1060 Lambert Road  
Cle Elum, WA 98922-9157

December 12, 2013

Kittitas County Commissioners:

I am writing to express my concerns as a resident of this county regarding the Board of County Commissioners' consideration of recent requests to allow the growing of marijuana in Kittitas County.

I moved to Cle Elum in January of 2006 after having observed this area for all the years from 1977 to 2006 wishing and hoping for the opportunity to live here. As soon as all the details preventing this move had been cleared away I immediately moved here from the Seattle area. In order of priority, my reasons for wanting to live here are:

1. The stable, solid, principled people who live here;
2. The high percentage of God fearing Christians living here;
3. The "take care of each other mentality" of the people who live here;
4. The low level of crime with nearly no violent crime in this region;
5. The absence of gangs and their accompanying violence;
6. The pristine beauty of this agrarian environment; and
7. The quiet roads with generally sane and sober drivers.

Now, because the voters in this state voted to allow the growing of marijuana and because certain parties apparently seeking their personal financial fortune have taken the first steps toward starting such growing operations here, the Board of County Commissioners finds itself faced with the need to make decisions regarding this distasteful activity and the ramifications it will hold for our quiet and pristine region.

The adverse ramifications of allowing such marijuana growing and possible retail activities (to list a few) include the impact these activities would have on:

1. The Social Environment: With the presence of an element of society, heretofore generally foreign to this region, bringing with it crime that hasn't required the attention, to any great degree, of our local law enforcement agencies until now;
2. The Security of Our Children and Adolescents: With parents unable to allow their children to use the streets and roadways of our county without fear for their security;
3. The Impact on the Quality of Education and the Production of Excellence at Central Washington University: With ready availability will come increased use, and with increased use will come decreased effectiveness of our local University to produce excellence;
4. The Aesthetics of this Region: Including the appearance of the security systems that would be required (i.e. Security Fencing, Surveillance Systems, Lighting Systems, Security Guards, etc.), and the traffic generated on our presently quiet rural roads;
5. Property Values: With the value of lands and homes near these growing operations deteriorating dramatically; and
6. The Added Cost of Law Enforcement: This cost has apparently not yet been calculated, but it is likely to outstrip any tax benefits that might inure to the County.

The Benefits:

It is hard to imagine any benefits that could be associated with allowing such marijuana growing and possibly retail activities in our county, at least none that would outstrip the added costs. However, if there are some who argue that there would be benefits to our county by allowing these activities, I would encourage the Commissioners to consider the famous words of a dear friend of mine,

**"For what is a man profited if he shall gain the whole world, and lose his own soul?  
Or what shall a man give in exchange for his soul?" (Matthew 16:26)**

I would encourage the County Commissioners to seek every legal avenue to block marijuana growing and retail operations from entering Kittitas County now or at anytime in the future.

Please don't sell our soul for any perceived gain that this activity might offer to this county. The costs are far too high.

Sincerely,



Gary K. Billingsley

## Doc Hansen

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**From:** julie.kjorsvik@co.kittitas.wa.us  
**Sent:** Wednesday, December 11, 2013 1:47 PM  
**To:** Obie OBrien; Julie Kjorsvik  
**Cc:** Clayton Myers; Doc Hansen; Gene Dana; Lindsey Ozbolt; Neil Caulkins  
**Subject:** While you were out...

**To:** [Obie O'Brien](#)

**Date:** 12/11/2013 1:46 PM

**While you were out...**

☐ URGENT

**Who:** Howard Briggs

**Of:**

**Phone:**

**Fax:**

☒ Telephoned

☐ Please Call

☐ Came to see you

☐ Wants to see you

☐ Returned your call

☐ Will call again

**Message:**

He wanted to give the Commissioners a message regarding the marijuana law. He is very much against it and feels it will cause a rash of robbery's and other related criminal activities. He thinks it will be a big mistake to allow it in Kittitas County.

**Signed:**

[Julie Kjorsvik](#)

## Jeff Watson

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**From:** Heidi Bright <heidibigdogrealty@yahoo.com>  
**Sent:** Wednesday, February 19, 2014 3:56 PM  
**To:** Jeff Watson  
**Cc:** Heidi Bright; David Sprague  
**Subject:** Questions from yesterday meeting

Hi Jeff,

Thank you for your time yesterday, we really appreciate the detailed explanation(s) you gave us. After thinking about all of the details you shared, we have two new questions:

QUESTION 1: We talked about the aspects of "Growing" "Processing" and "Retail" but we did not specifically talk about "Storage".

My neighbor, Maydee Erickson, is concerned about a great big red barn nearby on Naneum Road, that she believes is slated for "Storage" of marijuana. That brings up a new concern/question .....

I left your counter yesterday afternoon thinking "oh well, if the limit for Growing is 30,000 square feet per license and each entity can only have 3 licenses or 90,000 square feet of Growing space than it will not be that GIGANTIC of an eye-sore" .... however, now Maydee's concern about this big red barn -- and conceivably more outbuildings -- being used for Storage brings up a new concern!! Could you please address this concern? Does the 30,000 S.F. for "Growing" per license also include Storage? If not, YIKES!! How many outbuildings could one entity conceivably have to store this Drug??!

QUESTION 2: You indicated that the County Planning folks believe this should be allowed because this "Plant" is an "Agricultural" product .... "just like Wheat, Alfalfa Hay, Corn, Cattle, etc." .... well, that is not exactly true. This "Plant" is a Drug -- and the fact is that Drugs are associated with crime. Wheat, Hay, Corn, etc. are not associated with Crime and certainly do not require 8 foot fencing and video cameras!!

BOTTOM LINE: Wheat, Hay, Corn plants are quiet and peaceful and do not attract criminals wanting to steal them!!

It seems to me that is a HUGE differential and I do not see how the Planning Department folks can simply lump this Plant (that is a DRUG) into the same

bucket as Wheat, Hay, Corn, etc. I would like to know what your input is on this aspect of this new "Agricultural with Security" Use of beautiful Farm Land here in the Ellensburg Valley.

Hence, this particular Agricultural product is one that takes away from the Rural "look and feel" that you indicated the Kittitas County Planners were interested in preserving!!!

Has your Planning Department (which makes the recommendations to the Planning Commission) considered the idea of designating ONLY CERTAIN AGRICULTURAL LAND for this particular plant and this "Agricultural with Security" Use???

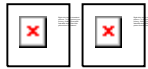
It would seem to me that it would make a lot more sense for County Planners - - if you are going to allow Growing/Processing of this plant which it appears that you are leaning toward -- to place further Zoning restrictions on WHERE it can be grown within Kittitas County.

Why couldn't you create a new Designation of Agricultural Zoning for these un-sightly "Agricultural with Security" growing operations to be placed only on Ag-land that abuts Federal or State land? That way, these Growing Operations of an Agricultural Product that is so dangerous that it requires Security would be out in less dense residential and dairy living areas?? Have you considered that? I would like to know the answer please, before next Tuesday's meeting.

That is it for now Jeff, THANK YOU AGAIN for all of your time. Best wishes,  
Heidi Bright 425-417-4716



*Please join us on Facebook & LinkedIn!*



**From:** Jeff Watson <jeff.watson@co.kittitas.wa.us>  
**To:** "heidibigdogrealty@yahoo.com" <heidibigdogrealty@yahoo.com>  
**Sent:** Tuesday, February 18, 2014 4:27 PM  
**Subject:** I 502 Administrative Code

As per

JW



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## Doc Hansen

---

**From:** Obie OBrien  
**Sent:** Monday, December 09, 2013 10:53 AM  
**To:** eburgbratt@hotmail.com  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** reply to comments

Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather. The law does not take into account who lives next door.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character. Specifically, I am concerned that outdoor growing operations must have an eight (8) foot fence and video surveillance which may not be compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

**From:** Rickie Brown [<mailto:eburgbratt@hotmail.com>]  
**Sent:** Sunday, December 08, 2013 6:02 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** license application @ 221 Cattail Rd., pot grow

To whom it concerns

,

I am the

resident located at 221 Cattail rd. this operation is within 55 feet of my home and property line that separates my property (house) from grow operation . I have concerns of my health safety and safety of my neighbors. If the wind is to blow I will be subject to the stink of this crop and the direct traffic as a result of the business they are carrying out. The lighting , the property value that will decrease to nothing . The smell that I have to endure every time I walk out my door , the invasion of my privacy as to guards , surveillance, and traffic at all hours of the night . The thieves that comes with drugs of any kind. The corner of cattail rd and howard has been a school bus stop for all of the 17 years i have been here, and all along Howard rd. bus stops for the children that reside in this neighborhood. One child resides less than 500 ft. from the other bordering property line off howard. I feel that you are putting myself and neighbors most of whom are elderly and or disabled due to health problems at risk of injury ,to property self ect. Furthermore the person applying for the licence is not the property owner at this time and the sale of this property is pending (121 Cattail rd. ) John L scott reality. this tells me your applicant has lied on his application and this is only the beginning of the trail of lies to come. I have grand daughters who won't be able to see their grandmother due to drugs next door. Let me ask would you live like this ? I look forward to being present at your meeting. December 12,2013.

Rickie L. Brown

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 09, 2013 7:40 AM  
**To:** Paul Jewell; Obie OBrien; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt  
**Subject:** FW: license application @ 121 Cattail Rd., pot grow

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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---

**From:** Rickie Brown [mailto:eburgbratt@hotmail.com]  
**Sent:** Sunday, December 08, 2013 6:07 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** RE: license application @ 121 Cattail Rd., pot grow

Had to make change subject address therefore resent to you

---

From: eburgbratt@hotmail.com  
To: bocc@co.kittitas.wa.us  
Subject: license application @ 221 Cattail Rd., pot grow  
Date: Sun, 8 Dec 2013 18:02:04 -0800

To whom it concerns

, I am the  
resident located at 221 Cattail rd. this opperation is within 55 feet of my home and property line that separates my property (house) from grow operation . I have concerns of my health safety and safety of my neighbors. If the wind is to blow I will be subject to the stink of this crop and the direct traffic as a result of the business they are carring out. The lighting , the property value that will decrease to nothing . The smell that I have to endure every time I walk out my door , the invasion of my privacy as to guards , surveillance, and traffic at all hours of the night . The thieves that comes with drugs of any kind. The corner of cattail rd and howard has been a school bus stop for all of the 17 years i have been here, and all along Howard rd. bus stops for the children that reside in this neighborhood. One child resides less than 500 ft. from the other bordering property line off howard. I feel that you are putting myself and neighbors most of whom are elderly and or disabled due to health problems at risk of injury ,to property self ect. Furthermore the person applying for the licence is not the property owner at this time and the sale of this property is pending (121 Cattail rd. ) John L

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Rickie L. Brown

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Tuesday, December 10, 2013 9:10 AM  
**To:** Rickie Brown  
**Cc:** Doc Hansen  
**Subject:** RE: reply to comments

Good morning,

I would like to clear up an issue that seems to be an unintended offense. The last note had a line "The law does not take into account who lives next door." This line was meant to point to the WAC 314-55 and RCW 69.50 both of which set out the guidelines that the Liquor Control Board will be using for granting licenses to the applicants. None of the licensing is done by Kittitas County. I personally care a great deal about how the actions of some people affect others around them. That is why we have in our code that a rock crushing plant is not allowed in certain zones, and other examples of disparate impacts.

Again, let me emphasize that these decisions about where the licenses will be granted are NOT within the authority of the Board of County Commissioners. We are looking at options and will be taking a serious look at all aspects of these decisions, and how they affect all of us in Kittitas County.

Sincerely,  
Obie O'Brien

---

**From:** Rickie Brown [mailto:eburgbratt@hotmail.com]  
**Sent:** Monday, December 09, 2013 11:45 PM  
**To:** Obie OBrien  
**Subject:** RE: reply to comments

I thank you for your response to my letter to you and must say that you are in direct violation of federal law which states that a pot operation cannot proceed with business within 1,000 feet of a school bus stop as well as school, park or, public housing project designated a drug free zone, in public transportation and other locations punishable by double fines and imprisonment. You are also devaluing properties in the immediate area of the pot farms and for every action will be a reaction in this community. You stated you don't care who lives next door well the devalue of my property will also devalue properties in my area, as well as all areas these grow operations manifest. The reaction is for the residents of this county to proceed in the reevaluation of the property tax and cost this county countless dollars in defending the appealed amounts for property tax that we all now pay, hence tying up the county's funds better used for enhancing value not destroying it. So sir you might want to think about who lives next door.

Ricki

e Brown

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From: [Obie.OBrien@co.kittitas.wa.us](mailto:Obie.OBrien@co.kittitas.wa.us)  
To: [eburgbratt@hotmail.com](mailto:eburgbratt@hotmail.com)

CC: [julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us); [doc.hansen@co.kittitas.wa.us](mailto:doc.hansen@co.kittitas.wa.us)

Date: Mon, 9 Dec 2013 10:52:54 -0800

Subject: reply to comments



Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather. "

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Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

**From:** Rickie Brown [<mailto:eburgbratt@hotmail.com>]

**Sent:** Sunday, December 08, 2013 6:02 PM

**To:** Kittitas County Commissioners Office

**Subject:** license application @ 221 Cattail Rd., pot grow

To whom it concerns

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RECEIVED

JAN - 8 2014

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COS  
PA  
SO

Attn. Michael Gallagher;

As a concerned Kittitas Co. resident and taxpayer I have followed with interest the proposed marijuana application locations etc. I also notice there have been no specific public input meetings addressed by county or city entities. Why not?? Some concerns we must have are as follows-- there will be producers, processors, retailers and probably distributors, so there will certainly be people who will attempt to by-pass, one way or the other, all the middlemen, including the producer. Now remember; the supreme court has ruled that law enforcement agencies primary responsibility is to the community, so individuals must be handled on an individual incident response basis. One can predict many such extra response requests for our already spread thin enforcement community. Also Kittitas Co. currently has an upcoming water problem situation; note-- years ago a friend of mine from No. Dakota mentioned that during WW2 the farmers there grew hemp instead of the usual flax and other rotation crops and the biggest problem was the extra water required for the hemp. Most if not all producer applications are at surface water locations. So where is the marijuana water going to come from and who is going to pay? You have to wonder why these and other points have not been mentioned.

There are many social protective aspects within the law that could and should be implemented by our local decision makers.

Rhoda Chevara  
6551 Cooke Can. rd.  
Ellensburg 968 4870

cc

Kittitas co. council  
Ellensburg city council

# World Famous Timothy Hay

[timothygrowers@gmail.com](mailto:timothygrowers@gmail.com)

[www.kittitastimothy.org](http://www.kittitastimothy.org)



## MEMORANDUM FOR RECORD

January 27, 2014

TO: Kittitas County Board of Commissioners  
- District #1: Paul Jewell, District #2: Gary Berndt, District #3: Obie O'Brien

FROM: Organization of Kittitas County Timothy Hay Growers & Suppliers

SUBJECT: Marijuana Production in Kittitas County

The Organization of Kittitas County Timothy Hay Growers & Suppliers has concerns over the growing of marijuana in the County. Our organization was established in the mid 1970's to be a unified voice of the timothy hay industry in Kittitas County, Washington. The organization supports activities and projects with the purpose of resolving production-related problems while preserving and enhancing, product quality. We represent over 150 growers, exporters, and suppliers throughout the county and take our industry very seriously.

In November of 2012, Washington voters approved I-502 which allows residents of the state to produce, process, & sell marijuana through proper licensing channels. While the rules for I-502 are still being developed, members of the Kittitas County Hay Growers feel that some issues with I-502 are not being properly addressed. While growing marijuana could yield some additional tax funding for the county, it could also severely damage the largest industry in the county, affecting millions of dollars that are brought into the county on a yearly basis. Weeds can negatively impact the sale of hay to foreign buyers, but more critically, if buyers found marijuana growing in a single timothy field in this valley – all buyers could abandon buying hay from the Kittitas Valley for years to come. At this time, our organization requests that production of marijuana in Kittitas County be strictly limited by the County Commissioners until rules & understanding of plant production are further developed.

Our hay industry in this county is a very sensitive market. 80-90% of the hay grown in this valley is exported to foreign countries to buyers looking for superior hay products. Purchasers of our hay products are very knowledgeable of how the hay is grown, stored, and shipped. They perform numerous tests of their own on our hay products before making any decisions on purchasing. Some of the hay purchased is for the race horse industry in Japan. In the late '90's, a Coca-Cola can was found in a bale of hay. This led to an immediate shut down of the race track for a complete day until the issue could be resolved – the fear was that a horse had consumed a stimulant drug. Another issue that you may be aware of concerns the soft white wheat market in Oregon. A producer in Oregon tried to develop a Roundup Ready variety of soft white wheat without following the proper protocols for handling this crop. Some of this seed got into the supply chain and it has created mass chaos. Please seriously take into consideration the negative impacts that the production of marijuana could cause for the timothy market and the Kittitas Valley.

Sincerely,

Brian Cortese

### Board of Directors

Brian Cortese, President   Craig George, Vice President   Mel Dyk   Bill Lowe   Brent Dekoning  
Carl Jensvold   Kendra Allen   Mark Anderson   Rollie Bernth   Richard Wachsmith, Registered Agent

David Crane  
1201 N. Vista Rd.  
Ellensburg, WA. 98926

February 3, 2014

Kittitas County Commissioners  
205 W. 5<sup>th</sup> Ave.  
Suite 108  
Ellensburg, WA. 98926

RECEIVED

FEB 3 2014

1st ☒ 2nd ☒ 3rd ☒  
KITTITAS COUNTY BOARD OF COMMISSIONERS

SO  
CDS  
PA

To Whom It May Concern:

It has been affirmed by responsible sources that legalization of marijuana for recreational use has no beneficial effects except to mollify those who wish to use it without restraint from responsible government agencies. Alcohol and drugs have detrimental effects. Even prescription drugs have undesirable side effects, but are used in cases of necessity, and administered by those who are in full possession of their mental faculties and have demonstrated a history of responsible behavior.

Crimes and accidents are often the result of functioning without the full use of one's mental faculties. Society as a whole suffers from these effects.

Responsible parents, businesses, and communities, do not want marijuana in their neighborhoods, and for obvious reasons. People who vacate the normal world of responsible conduct by the use of mind altering substances have many excuses for the damage they cause when they are thus impaired. The rest of us pay the bill for this in

terms of financial loss, loss of life, loss of loved ones and loss of community tranquility.

I was speaking of this recently in the entrance to a local store with a fellow, not knowing that he had been a long time user. He began to berate me, saying I was ignorant and should get on the internet and learn something. He said he had been a long time user of pot, maybe 20 or more years, started pointing his finger at me in that public place, and actually ran outside. Later he made a bit of an apology for his loss of his temper.

We have legalized recreational marijuana because of the failure of many registered voters to get out and vote. Most responsible citizens do not want legalized recreational marijuana. Counties and municipalities do not want it. Neighborhoods do not want it. School zones do not want it. Parents and grandparents do not want it. It is destructive and the cause of much that is undesirable and irresponsible.

Smoking a little pot does not have the mild effect of drinking a little beer. Smoking pot does remove people from the safe zone of mental acuity. We don't need to have mind numbed, mentally impaired pot users walking around in society or driving, or operating machinery, or interacting with the public. The only implied benefit is to allow people to "have fun by getting high." With medical marijuana it is at least understood that it will be regulated by someone with the full use of his brain.

In communities where pot has been legalized for recreational use, teen-age use has increased, psychological problems have multiplied, touted tax revenue has not materialized, and boot-leg marijuana has increased. We

know the ill effects of pot use. We don't want to fly on planes operated by pot users, have our surgeries performed by pot users, package our food, assemble our machines, fill our prescriptions, or have our investments done by dope addicts. Why do we want to increase the number of brain dead citizens?

We have tied the hands of our responsible public leaders with this initiative. They know what should be done but by this initiative we have told them they can't legally do it any more. Washing state and Colorado, have become the subject of comic strips.

Maybe we should get off the tracks because there could be a train wreck up ahead. It has been said before and it needs to be repeated, "One doesn't have to be too smart to know that it is unwise to walk behind a manure spreader."

Respectfully,

A handwritten signature in cursive script that reads "David Crane".

David Crane  
Seventy six year old grandfather

RECEIVED

DEC 10 2013

Honorable Kittitas County Commissioners

December 9, 2013

1st ☒ 2nd ☒ 3rd ☒  
KITITAS COUNTY BOARD OF COMMISSIONERS  
File

Dear Sirs:

I had the privilege of attending your recent (Dec. 5<sup>th</sup>) hearing regarding the crafting of county code for marijuana grow operations in Kittitas County. As a resident of this county and living in a rural neighborhood, I am particularly interested in this issue. In the Weaver Road neighborhood, where I live, most homes are on parcels that are zoned Ag 20, ranging in size from 3 to 20+ acres. This is truly a residential neighborhood; the families that live here have children and are here because of the rural character. My concern stems from the fact that there are lots available for sale in the neighborhood, zoned Ag 20 with KRD water that will be targeted by marijuana growers. Given the type of crop and the federal and state regulations that would apply there is no question they would have an adverse impact on the safety, rural character and property values of the neighborhood.

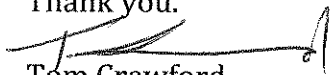
I would like to see the county take a stand on the medical marijuana industry before it becomes established in the county. I believe that the Kittitas County Council should impose an indefinite moratorium on the siting and permitting of all levels of these businesses until appropriate zoning at the county level can be crafted and adopted. It is up to the county to consider population density, safety, crime, neighborhood sentiment, traffic, sight distances, set backs from school, etc. in a plan that the community as a whole can embrace. This is the right and responsibility of county government no matter what state and federal regulations are.

If, as the commissioners have considered, this industry is defined as "commercial agriculture" and permits are issued on a conditional use basis, the processes becomes subjective and open to persuasion. Without strict zoning and siting criteria, a marijuana grow operation could be permitted in a location that, in the future, is found to be inappropriate. If this should happen, permits would be difficult and costly to revoke; furthermore, these cases would become precedent setting in future siting.

If these operations are identified as a unique land use (marijuana grow), county code could be crafted to address the specific requirements for siting. If zoning for marijuana businesses were in place and the county developed a GIS overlay map, clearly showing where these operations are permitted, it would greatly simplify the process. Growers would know exactly where their operations were permitted, existing neighborhoods would be protected and people interested in building new homes could purchase land with a clear understanding of surrounding land use. In essence this is what the county did for the wind energy industry.

In closing, this industry is in its infancy and all eyes are on Kittitas County and Washington State; we need to be cautious and get it right. Kittitas County needs to define marijuana grows as a specific form of agriculture and adopt zoning for that crop. Land that is zoned Ag 20 or less should not qualify for permitting unless it is clearly located within a county sanctioned marijuana overlay. These operations need to be located in remote areas of Kittitas County on larger parcels of land that can support buffers, so neighboring properties are not affected in any way from these activities. Marijuana is now legal in Washington State and there will be a lucrative industry that will thrive as a result. In Kittitas County we must not submit to the pressures of this burgeoning industry; we must consider the health, safety and welfare of our residents above all and come up with a plan that works for the community.

Thank you.

A handwritten signature in black ink, appearing to read 'Tom Crawford', with a long horizontal stroke extending to the right.

Tom Crawford  
5051 Weaver Rd  
Ellensburg, WA. 98926

## Doc Hansen

---

**From:** Rose Shriner  
**Sent:** Friday, February 21, 2014 7:50 AM  
**To:** Jeff Watson; Doc Hansen; Lindsey Ozbolt  
**Subject:** zoning

### Commissioners and Community Development Services

In regard to zoning marijuana operations into agricultural areas please consider that while marijuana is a plant the basis of the growing operation is much different from the existing agriculture climate in our valley. We have open fields where crops and livestock are grown for the benefit of the general public. Marijuana operations require industrial type fencing and security to keep what many feel to be a harmful product (plant based carrier for THC) from the general public.

Marijuana operations will require special regulations and security issues. While I am aware of the possible tax benefit that this county so desperately seeks it must be remembered that there will be off setting expenses such as added burden to the police force, community issues and values.

Please stand up for the values of this community and the future of our children. Marijuana operations should be considered an industrial type of operation; high power usage, warehouse type housing, high security fencing, producing a product regulated by the liquor control board (you would not put a liquor store out in the country), and not compatible with existing farm/ranching operations in our valley.

Marijuana operations belong in industrial zoned areas. By placing this type of business into an industrial zone you are keeping space between them and our valley families/children. Power supply will be simplified, building type and fencing will be compatible with industrial standards, regulatory agencies will have easy access and police/security will be more easily accessible helping to keep our community safe and encouraging businesses and their clients to be responsible community members.

Thank you

Victor Dickson  
Victor Dickson <[victor@westgro.org](mailto:victor@westgro.org)>

Rose Shriner  
Permit Technician  
Kittitas County Community Development Services  
411 N Ruby St Ste.2  
Ellensburg, WA 98926  
(p) 509.962.7506  
(f) 509.962.7682  
[rose.shriner@co.kittitas.wa.us](mailto:rose.shriner@co.kittitas.wa.us)

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message id: 38eb45916c6dcdbdac24bb8719d004a14



## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 02, 2013 9:58 AM  
**To:** Gary Berndt; Obie OBrien; Paul Jewell  
**Cc:** Doc Hansen; Lindsey Ozbolt; Neil Caulkins  
**Subject:** FW: Stop Pot Growing Operations next to peoples homes!

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** JoAnne Duncan [mailto:jduncan@eburg.wednet.edu]  
**Sent:** Friday, November 29, 2013 10:36 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Stop Pot Growing Operations next to peoples homes!

Dear County Commissioners,

I have great concerns about the potential to allow Solstice, a Seattle based pot growing operation to operate in our County. The more I research this company and research the negative impact of these Large Pot Growing Operations , the more fearful I grow for the SAFETY of my family, the value of our property and the quality of life in Ellensburg.

There is a reason these operations are required to have tall, razor prison like fences, 24 hour security guards, Bright Security Lights and armed patrol guards. It is obvious from the research and experiences of places in California, and Colorado that these operations are a threat to the safety of surrounding homes, children, and law abiding citizens.

PLEASE DO NOT ALLOW THIS TO HAPPEN IN OUR COUNTY!!!

I will continue researching the negative impacts of these kind of operations. I will send you the links.

EXTREMELY CONCERNED!!!

Thank you for your time,

JoAnne Duncan

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message id: 38eb45916c6dcbdac24bb8719d004a14

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 02, 2013 9:58 AM  
**To:** Gary Berndt; Paul Jewell; Obie OBrien  
**Cc:** Doc Hansen; Neil Caulkins; Lindsey Ozbolt  
**Subject:** FW: VERY CONCERNED ABOUT POT GROWING PERMITS!!!!

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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---

**From:** JoAnne Duncan [mailto:jduncan@eburg.wednet.edu]  
**Sent:** Thursday, November 28, 2013 6:17 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** VERY CONCERNED ABOUT POT GROWING PERMITS!!!!

Hello,

I live on Weaver Road and recently read in the Daily Record that Solstice has put in for 3 three tier permits for a Pot Growing Operation which will border our property. Will there be a public hearing about this? Why were neighbors not notified? We have young children and teenagers and are VERY concerned about the negative impact this will have in our neighborhood.

What do we need to do to stop this? Do we start a neighborhood petition? We all agree that these operations are not safe to operate near schools because of the safety issues concerning children yet they can set one up in a neighborhood next to young children? What about if we have an in home Day Care Service or a Preschool near the operation?

We would like to be involved in a Public Hearing on this issue. It is still a Federal Offense. I will look forward to hearing from you.

A VERY concerned citizen!!!!!!

JoAnne Duncan

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message id: 38eb45916c6dcbdac24bb8719d004a14

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 16, 2013 7:47 AM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Jeff Watson; Darren Higashiyama; Clayton Myers; Gene Dana  
**Subject:** FW: Pierce County Bans Pot... Why can't we!

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** JoAnne Duncan [mailto:joanneduncan990@yahoo.com]  
**Sent:** Friday, December 13, 2013 5:55 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** Pierce County Bans Pot... Why can't we!

Dear County Commissioners,

It doesn't seem that it is up to the state but rather up to each county how they handle Pot. Pierce County has a complete ban on marijuana. See link below  
Pierce County bans marijuana businesses from rural areas  
Ordinance prohibits pot businesses until Congress removes marijuana from the list of federally controlled substances

By STEVE MAYNARD

THE NEWS TRIBUNE (TACOMA) December 11, 2013

Read more here: <http://www.bellinghamherald.com/2013/12/11/3367971/pierce-county-bans-marijuana-businesses.html#storylink=cpy>

Read more at the link below

<http://www.bellinghamherald.com/2013/12/11/3367971/pierce-county-bans-marijuana-businesses.html>

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message id: 38eb45916c6dcbdac24bb8719d004a14

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Friday, December 13, 2013 1:36 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Gene Dana; Clayton Myers; Darren Higashiyama  
**Subject:** FW: No Marijuana in Kittitas County

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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---

**From:** JoAnne Duncan [mailto:joanneduncan990@yahoo.com]  
**Sent:** Friday, December 13, 2013 12:28 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** No Marijuana in Kittitas County

Dear County Commissioners,

I have been researching what other counties are doing in regards to the passage of i502. Many are banning or putting long term moratoriums on producing, growing and retail sales of marijuana. We keep hearing from you that as a county our hands are tied to what the State/Liquor Board wants us to do however I recently spoke with Anna Cox, a representative from the Washington State Liquor Board for Marijuana Licensing and she said that each county can do whatever they want. The quote in red is from the Seattlepi and backs up what the representative from the Liquor Board stated. There have also been cases which have been successful in implementing a full ban such as Redmond Ridge. Others have implemented strict zoning only allowing in Industrial areas and many implementing on going moratoriums

The Washington State Liquor Control Board says it won't sue a city or county because it's not harmed by the ban. The board is going to issue licenses, and if a business that gets one is in a jurisdiction that has an effective ban in place, that's between the jurisdiction and the business.

Also in regards to that comment some people putting in for licenses have listed an address that they do not own or have a lease agreement on. They would have to reapply for a license so I doubt they would turn around and sue the county. This is what I was told by the State Liquor Board

<http://blog.seattlepi.com/marijuana/2013/12/12/bans-moratoriums-and-zoning-approvals-for-marijuana-businesses-as-far-as-we-know/#18413103=35&18853101=1>  
<http://www.mrsc.org/subjects/legal/502/artdoc502.aspx>

I am also wondering about the GMA and how an activity which needs razor wire fencing, 24 hour surveillance, lighting and emits a terrible odor (see links below from Colorado) fits in with the preservation of the rural character of Kittitas County. Agricultural products such as hay, corn, cattle, horses, haystacks, barns, and corrals fit in and even enhance the rural quality and nature of our valley. Products that require extreme security measures and emit horrible odors do not fit in our rural neighborhoods and devalue the property of farmers, ranchers and rural land owners. It states in the Sepa Checklist from the Washington State Liquor Board that these extreme measures are necessary because of the increased rate of home invasions and crime. Also stated in the Thomson Reuters Report, Washington Supreme Court requires Kittitas County to protect working farms, rural areas and water resources, "The GMA specifically provides that counties may implement innovative zoning techniques in rural areas. This is our opportunity to demonstrate and uphold our responsibility to protect the rural character and resources of farmers, ranchers, and rural land owners.

I appreciate your time and effort in making the most responsible decisions based off of the will of the voters of Kittitas County(who voted against i502) and taking time to wait and see how other counties are effected by this. Colorado is finding that the odor of marijuana is huge problem especially from large grow operations.

Here are some links about horrible odors from Marijuana growing and the extreme measures that counties will have to go through to monitor marijuana odor <http://www.npr.org/blogs/thetwo-way/2013/11/14/245254291/denvers-smell-o-scope-targets-marijuanas-skunky-scent> Are we ready to invest in "smell-a scopes"??

<http://www.outsideonline.com/news-from-the-field/Pot-Odor-Prompts-New-Detection-Device.html>  
Learning about this horrible odor is just one more reason that it does not fit with the rural character of Kittitas County. I am finding new information everyday on why allowing this in our community is a bad idea.

Respectfully,  
JoAnne Duncan

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message id: 38eb45916c6dcdbdac24bb8719d004a14

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Thursday, December 12, 2013 1:12 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Gene Dana; Clayton Myers  
**Subject:** FW: Marijuana Growing Operations

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** Dave Duncan and Sons [mailto:duncan@elltel.net]  
**Sent:** Thursday, December 12, 2013 1:08 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** Marijuana Growing Operations

Dear Kittitas County Commissioners,

Thank you for the opportunity to comment on the possibility of Marijuana being grown in Kittitas County. These growing operations are not consistent with the rural character of Kittitas County. These growing operations should not be considered just another agricultural crop. Any crop that requires razor wire, security cameras, 24 hour surveillance, spot lights and security guards is not a normal agricultural crop. These growing operations attract crime as outlined and confirmed in the SEPA analysis. There have already been shootings and deaths in Colorado and California.

We cannot rely on the Liquor Control Board or State regulations as these regulations could change in the years to come. The liberal west side of our state is very unpredictable. Kittitas County did not vote yes on 502. We were over ruled by the west side voters. Now the west side counties don't want the grow operations on the west side so the growers want to move into our community.

The Marijuana growers talk about the jobs that will be created and the taxes that will be raised. The lions share of the taxes will go to the state and our county will only see a very small portion. The jobs and taxes that they promise are a drop in the ocean compared to the jobs and taxes that are created by the construction of homes in Kittitas County. Folks move to Kittitas County and build homes because of the rural character, quality of life and wholesome reputation that our county is known for. Places like Suncadia and many other upscale developments bring in a lot of employment and taxes for our county. They are here because of the surrounding rural character, quality of life and wholesome reputation of Kittitas County. Marijuana growing operations threaten all of the above.

All Ag 20 land is not created equal. Some Ag 20 land like the land on Weaver Rd consists of many 3, 5 and 10 acres parcels. This is not an appropriate place for a Marijuana growing operation. I am not sure that there is an appropriate place to grow Marijuana in Kittitas County. Please consider the impact on property values, rural character, and the over all reputation and soul of Kittitas County.

Clint Duncan  
4634 Weaver Rd  
Ellensburg, Wa  
98926

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 09, 2013 7:41 AM  
**To:** Gary Berndt; Paul Jewell; Obie OBrien  
**Cc:** Neil Caulkins; Lindsey Ozbolt; Doc Hansen  
**Subject:** FW: BAN ALL POT GROWING and PROCESSING

**Importance:** High

Julie Kjorsvik  
Clerk of the Board  
Kittitas County Board of Commissioners  
509-962-7508  
509-962-7679 Fax

<http://www.co.kittitas.wa.us/>

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-----Original Message-----

From: JoAnne Duncan [mailto:jduncan@eburg.wednet.edu]  
Sent: Monday, December 09, 2013 6:29 AM  
To: Kittitas County Commissioners Office  
Cc: Jeff Watson  
Subject: BAN ALL POT GROWING and PROCESSING  
Importance: High

<http://www.newsofmillcreek.com/content/mill-creek-city-council-moves-ban-marijuana-businesses>

Hello,

My name is JoAnne Duncan. I have lived in Kittitas County for 24 years. I teach first grade at Mount Stuart Elementary School. I am also on the Kittitas Early Learning Coalition, and a member of the Morning Rotary Club. Our family also runs an Angus Cattle Ranch on Weaver Rd.

I am urging all leaders in our community to stand up for the majority of Kittitas County residents who voted against i502. The measure did not pass in Kittitas County. Please place a complete ban on all marijuana growing, processing, and retail businesses that are applying for licenses in Kittitas County. I have included a link to what the leaders of Mill Creek are doing to protect their community. At this point there are too many unknowns, and WAY too much at stake to rush forward. They are placing a complete ban on all marijuana activity!

I have found many examples of counties who are placing a moratorium or complete ban on the growing, processing, and retail sales of marijuana. Yakima and all of the lower valley have moratoriums, Kent, Wenatchee, and Mill Creek just to name a few also have bans or moratoriums.

I have been out talking to everyone I know about this and the reaction as been complete SHOCK, ANGER, FRUSTRATION, SADNESS, people are FURIOUS.... etc. The point is people had no idea that our Leaders were looking at allowing large pot growing and processing operations in our county, our backyards and our neighborhoods. People are ANGRY. I have not come across one person who is in favor of allowing our county to become an experiment for growing and processing a Federally illegal drug that brings along with it the negative impact of crime, violence, and will create a downward spiral of our once vibrant and safe community.

Commissioners...PLEASE BAN ALL pot growing and processing operations within Kittitas County or seek state legislative action to add a local option to allow the county to ban legal pot growing!!!! READ what the Leaders of Mill Creek are doing to protect the integrity, safety, and well being of their vibrant community! This is URGENT!

Respectfully,

JoAnne Duncan

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Saturday, December 07, 2013 9:09 AM  
**To:** Doc Hansen  
**Cc:** Julie Kjorsvik  
**Subject:** Fwd: industrial marijuana growing

Obie O'Brien

Sent from portable.

Begin forwarded message:

**From:** Dave Duncan <[huntabig1@fairpoint.net](mailto:huntabig1@fairpoint.net)>  
**Date:** December 7, 2013 at 8:26:05 AM PST  
**To:** Julie Kjorsvik <[julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us)>, Obie OBrien  
<[Obie.OBrien@co.kittitas.wa.us](mailto:Obie.OBrien@co.kittitas.wa.us)>, Paul Jewell <[paul.jewell@co.kittitas.wa.us](mailto:paul.jewell@co.kittitas.wa.us)>, Gary Berndt  
<[gary.berndt@co.kittitas.wa.us](mailto:gary.berndt@co.kittitas.wa.us)>  
**Subject:** industrial marijuana growing

To the Kittitas County Board of Commissioners;  
I appreciate the opportunity to comment on the outdoor growing of industrial marijuana in Kittitas County.

The current agriculture zoning code does not restrict the growing of industrial marijuana as a agriculture crop. This lack of restriction is inappropriate in rural areas, Ag 3, Ag 5 zones and all nonconforming lots less than 20 ac. in the other Agriculture zone's. This use is not compatible with our rural character or our rural quality of life. Lot owners now use their property's as single family residents, mini-ranches along with farming activities that are compatible with the rural character that makes up the fabric of rural Kittitas County community life. Future land use regulations and/or restrictions as to which agricultural lands the outdoor growing of industrial marijuana is allowed are necessary to protect the nature of these rural areas!! These land use regulations and/or restrictions are not part of the Liquor Control Board regulations and were left to individual County and City Governments to regulate.

The outdoor growing of marijuana is a highly regulated (as to the production of) industrial endeavor that requires 24 hour security, tall fences with razor wire and outdoor security lighting all of which is very disruptive to rural character and distracts from landowner enjoyment of their respective property. There is little doubt that if allowed on smaller rural lots (10 ac or smaller) it would reduce the present property values on neighboring property's maybe even to the

point that adjacent lots would become unsaleable. The root cause is that having industrial agriculture on smaller rural lots reduces rural character to the point where nobody wants to live there. It would be similar to year around cattle or hog feed lot operations which are restricted in our County. There is also a number of unknown negative problems that could exist two examples are; (1) odor (2) rain on snow events washing seed & chemicals on to adjacent property's.

I have no problems with growing marijuana in Kittitas County and it could be a valuable industry in the future but it should be treated as a industrial endeavor that requires a conditional use permit and is allowed only on a minimum lot size of 20 acres and in the Commercial Ag. zone and/or the Forrest and Range zones only. As was testified by potential growers at the 12/05/13 hearing "this is a growing industry that could multiply 10 times in the next few years" so the Kittitat County Board of Commissioners needs to regulate and/or restrict where it is grown outdoors.

Also remember that the growing of marijuana is federally illegal and the present Federal Administration's attitude of looking the other way could change dramatically in the near future. Also see WAC 365-195-720 Procedural Criteria "should refer to all sources at all levels of government including Federal and State constitutions, Federal and State statutes and Judicial interpretations thereof".

In closing who knows what kind of violent reaction the drug cartels might have against this competition to their illegal lively hood.

Thank you for reading and considering my concern's and suggestions on this subject.

Dave Duncan  
4636 Weaver Rd.  
Ellensburg, Wa. 98926  
Cell 899-1629 hm.962-1063

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## Doc Hansen

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**From:** Julie Kjorsvik  
**Sent:** Friday, December 06, 2013 9:37 AM  
**To:** Doc Hansen; Paul Jewell; Gary Berndt; Neil Caulkins; Lindsey Ozbolt  
**Subject:** FW: I-502 meeting

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** Obie OBrien  
**Sent:** Friday, December 06, 2013 9:28 AM  
**To:** Kittitas County Commissioners Office  
**Cc:** Julie Kjorsvik  
**Subject:** RE: I-502 meeting

Mr. Duncan,

The selection of licensed operations is the responsibility and authority of the WA Liquor Control Board. They will make the preliminary decision as to who can have licenses and the size of the operation. Kittitas County will continue the discussion regarding how we can protect the safety and health of our citizens. Your comments have been saved for the record and will part of our considerations.

Thank you for participating in the process.  
Obie O'Brien  
Kittitas County Commissioner

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**From:** Kittitas County Commissioners Office  
**Sent:** Friday, December 06, 2013 9:21 AM  
**To:** Paul Jewell; Obie OBrien; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt  
**Subject:** FW: I-502 meeting

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** Dave Duncan and Sons [<mailto:duncan@elltel.net>]  
**Sent:** Thursday, December 05, 2013 11:07 AM  
**To:** Julie Kjorsvik; Kittitas County Commissioners Office  
**Subject:** I-502 meeting

Thank you for the opportunity to comment on I-502. My name is Clint Duncan and along with my brothers John and Brad Duncan we own High Valley Ranch at 4630 Weaver Rd. We moved into Kittitas County and bought High Valley Ranch over thirty years ago. We own thirteen separate parcels of land on Weaver Rd. We recently learned that Solstice is planning three, three tier Marijuana growing operations on ten acres that is adjacent to our property. The address on the Solstice application is 4930 Weaver Rd.

Weaver Road is not an appropriate area to grow Marijuana. As tax payers and citizens of Kittitas County we feel it is the commissioner's duty to protect our quality of life, property values and safety.

There is no question that a marijuana growing operation on Weaver Road would have an extremely negative affect on property values. We are like most folks in Kittitas valley in that our homes and property are our single biggest investment. I think it is safe to characterize Weaver Rd as a premium Rural/Residential west side location with premium property values. This is not an appropriate place for a growing operation. The only appropriate place for a marijuana growing operation would be in an area where the growing operation does not have a negative affect on neighboring property values.

Safety is another big concern. These growing operations attract gangs and organized crime. There are SEPA reviews that back this up. We have school aged children and there are many other families with children on Weaver Rd. The present laws indicate that it is illegal to have a marijuana growing operation within 1000ft of a School or public transit center. This should also include school bus stops and any homes where children are present.

Presently Kittitas County is a great place to live, raise our kids and we are proud to live here. We hope that you consider the negative impacts that 502 will have on our community and on our quality of life. When I think of an appropriate place to grow Marijuana I think of remote areas like the Columbia basin or areas with large parcels of land and no families close by. Thank you for the opportunity to comment on this urgent matter. Clint Duncan

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message id: 38eb45916c6dcdbdac24bb8719d004a14

## Doc Hansen

---

**From:** Kittitas County Commissioners Office  
**Sent:** Friday, December 06, 2013 9:21 AM  
**To:** Paul Jewell; Obie OBrien; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt  
**Subject:** FW: I-502 meeting

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
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**To:** Julie Kjorsvik; Kittitas County Commissioners Office  
**Subject:** I-502 meeting

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Presently Kittitas County is a great place to live, raise our kids and we are proud to live here. We hope that you consider the negative impacts that 502 will have on our community and on our quality of life. When I think of an appropriate place to grow Marijuana I think of remote areas like the Columbia basin or areas with large parcels of land and no families close by. Thank you for the opportunity to comment on this urgent matter. Clint Duncan

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message id: 38eb45916c6dcbdac24bb8719d004a14



## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 02, 2013 9:59 AM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Lindsey Ozbolt; Doc Hansen  
**Subject:** FW: Negative Impact on Marijuana in our community...links

**Importance:** High

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** JoAnne Duncan [mailto:jduncan@eburg.wednet.edu]  
**Sent:** Sunday, December 01, 2013 7:56 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Negative Impact on Marijuana in our community...links  
**Importance:** High

Dear County Commissioners,

I have attached some links demonstrating the Violence, Danger, and Degradation that the marijuana industry will bring to a community. I have also attached a link about Kent and how their community was able to say NO. I hope it is not too late for our community to say NO. What percentage of Kittitas County residents approved the legalization of marijuana? Did I miss a vote asking if we wanted this in Kittitas County? It is still a Federal Offense.

I teach First Grade here in Ellensburg and although we live in a great community there is a very dark side which many of our community members do not see. Sadly, I have seen this dark ugly side growing steadily worse over the past ten years through the suffering of young children in our community who are neglected, abused, and live the nightmare of parents on drugs. These children bounce around from relative to relative. They come to school dirty, hungry, tired, scared and sometimes angry. It is real. It is sad and it is scary. Bringing open access to more drugs in our community will only make matters worse.

We have an entire curriculum that our school counselor teaches on the harmful effects of drugs and that we must say NO to drugs to lead a productive, healthy life yet now we are saying YES our community supports drugs. It is completely contradictory of common sense. The last link is from the Licensing for Growing Marijuana it clearly states from documented experience that this Federally Illegal activity creates home invasions, armed robberies, and murder. It also devalues property. Does our community have the resources and man power to protect all of the taxpaying citizens of

Kittitas County? Our community has all ready been nationally recognized for having a Heroine problem and now we are going to support more drug problems? (Link to Wall Street Journal about Ellensburg"s Heroine/Drug Problem)

<http://online.wsj.com/news/articles/SB10001424127887323997004578640531575133750>

I will look forward to hearing from you. If there is anything I can do to help stop this let me know. I have lived in Ellensburg for 30 years and hope to retire here. I want to retire in a safe community that values it's children and does all it can to promote a safe, healthy life style. I hope there are some communities like that left in our country when I retire. I hope Ellensburg will be one of them.

Thank you for your time.

JoAnne Duncan

<http://www.thenewstribune.com/2013/11/28/2919183/security-guard-shot-3-times-during.html>

<http://www.kentreporter.com/news/216042891.html>

<http://www.calmca.org/crime/>

[http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA Environmental Checklist.pdf](http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA_Environmental_Checklist.pdf) (Please Read through this checklist. It is very clear on the violence this type of operation will bring to a community)

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 30, 2013 10:49 AM  
**To:** Gary Berndt; Paul Jewell; Obie OBrien  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Darren Higashiyama; Clayton Myers; Gene Dana  
**Subject:** FW: PLEASE READ THE RESEARCH on what other COUNTIES ARE DOING ABOUT MARIJUANA!!!!!! WE DO HAVE CONTROL!!!

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** JoAnne Duncan [mailto:joanneduncan990@yahoo.com]  
**Sent:** Monday, December 30, 2013 2:49 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** PLEASE READ THE RESEARCH on what other COUNTIES ARE DOING ABOUT MARIJUANA!!!!!! WE DO HAVE CONTROL!!!

Dear County Commissioners,

I am very unclear about why you all keep saying there is nothing our county can do about I502 when everything I research and read states otherwise. The link below is to the Municipal Research and Services Center of Washington (M.R.S.C) They have a detailed sample list of 58 cities/counties in our state showing what each local government is doing to best protect the integrity, safety, and future of their citizens. PLEASE check out the link!

<http://www.mrsc.org/subjects/legal/502/artdoc502.aspx#ord>

It seems like the citizens of Kittitas County have been abandoned.

I am also concerned about what is still considered Ag 20. It may be called Ag 20 but it has been divided into small residential parcels. Large Pot Grow operations need to be placed in areas away from homes. We are not talking about an ordinary agricultural product. We are talking about a Federally illegal drug. It doesn't fit with the rural landscape.

The quote below is also from the M.R.S.C. web site and makes it clear that indeed each city and county can create their own zoning. I have also spoke with the Liquor Control Board and they told me the same thing. They do not control where operations go, they only pass out the license. It also states from the Federal Department of Justice website

<http://www.justice.gov/iso/opa/dag/speeches/2013/dag-speech-130910.html>

"That each county and city will be responsible for addressing marijuana activity through their own drug laws. The Department of Justice expects that states and local governments that have enacted laws authorizing marijuana growing, processing, consumption, and selling have strong local law enforcement efforts backed by adequate funding." This seems to contradict the following quote in the Daily record from Doc Hansen:

"The county is stressing that it is up to the state and federal government to regulate and enforce all other rules on (legally) growing marijuana," Hansen said.

The information below is also taken from the M.R.S.C web site and states once again that cities and counties can ZONE marijuana businesses into one specific zone!

"Note that the Liquor Control Board will not issue a license for a marijuana business in a personal residence. WAC 314-55-015(5). But, a marijuana business could establish itself in the commercial or industrial zones directly adjacent to a residential zone, if, of course, that is allowed by local zoning.

"You could choose to zone marijuana businesses into one specific zone, e.g., just industrial or just commercial, or even a subset of a commercial or industrial zone. For information on how some cities have zoned for recreational marijuana uses, see MRSC's [web page on recreational marijuana](#), which has links to city/county ordinances."

I hope you PLEASE check out the the links I have provided, especially the M.R.S.C site. Please don't rush in to hasty decisions. There is nothing to gain by being the first in this experiment and everything to lose. When will the next public hearing be about this issue?

Thank you for your time.

JoAnne Duncan

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## Doc Hansen

---

**From:** Obie OBrien  
**Sent:** Tuesday, December 10, 2013 9:22 AM  
**To:** cadunlop@fairpoint.net  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: County residents concern over marijuana related growing and processing businesses

Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

-----Original Message-----

From: Arla Dunlop [mailto:cadunlop@fairpoint.net]  
Sent: Monday, December 09, 2013 9:03 PM  
To: Kittitas County Commissioners Office  
Subject: County residents concern over marijuana related growing and processing businesses

To: The Kittitas County Commissioners

We reside at 4781 Cove Road, and have called this location home for the past 15 years. We moved to this rural and residential area of the valley for the quality of life that is offered here. In the entire 15 years we have lived at our home on Cove Road, we have never experienced any threats or violations to our personhood or property. We are concerned that allowing any marijuana related business would jeopardize our security and quality of life as we know it in this valley. Tall chain linked/barbed wire fences, security lights, armed guards, and the potential for increased criminal attraction is

not conducive to the family residences, farms, or ranches that surround the proposed site of the Solstice grow operation on Weaver Road.

Our long-time farming neighbors who have dedicated themselves to successful agricultural and livestock businesses for generations are especially at risk by the consequences this type of business creates. It certainly would be a shame if we compromised the well being of any of these family owned business by increasing the potential of criminal trespassing and decreased property values by allowing these controversial and risky businesses into our neighborhood. We support the county placing a moratorium on any marijuana related businesses.

Thank you for considering our opinion and hearing our voice.

Sincerely,

Chris and Arla Dunlop and family  
30 plus year Kittitas County Residents  
(509) 962-3292

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message id: 38eb45916c6dcbdac24bb8719d004a14

## Doc Hansen

---

**From:** Obie OBrien  
**Sent:** Monday, December 16, 2013 3:19 PM  
**To:** connied@fairpoint.net  
**Cc:** Doc Hansen; Julie Kjorsvik  
**Subject:** reply

Hello Connie,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character.

The Board of Commissioners is taking this seriously and has held study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next action will be to hold public hearing to consider an ordinance that addresses our concerns and sets out guidelines for our planning department. Notice will be given on our website and in the Daily Record which is the legal publisher for the county. You are invited to attend and if you wish you can speak at the public hearing. Also any additional thoughts can be submitted in writing and they too will be placed in the record.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; 108  
Ellensburg WA 98926

**From:** Connie Dunnington [<mailto:connied@fairpoint.net>]  
**Sent:** Monday, December 16, 2013 10:19 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Marijuana Farm Opposition

Dear County Commissioners:

I am writing to express my opposition to having pot farms in Kittitas County. Yes, the State is in charge of deciding who gets licenses but you are given the responsibility to set policies in place to determine how Kittitas County will handle these requests for pot farms.

I strongly urge you to do as other counties surrounding us are doing. My first choice would be to ban marijuana all together. The majority of those voting on this Initiative in this county voted no. That should mean something. My second choice would be at least a moratorium to allow time to see how this is all going to work. If the state has not finalized their regulations, why should this county make such an important decision that has the possibility of many adverse effects on it's residents.

The possibility of increased crime, the negative affect on property values and the impact on the rural character of the community are just a few reasons to take a very cautious approach.

I was born in this valley and raised on a farm and yes the rural character has changed over the years. Adding pot farms to the mix takes things to a whole new level. One that as a property owner in the AG 20 zone causes me great concern.

In my opinion we do not owe those looking for places for their pot farms a quick decision. They are applying for licenses using addresses and they don't even own the property. I hope you put the citizens of this county as your priority.

Sincerely,

Connie Dunnington  
5900 Weaver Rd  
Ellensburg, WA 98926

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Wednesday, December 11, 2013 3:33 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Mike Johnston  
**Subject:** FW: Pot growing

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
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**From:** John Eaton [mailto:[eatnbeef@fairpoint.net](mailto:eatnbeef@fairpoint.net)]  
**Sent:** Wednesday, December 11, 2013 3:00 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** Pot growing

I would like to put in my input on the pot growing in the rural ag lands. We don't need to have it decreasing the value of ag ground that would neighboring these pieces. Also I hear that the State taxes this about three times to the final product and our county gets a measley 1% to deal with all the problems. Did we get setup or what. Let the pot voters on the westside of the Cascades get the growers in their back yards. My thoughts! John Eaton

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Tuesday, December 10, 2013 9:31 AM  
**To:** Mollie Edson  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: marijuana

Hello Mollie,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

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Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

---

**From:** Mollie Edson [mailto:chaosmanor@elltel.net]  
**Sent:** Tuesday, December 10, 2013 8:29 AM  
**To:** Obie OBrien  
**Subject:** marijuana

Dear Obie, Gary and Paul,

I want to weigh in on the marijuana discussion. Please, please, please, leave this one alone. The State of Washington is giving us a gift. You can listen, and nod and reaffirm your disapproval all you want, but when it comes to a vote, let marijuana be grown in this county. It's all the things we/you stand for. Its **ECONOMIC DEVELOPMENT**, billions for the state and millions for the county. Its **PROPERTY RIGHTS**, let people, even the little guy, who has just 3 acres of land that qualifies, let them grow. It's **AGRICULTURE**, pure and simple. Growing stuff, it's what we're good at. It's **JOBS**, I'd venture to guess that most of the people who've applied for licenses are young people, let's give them a fair shot at making a living here in the Kittitas Valley. It's **ANTI-REGULATION**, the state is placing massive restrictions on growing,

processing and selling, why add another county layer? Most importantly, its **LEGAL**, this is probably the same discussion that took place in the Napa Valley when they started growing grapes after Prohibition and look where they are now.

Step away from this and let the market ride. We need this and we need to send the signal to business/growers that they will be left alone to do their job. How many times have we been told that the City Council, County Commissioners are to blame for the lack economic growth in our region? It's not the commissioners or council peoples fault, it's just that we've given too much credence to individual constituents and their private affairs and agendas. Look at the BIG picture, Marijuana growing has the possibility of huge rewards for our state and our valley. It's not our place to judge it. If you are concerned with morals, place our efforts in education. Truth be told, I'm not too sure how I feel about horse-racing and gambling, but I wouldn't begrudge our farmers growing Timothy hay for Korean racehorses. It's just a crop.

We certainly don't need to be known as the pot smoking county, we can leave that distinction to King County. Let's just grow it for them. Let's not be put in the position of taking Seattle's garbage, lets grow Seattle's pot. It's much more productive and lucrative.

Sincerely,  
Mollie Edson  
206 355 3538

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Monday, February 10, 2014 12:57 PM  
**To:** 'esmayld@hotmail.com'  
**Cc:** Doc Hansen  
**Subject:** FW: Zoning for I-502

Ms. Esmay,

I am forwarding your request to Doc Hansen our Planning Official to have it included in the elements that the Planning Commission may look into during their review and preparation for a recommendation for the Board of Commissioners.

Thank you for your input,

Obie O'Brien

---

**From:** lysledianne esmay [mailto:] esmayld@hotmail.com  
**Sent:** Monday, February 10, 2014 12:54 PM  
**To:** Obie OBrien; Gary Berndt; Paul Jewell  
**Subject:** Zoning for I-502

Hello, I wanted to follow up regarding last Friday's meeting. I own property in Kittitas county and have vested interest. I am requesting that it be allowed for a completely enclosed I-502 grow within lite-industrial and industrial areas. I'm not proposing greenhouse structures in the industrial areas, but rather windowless completely enclosed grow structures. Of course all the I-502 requirements and building code requirements would need to be met as well.

Thank you,  
Dianne Esmay  
732 Lauderdale Ln  
206-914-2033

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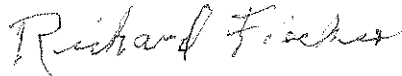
## Opposition to pot farm

I was surprised and so were many others I have talked with about the growing of pot in our valley. This is a big decision and should be carefully considered of the consequences of letting big money control the future of the land that we so dearly love. I understand that it is legal statewide to use pot, but our commissioners, who are our representatives, can restrict the growing of it.

I was also surprised that there was a quiet meeting that was apparently attended by selected people to favor such a proposal. Once such a crop is started big money can dictate its escalation. Do we want our valley to become known as an easy place to become a farm for pot as it is in Mexico?

One of the proposed location of such a farm with its processing plant would have cyclone fencing, 24 hour growing lights, and armed guards. This site is across the street from my mail box on Weaver Rd Is this the type of business we want in what is mostly a residential neighborhood ?

Richard Fischer  
Ellensburg, WA



RECEIVED

DEC 9 2013

1st 2nd 3rd  
SHELTON COUNTY BOARD OF COMMISSIONERS

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Thursday, December 12, 2013 9:46 AM  
**To:** Gary Berndt; Obie OBrien; Paul Jewell  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Gene Dana; Clayton Myers; Mike Johnston  
**Subject:** FW: Marijuana Growing Operation - Weaver Rd.

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** Marni Fox [mailto:tonyandmarni@yahoo.com]  
**Sent:** Thursday, December 12, 2013 7:00 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Marijuana Growing Operation - Weaver Rd.

Dear County Commissioners,

We would like to strongly oppose the marijuana growing operation on Weaver Road. We built our house six years ago on Weaver Road to be in a nice rural neighborhood where we could raise our kids safely. We do not believe this would be a safe environment at all. This proposed site is way too close to our homes and neighborhood and it has been proven that it brings in a lot of crime, threat and violence to the area. We hope you will please consider our concerns when voting on approval or disapproval of this operation.

Sincerely,

The Fox Family  
Weaver Rd  
Ellensburg, WA

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## Doc Hansen

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**From:** Julie Kjorsvik  
**Sent:** Thursday, January 30, 2014 2:16 PM  
**To:** Paul Jewell; Obie OBrien; Gary Berndt  
**Cc:** Darren Higashiyama; Clayton Myers; Gene Dana; Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Mandy Buchholz  
**Subject:** FW: Clerk of the Boards--marijuana I502  
**Attachments:** YAKAMA INDIAN LANDS MAP.pdf; BLANK OBJECTION LETTER - LCB Notices.doc; BLANK OBJECTION LETTER - License Applications.doc

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

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**From:** george [mailto:gwcolby@embarqmail.com]  
**Sent:** Thursday, January 30, 2014 2:10 PM  
**To:** Carlye.dunning@co.chelan.wa.us; dprewitt@co.douglas.wa.us; lindar@co.adams.wa.us; mwithers@co.franklin.wa.us; bvasquez@co.grant.wa.us; cami\_mckenzie@co.benton.wa.us; Tiera Girard; Julie Kjorsvik; CrisM@co.klickitat.wa.us; Johnson@co.skamania.wa.us  
**Cc:** Harry Smiskin; George Colby; Philip Ambrose  
**Subject:** Clerk of the Boards--marijuana I502

Dear Clerks:

I am asking that you share this letter and the attachments with your respective County Commissioners.

The Yakama Nation has been objecting to each and every marijuana application in each category to the WSLCB in the 10 County area that comprises the Ceded and Reserved area of the Yakama, under its Treaty of 1855. You can see the basis for our objections, -- whether you agree with them or not, -- is that the citizens of the State of Washington do not get to vote on what happens on Yakama lands. The State Attorney General in his 2014 AGO Opinion No 2 apparently takes the same attitude with your lands. Further federal dollars that all of your counties, (and cities), receive are conditioned on drug free work places as well as the receiver of money not being involved in drug activity. See 42 USC 12644. I would also point out that only Chelan and Skamania Counties voted for the marijuana initiative and then only by 2 or 3 percent. The rest of the counties voted no. I make this point as there is clearly no politics in your area against joining the quest of the Yakama to keep marijuana out of Central Washington, --close to 14 million acres. On a government to government basis the Yakama ask for your assistance. Together we will have more of a voice.

Please contact the Chairman of the Yakama Nation, Harry Smiskin, at his email address as shown above or 509 865-5121. In 1855 alcohol was not supposed to be in this area but the government used it as a tool against the Yakama. Now in 2014 the Yakama have the opportunity to use its Treaty Rights in getting ahead of the "curve" on this issue. Alcohol has killed thousands of Yakama. We fear marijuana will do the same and will never again sit silent or not take action, nor let the federal government ignore our Treaty Rights.

I am sending this to you as the "Point Person" of the Yakama Nation in this project. We attended all of the hearings on the Draft WAC Regulations so the finals include the input of Indian Tribes. You can contact me if you wish and I will make sure the Chairman gets your message. We all know the costs, social and criminal, borne by the tax payers from alcohol abuse.

It does not make sense to burden tax payers with more costs that we all know are coming with the "legalization" of marijuana. Your help will be appreciated as well as save lives.

Very Truly Yours,

*George Colby*

George Colby Law Office  
PO Box 6  
Toppenish, WA 98948  
Phone: 509 865-3011  
Cell: 509 307-0556  
Fax: 509 865-2532

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**Confederated Tribes and Bands  
of the Yakama Nation**

Established by the  
Treaty of June 9, 1855

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Washington State Liquor Control Board  
Marijuana License Coordinators  
P.O. Box 43075  
Olympia, WA 98404-3075

RE: **OBJECTION TO LICENSE APPLICATION**

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Dear Board:

The Yakama Nation does hereby “**Object**” to the application, as well as the potential approval, of the above listed license submitted to the Washington State Liquor Control Board. Marijuana is still an “Illegal” drug under the provisions of the laws of the Yakama Nation and under the laws of the United States of America. We ask that you not approve any illegal activities in the “Indian Country” of the Yakama Nation.

The Treaty of 1855 with the Yakama, 12 Stat. 951 at Article 8, requires the Yakama Nation to not “shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial”. Further, there is no legal difference to the Yakama Nation whether these applications are in the Ceded or Reserved lands as both are covered by the Treaty as well as the recent federal court holding in Yakama Nation vs. USDA, et. al. found at United States District Court Eastern District of Washington, NO. CV-10-3050-EFS known as the Hawaii Garbage Case. These legal precedents give Yakama authority over its lands and to control what happens upon them, whether that be garbage or marijuana.

We base our objections on the following:

1. The Yakama Treaty of 1855 requires us to turn over federal violators of federal law to the federal government. Marijuana issues are all federal violations.
2. Washington's Constitution forsaking right, title and interest in Indian Lands in the late 1800s would include not only the Reserved lands of the Yakama but also the Ceded lands. This is the only reading that would make any sense given the nature of the lands described in the State Enabling act. This is a 10 county area which but for 2 counties voted down the marijuana initiative and it is easy to see that if the Yakamas do not want marijuana on any of their treated lands, federal law and state law have to accord.
3. The lack of any authority for the citizens of the state of Washington to VOTE on anything that affects or effects Yakama lands.
4. The most recent Washington State Attorney General's opinion to Washington counties and cities that if they want to zone away marijuana they can. The Yakama position is now clearly supported by the State Attorney General.
5. In the 10 county Area of Yakama Reserved and Ceded lands, there are over 14,000 known Yakama historical sites protected by State and Federal law to the point of keeping them secret. We want no marijuana operations on or near any protected historical sites in these areas.
6. The above mentioned decision in the Hawaii garbage case clearly shows federal support of the Yakama protecting their ceded lands. Garbage is not a federal violation. Marijuana is.

The Yakama Nation looks forward to the denial of the above mentioned application. We appreciate your consideration of the public safety of our Yakama Members and their children from such illegal activities in and on our lands and look forward to your cooperation on these matters.

Sincerely,

Harry Smiskin  
Chairman  
Yakama Nation Tribal Council

CC: File  
U.S. Attorney, Spokane  
U.S. Drug Enforcement Agency, Yakima



**Confederated Tribes and Bands  
of the Yakama Nation**

Established by the  
Treaty of June 9, 1855

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December 21, 2013

Washington State Liquor Control Board  
Marijuana License Coordinators  
P.O. Box 43080  
Olympia, WA 98404-3080

RE: **OBJECTION TO LICENSE APPLICATION**

Dear Board:

The Yakama Nation does hereby “**Object**” to the application, as well as the potential approval, of the above listed license submitted to the Washington State Liquor Control Board. Marijuana is still an “Illegal” drug under the provisions of the laws of the Yakama Nation and under the laws of the United States of America. We ask that you not approve any illegal activities in the “Indian Country” of the Yakama Nation, whether the proposal is Tier 1, 2, or 3.

While we realize that this is just the initial phase of this process, the Yakama Nation wants to be on record at the outset of this process as well as during the hearings on the applications. The Treaty of 1855 with the Yakama, 12 Stat. 951 at Article 8, requires the Yakama Nation to not “shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial”. Further, there is no legal difference to the Yakama Nation whether these applications are in the Ceded or Reserved lands as both are covered by the Treaty as well as the recent federal court holding in Yakama Nation vs. USDA, et. al. found at United States District Court Eastern District of Washington, NO. CV-10-3050-EFS known as the Hawaii Garbage Case. These legal precedents give Yakama authority over its lands and to control what happens upon them, whether that be garbage or marijuana.

The Yakama Nation looks forward to the denial of the above mentioned application. We appreciate your consideration of the public safety of our Yakama Members and their children from such illegal activities in and on our lands and look forward to your cooperation on these matters.

Sincerely,

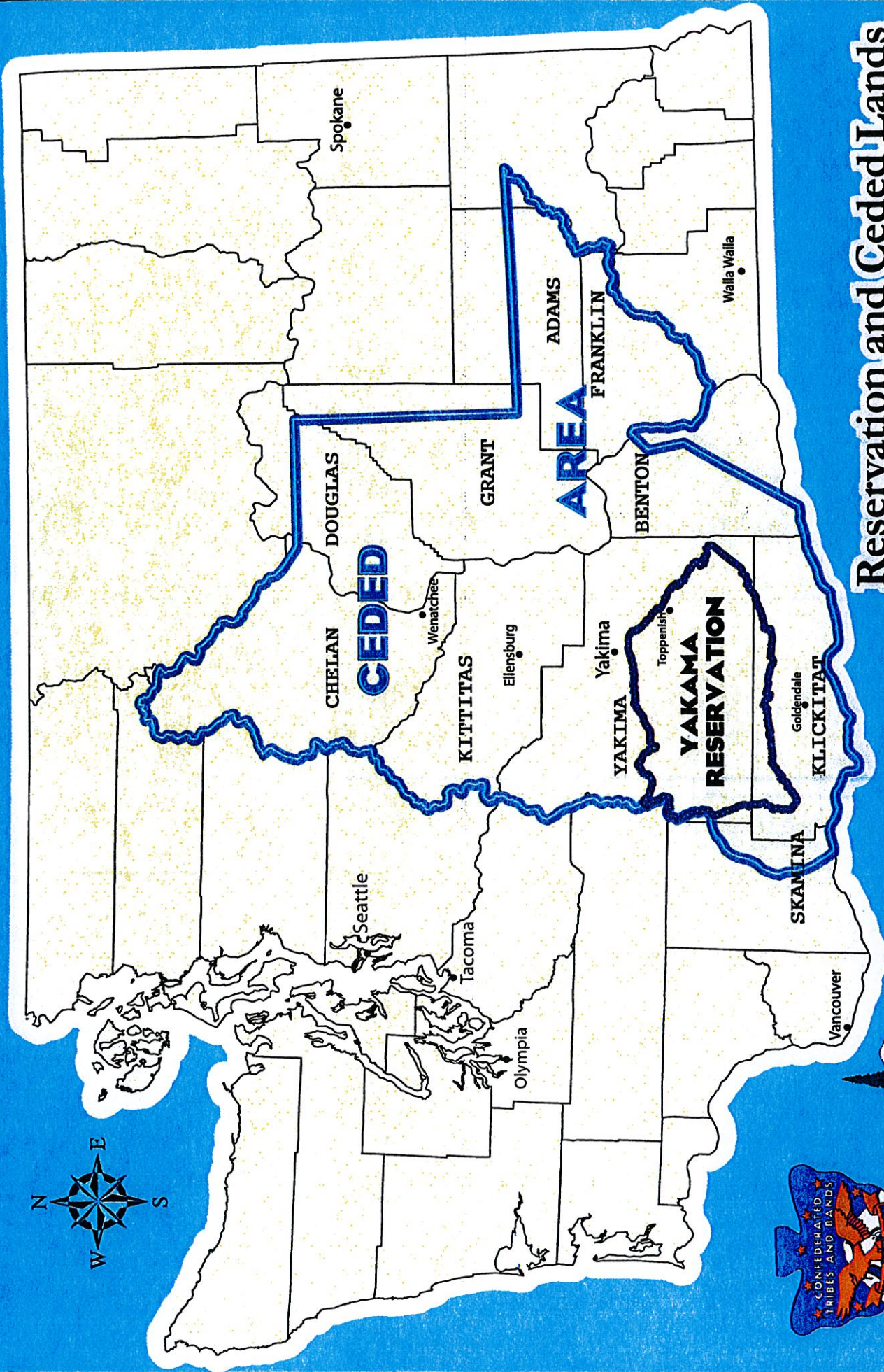
Harry Smiskin  
Chairman  
Yakama Nation Tribal Council

Encl: Map of Yakama Lands

CC: File  
U.S. Attorney, Spokane  
U.S. Drug Enforcement Agency, Yakima



# Reservation and Ceded Lands of the Yakama Nation





## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Friday, January 31, 2014 4:47 PM  
**To:** Doc Hansen  
**Subject:** Fwd: Kittitas and I-502

For the record.

Obie O'Brien  
Kittitas County  
Commissioner

Begin forwarded message:

**From:** mike graham <[mikefreightwing@gmail.com](mailto:mikefreightwing@gmail.com)>  
**Date:** January 31, 2014 at 3:07:22 PM PST  
**To:** <[obie.obrien@co.kittitas.wa.us](mailto:obie.obrien@co.kittitas.wa.us)>  
**Subject:** Kittitas and I-502

Commissioner O'Brian,

Thank you very much for sharing your time with me to discuss I-502 policy in Kittitas county. I wanted to follow up with a couple suggestions relevant to potential zoning and permitting issues we talked about.

Let me first reinforce the explanation of the time line required for outdoor operations. Although theoretically it would be possible to drop seeds or acquire cuttings in May in preparation for a June planting (as with many traditional crops), in practice this will be too late for a marijuana crop that requires extensive requirements for propagation and cultivation. A huge difficulty is generating the initial numbers required for scaled production as the incoming stock of required starts will be quite limited do to the smaller numbers of plants that can be sourced from the medical market. It will take time to grow and multiply these numbers through cutting/cloning. The specialized light deprivation/auto flower technique I am also employing fits two crop cycles into a season so I need to start propagating/growing in March to have any realistic chance of optimizing the season.

Please keep this timeline consideration in mind with any proposed zoning or permitting requirements. Specifically, I would hope that the AG20 requirements are consistent with what is done for the commercial AG and forest and range. Requiring a conditional use for all non conforming AG20 locations is not necessarily consistent with the intent of this provision and a specific approach to address inappropriate locations might be a better way to handle this. Also, AG20 clearly states that agricultural use is the primary focus of land use and this is not much different than the commercial AG zoning. In contrast, forest and range is likely the least appropriate for no conditional use permit because the use is not specific to agriculture and the remoteness of these locations makes access to law enforcement difficult. Lack of appropriate water rights is also a negative for agricultural activities in forest and range.

I do understand and support your insistence that the rural character of the valley be maintained and improved upon. Appropriate setbacks from public access and things like landscaping can keep the impact of these 502 operations to a minimum. When considering these requirements, it just needs to be appreciated that issues like security and the practical ability to execute a requirement can not be compromised. You mentioned that perhaps vines could be used to conceal fencing without sacrificing line of sight and I think this is a great idea, I thought further and figure that it would be easy and look great to use hops for this purpose - maybe I could even sell the finished hops to Iron Horse for a special Ellensburg valley brew..

I will have additional general comments to present for the written record, but wanted to touch on some of the more detailed issues we had discussed.

Kind Regards,

Mike Graham  
NMF Enterprises/Natural Mystic Farms  
5810 Naneum Rd., Ellensburg, WA  
814.769.1278

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## Doc Hansen

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**From:** mike graham <mikefreightwing@gmail.com>  
**Sent:** Tuesday, December 03, 2013 11:00 AM  
**To:** Doc Hansen  
**Subject:** Kittitas I-502 Licensing

I wanted to touch base with you and the county as I am now moved into my farm on Naneum Rd. and my I-502 marijuana license applications have been submitted to the state LCB. The 5810 Naneum Rd. is the location I had previously made you aware of and I am hoping we are on track here as it seemed to be consistent your previous guidance to follow standard agricultural zoning. This is an AG20 location with KRD senior water rights. The operation will be set back quite a distance from the road, be fully fenced and should not interfere with anyone's right in the area to enjoy the quiet and peaceful setting we enjoy in the valley.

I anticipate at this time the need for a fencing permit as we are using 8' height, but there is no new construction needed or techniques employed that differ much from what other farmers use for traditional sun grown crops. Of course, all operations will follow the strict protocols for compliance that the LCB has worked diligently on over the past year.

One area that was not previously disclosed to the planning office was the submission of multiple production licenses (3) on the same property. I had earlier communicated to you that I would be seeking one tier 3 production licenses and one processing license. Upon first review, it might seem somewhat cavalier or greedy for a 502 applicant to be requesting such a large production space from the LCB. If you look into the details behind this strategy, it makes more sense. During the recent round of LCB outreach workshops, they made it known that multiple license submissions on the same property were indeed fine with them. As the applications are only \$250, naturally this encouraged many people to request this extra space. As the LCB has a statewide production cap of 2 million sq. ft. of growing canopy and will reduce this space proportionally if over allocated (this is already over the cap by several million sq. ft.), the only way to get with what you anticipated from the beginning is to ask for the extra space and be pared down to a smaller space. It is also important to retain this forward capacity as there is no assumption to be made that there will be a new window granted for additional license applications. So with this in mind, a professional operation such as mine needs to use this strategy to be on par with others who are using this obvious business advantage.

I would be happy to explain my proposed operational plan in greater detail with the county if there is any apprehensions about having such a large 502 grow in the valley. I am hoping all is well with the original thought that these activities would be considered a standard agricultural use and that the LCB restrictions are the primary constraint. I was made aware of the meeting at 2:00 this Thursday at the courthouse to consider further action in part by the county. I will be there and will be able to expand on how 502 operations will affect the county from the licensee perspective.

Regards,

Mike Graham

NMF Enterprises LLC/Natural Mystic Farms – 5810 Naneum Rd., Ellensburg, WA

814-769-1278



## Doc Hansen

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**From:** mike graham <mikefreightwing@gmail.com>  
**Sent:** Tuesday, February 11, 2014 12:35 PM  
**To:** Doc Hansen  
**Subject:** Naneum 502 farm plans  
**Attachments:** plot13.jpg

Doc,

I had my fencing permit approved by the county yesterday, but am now stopped up from proceeding due to the uncertainty with the new draft zoning recommendations for setbacks.

We immediately addressed the shortcomings of this idea at the commissioners meeting and hope that this aspect of the proposed zoning rules will be reevaluated. I am assuming the intent of the setback requirements are to address "rural character" issues, but this can be achieved through alternate means that allow the producers to proceed with a viable means of execution.

Attached is the Natural Mystic Farm project layout. The desired layout that was submitted for the fencing permit is in the back of the property and the transparent red overlay indicates the space that would be need to utilize if the new zoning rules were to be followed. In my case, following the new zoning setbacks would actually be absolutely detrimental to the rural character idea it is trying to protect. In my original plan I am hoping to proceed with, there is virtually zero visual impact for anyone not adjacent to the property so 99%+ of the county residents would not be impacted in any way. The new setback rules would force me to cut down my mature apple orchard and at least a dozen hundred year old trees that create a beautiful farm environment and currently shield the mj farm from public view. These setbacks really accomplish nothing for the 3 neighbors I do have as my original plan was already sensitive to these neighbors right for quiet enjoyment of their property and contains similar setbacks for these specific needs.

Requiring setbacks for the east and north sides of my plan does not address any purpose. These areas are open farmland with no residences and the entire area in my AG20 location is very sparse in residential development and primarily focused on agriculture which is the intent of AG20 areas. I would imagine a more sensible approach such as 502 facilities can not be located within 100 ft of an established neighboring residence would achieve the purpose of this setback idea without creating unreasonable hardship for producers in the county.

If these zoning and permitting rules have to be developed (still think that a standard ag use policy is far better from both 502 and county perspectives), please let producers have input into the process as I believe some of these rules developed with positive intent don't fully understand the impact of some of the proposed constraints. I believe we also need to keep in mind the "right to farm" premise of AG20 and commercial AG zones which makes it clear that certain farming activities may have some sort of impact, but these farming necessities are understood by folks choosing to live in these rural areas and can not be held to unreasonable expectations. I do not see any issues specific to mj farming that are any different than other farming or livestock issues other than a fence being required.

I am hoping to get into your office to discuss these issues asap as again, waiting for full clarity from the county at this point not only jeopardizes the 2014 outdoor growing season, but also the process of securing the state LCB license.

Thanks,

Mike Graham  
Natural Mystic Farms  
814-769-1278

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Tuesday, December 31, 2013 2:12 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Gene Dana; Clayton Myers; Darren Higashiyama  
**Subject:** FW: Marijuana Grow Operations

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

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**From:** Martha Gregg [mailto:mgregg@ubmofwa.com]  
**Sent:** Tuesday, December 31, 2013 11:31 AM  
**To:** Kittitas County Commissioners Office  
**Cc:** 'gary@matheuslumber.com'  
**Subject:** Marijuana Grow Operations

Dear Commissioners,

I'm a late comer with regards to responding to the information of this Marijuana Grow Operation, which will be directly adjacent to our property. It's amazing what an impact West Side voters can make in our state. We purchased and built our log home 10 years ago to provide a getaway location for ourselves, our married children and our 13 (all under 18 years of age) grandchildren. The location for us is perfect. We purchased the land for its beautiful pastoral scenery and the outstanding view of the mountains to the west and the city to the east. All of us cherish the time spent in Ellensburg.

How troubling to learn that there is the possibility of a marijuana growing facility as our next door neighbor. It's unimaginable to think it could become a reality. I know that the State of Washington voters approved this absurd change in our laws; however the fact does remain that Federal Law still defines marijuana and growing marijuana as a felony. There is good reason for their disapproval (along with 48 other states) since it is a well documented fact that illegal drugs are the source of a range of unlawful conduct. Another concern is the fact that our property also runs along the canal, which would give access to this growing operation from "would be" criminals to easily determine availability to our home for possible break-ins.

I know these are hypothetical situations; however, newspapers and news articles are filled with stories of home invasions, murder, and gang involvement in the drug trade are real. We don't want this invasion to the Ellensburg area, or anywhere else for that matter.

I could go on about this situation, but I'm certain that you are well aware of the "cons" of approving this operation. I appeal to your sense of community, family and law abiding residents to decline this attempt to sully the beautiful Kittitas Valley. Thank you for listening. May I ask to be informed when a ruling is made?

Martha and George Gregg  
3514 142<sup>nd</sup> Place NE  
Bellevue WA 98007

Martha and George Gregg and Family  
4876 Robinson Canyon Road  
Ellensburg WA 98926

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Wednesday, December 18, 2013 4:32 PM  
**To:** William Holmes  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: Marijuana

William,

Thanks for starting with the acknowledgement that the "Voters" have placed us in this untenable position of needing to take action in a way that meets the stated requirements of RCW 69.50, WAW 314-55, and I-502, not accounting for the desires of our voters. The point is obviously that the decision about to have or not have has been made. My only area of action lies in how to protect our "rural character". The rest of your fine reference points are outside of my action lines. Your comments will be entered into the record as required by our practice and the appearance of fairness doctrine.

Thanks for the note,  
Obie

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**From:** William Holmes  
**Sent:** Wednesday, December 18, 2013 2:37 PM  
**To:** \_Commissioners  
**Cc:** Judge Sparks  
**Subject:** Marijuana

Dear Sirs:

I appreciate that the citizens of Washington put you, our County leaders, in a difficult place by the passage of I 502. I recognize the authority you have and the area(s) where you have decision making regarding implementation of I 502 are limited. My position is also limited in what I may do while staying within my role in accordance with the Code of Judicial Conduct as specifically delineated in those Canons and the Opinions from the Ethics Advisory Committee. What I may do is provide information, with overriding concern for integrity and impartiality, to advance the administration of justice. The increased presence of marijuana may have harmful effects upon our community and to the extent its advertisement and presence can be limited it would be beneficial to those this department currently has responsibility for and our community.

To that end, that of advancing the administration of justice, please be aware of the current concerns regarding the use of marijuana as reflected in our current Kittitas County Probation Services caseloads.

Regarding the Juvenile Court Services Caseload:

- For decades one of the top four or five criminal offense referrals to the Juvenile Court Services department is for Possession of Marijuana Less Than 40 grams. If criminal offense referrals for Possession of Drug Paraphernalia (which is almost always marijuana smoking devices) were added marijuana related behavior would normally be one of the very highest causes for criminal referral to this juvenile court. If possession of larger amounts than 40 grams and Intent to Deliver were included, marijuana effected offense referrals would likely be only topped by alcohol related offenses as a highest reason for criminal referrals.
- The urinalyses results we see are usually well over 100 ng/ml. Yesterday's reports reviewed were for 162, 221 & 334 ng/ml. "5 ng/ml is the science-based limit to active THC blood concentration" to determine a new marijuana DUI standard.

- Local kids report either seeing no harm in using marijuana or using to self-medicate for depression, pain control/management, anxiety. (As marijuana is a central nervous system depressant that puts them into a circle of (illegal) use to “treat” with a substance which produces the symptoms they indicate they are trying to relieve.)
- Our kids indicate their access to marijuana frequently comes from medical marijuana of family/friends
- Nationally & reflective of our Healthy Youth Survey, a few facts about youth using marijuana:
  - To quote an American Child and Adolescent Neuro-Psychiatrist: “The toxic properties of chemical molecules and their cellular damage are not matters of opinion or debate. . . . We cannot vote for or against the ‘toxicity’ of a drug.
  - Chemically, marijuana is a far more dangerous drug than most of the scientifically ignorant media and North American consumer have been duped into believing.” [Robert C. Gilkeson, M.D.]
  - 2010 NSDUH: Of the 7.1 million Americans ages 12+ classified with illicit drug dependence or abuse, 4.5 million had marijuana or hashish dependence or abuse listed treatment causes
  - 43% vs. 26% Depression reported by student users vs. non users
  - Critical skills (memory & learning) are significantly impaired in users even 24 hrs after
  - Lowest school grades are two to one more likely to occur for users through the higher grade levels
  - 2010 58% of new users were under 18

Regarding our Adult Misdemeanor Caseload:

- In a snapshot from December 12, 2013, of the 4,553 open cases by charge, Possession of Marijuana is the 4<sup>th</sup> highest criminal referral reason
  - Again if you add *just* Possession of Drug Paraphernalia, marijuana related crime becomes the 3<sup>rd</sup> highest reason for District & Municipal Court supervision
  - 25% of our referrals are DUI’s (this does not include DUI’s which are frequently reduced to Reckless or Negligent Driving)
    - 1,137 DUI’s are reflected in our current caseload
- In our tracking release of information to treatment agencies for DUI’s since February, the DUI referrals usually involve either direct referral for marijuana being the drug effecting the driver’s performance or a contributing factor
- As is the same as youth facts, higher levels of THC than in the past are reflected in the adult probationers UA’s

I know you are concerned for the impact on our county. Following are effects of marijuana we *know*:

- Marijuana usage poses significant health risks to:
  - Lungs & respiratory systems
  - Hearts
  - Brains
  - Central Nervous Systems
  - Cancer development
  - Mental Health
  - Learning and Social Behavior
  - Immune Systems
  - Pregnancy
  - Of Addiction
    - Withdrawal
  - Critical Thinking Skills

- Driving Performance
- Reproduction
- Industrial Accidents
- Absenteeism

Concerns we may face with the increased presence of marijuana may include:

- Increased need for chemical dependency treatment services (at the same time resources have been dwindling for treatment from the State)
- Potential for increased law enforcement need for determining, monitoring, responding to areas where the drug is being lawfully and unlawfully grown, produced or sold
  - Presence of weapons and violence related to drug thefts and criminal market presence and practices
  - Increased law enforcement response usually means all facets of the criminal justice system has increased duties
    - Both are reflections of increased cost to provide criminal justice services
  - Increased DUI's and harm from DUI's
- The criminal justice system deals with people harming others and themselves, usually due to poor decisions, most of the time because of some substance effect on thought processes. Marijuana negatively influences critical thinking processes.

Thank you for your consideration of these effects and factors in your decisions on siting and zoning. I stand ready to provide you greater specifics and sources of the above facts and information should you desire.

Sincerely,

William D. Holmes, Director  
 Kittitas County Probation Services  
 (509) 962.7516

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Monday, December 09, 2013 5:25 PM  
**To:** karenscj@hotmail.com  
**Cc:** Doc Hansen; Julie Kjorsvik  
**Subject:** RE: Proposed Marijuana Site

Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather. The law does not take into account who lives next door.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character. Specifically, I am concerned that outdoor growing operations must have an eight (8) foot fence and video surveillance which may not be compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 09, 2013 3:35 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt; Neil Caulkins; Lindsey Ozbolt; Gene Dana; Clayton Myers  
**Subject:** FW: Proposed Marijuana Site

**Julie Kjorsvik**  
**Clerk of the Board**



**Kittitas County Board of Commissioners**

**509-962-7508**

**509-962-7679 Fax**

**<http://www.co.kittitas.wa.us/>**

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**From:** Karen Jackson [<mailto:karencj@hotmail.com>]

**Sent:** Monday, December 09, 2013 1:59 PM

**To:** Kittitas County Commissioners Office

**Subject:** Proposed Marijuana Site

Dear Commissioners,

I was devastated to read in the Daily Record about the proposed sites for the purpose of growing marijuana - one of which is off of Weaver Road, less than a mile from our house. My husband I and left the west side to have a better quality of life and to make a difference in the Kittitas County community.

I am a former teacher. It has been my dream to have an at-risk youth program using the horses on my property. How can I possibly do this program with a pot growing operation growing so close to my home? My husband works in the medical community. We both want to see people, young and old, living healthy lifestyles. How can one lead by example with this negative influence?

It is my greatest hope that you will consider the impact on the people of this valley, especially our youth, and not let this happen. It shouldn't be about money, but what's best for the people in this wonderful valley. It will never be the same if you allow this. Please do the right thing here. Don't allow the pot growers to take over this valley.

Karen Jackson

206-353-9061

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message id: 38eb45916c6dcbdac24bb8719d004a14

## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Wednesday, December 11, 2013 10:37 AM  
**To:** djandjj@cablespeed.com  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** Re: Pot Grow applications

Hello Joyce,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; 108  
Ellensburg WA 98926

**From:** Don and Joyce [<mailto:djandjj@cablespeed.com>]  
**Sent:** Wednesday, December 11, 2013 8:40 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Pot grow applications

Dear County Commissioners,

I know that it will be quite awhile before the permit process is complete, but I think I need to let you know of my feelings as a neighbor of the applicant at 1782 Hundley Road. This address is in Elk Meadows. Elk Meadows is a private Residential Park comprised of about 130 lots, most of them are under an acre. Most of the property owners are recreational, but there are a number of us (including my husband and I) that are here all

of the time and there are also some "snow-birds". I am the President of the Elk Meadows Home Owners Assoc., but I am writing as a private citizen. There is nothing in the Elk Meadows By-Laws that prohibits this type of activity.

The property in question is right at the intersection of Hundley Road and Swallow Lane. That is a school bus stop for the Cle Elum Roslyn Schools Dist. and there is at least one student that lives two lots away from the applicant address. Since I don't know anything about growing pot, I don't know if any of the things done for growing would affect or contaminate the Yakima River , which is the north border of the property. I also understand that the owner of the property is Mackenzie Record, a Real Estate broker who lives in the Auburn area. If she does not live here, who would be running this operation? We already have a crime problem here in Elk Meadows, with many break-ins and burglaries in the past year or so, and we feel that there is a criminal element connected with an other address on Hundley Road. I feel that this kind of enterprise in a neighborhood such as ours would not be a good thing.

Joyce Jones

461 Heron Drive

Cle Elum, WA 98922

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Tuesday, December 10, 2013 9:24 AM  
**To:** tlanegan@fairpoint.net  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: marijuana growing in Kittitas County

Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

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Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

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**From:** Trina [<mailto:tlanegan@fairpoint.net>]  
**Sent:** Tuesday, December 10, 2013 7:06 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** marijuana growing in Kittitas County

Dear Commissioners,

Please make every effort possible to implement a moratorium on marijuana related business and growing operations in Kittitas County.

My understanding is that our county does not have to fold under and make this kind of business allowable. Please investigate and seek every possible legal outcome that will allow our county to remain free of drug businesses.

Sincerely,  
Trina Lanegan

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Friday, December 06, 2013 9:22 AM  
**To:** Gary Berndt; Paul Jewell; Obie OBrien  
**Cc:** Neil Caulkins; Lindsey Ozbolt; Doc Hansen  
**Subject:** FW: Pot growing operation locations

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** Katia Merkel [mailto:[kecmerkel@excite.com](mailto:kecmerkel@excite.com)]  
**Sent:** Thursday, December 05, 2013 12:27 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** Pot growing operation locations

Hi,

I live in the area near where at least 2 of the pot growers applications come from. I actually don't have qualms about legal pot growing and feel that a commercially regulated business is far preferable to illegal operations that trash our public lands, but I am concerned with an agricultural product being grown with well water.

I believe that any agricultural business should be confined to one of the irrigation districts. I would be just as concerned if a neighbor wanted to grow grapes or apples commercially on their land. Please consider where the water will be coming from when you consider where these grow operations can be located.

Thanks,  
Katia Merkel  
2141 White Road  
Cle Elum

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message id: 38eb45916c6dcdbdac24bb8719d004a14

## Doc Hansen

---

**From:** Obie OBrien  
**Sent:** Wednesday, December 11, 2013 10:31 AM  
**To:** ron.midstateaviation@fairpoint.net  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: Pot Farms

Hello Ron,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

-----Original Message-----

From: Ron Mitchell [<mailto:ron.midstateaviation@fairpoint.net>]  
Sent: Tuesday, December 10, 2013 9:34 PM  
To: Kittitas County Commissioners Office  
Subject: Pot farms

I am one of the "lucky" landowners who have proposed marijuana farms bordering my property. Not just one, but two. I am very concerned that having a pot farm will devalue my property. I have already lost some value due to recent zoning changes, and it seems likely that a pot farm located in close proximity, with associated security fencing and lighting, would not be a desirable neighbor.

Another concern about siting a farm raising crops that are illegal by federal law within an agricultural area, is what happens when seeds from the plants are translocated to neighboring

fields by wind and water. If you have ever spent much time in rural areas of the Midwest, you know that marijuana is a noxious weed, and spreads through pasture and crop lands unchecked in some areas. What happens to a hay crop that is contaminated with marijuana plants? If we can't export hay that has certain volunteer cereal grains in it, what do you suppose the chance is of exporting, or even crossing state lines with a crop containing any level whatsoever of an illegal substance?

This marijuana law was poorly thought out from the start, and the actual mechanisms and the regulations regarding the growing and distribution of the drug were not adequately considered. Among your jobs, is the duty to protect the citizens of this county from incompatible land uses, that potentially can cause damage to others. Please do your job.

Respectfully,

Ron V. Mitchell

Sent from my iPad

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Monday, December 09, 2013 5:29 PM  
**To:** john.moore1@usbank.com  
**Cc:** Doc Hansen; Julie Kjorsvik  
**Subject:** RE: Options related to the growth and processing of marijuana in Kittitas County

Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather. The law does not take into account who lives next door.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character. Specifically, I am concerned that outdoor growing operations must have an eight (8) foot fence and video surveillance which may not be compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

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Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

**From:** [john.moore1@usbank.com](mailto:john.moore1@usbank.com) [<mailto:john.moore1@usbank.com>]  
**Sent:** Monday, December 09, 2013 2:31 PM  
**To:** Kittitas County Commissioners Office  
**Subject:** Options related to the growth and processing of marijuana in Kittitas County

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Dear Commissioners,

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As a concerned Kittitas County resident, I would like my opinion taken into consideration during the deliberation process, as it relates to the growth and processing of marijuana in Kittitas County.

1. Every piece of property is different, no matter the size. Pretend that this the lot next door. Please treat each situation independently and give the surrounding community a voice. I would like to see a proposed land action use posted on each parcel along with time for both sides to be heard prior to a decision being made. There is too much at stake to allow this into an area unchallenged.

2. Why take this on at this point. In the last meeting, Commissioner Jewel acknowledged that there just are not any comparables out there. Rather than trying to stumble through this, postponing this decision for as long as possible would create time for data to build, allowing us to make a more educated decision. Rather than us being the guinea pig, we could learn from others mistakes.

Sincerely,

Steve Moore  
4901 Weaver Rd Ellensburg, WA 98926  
509-607-2828 mbl

Steve Moore  
Financial Advisor  
USBancorp Investments, Inc.  
USBancorp Insurance Services, LLC  
509-607-2828 mbl  
509-962-7461 branch  
509-962-6227 fax

#### U.S. BANCORP made the following annotations

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Wednesday, December 11, 2013 11:18 AM  
**To:** ryatthouse@msn.com  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: Concerns of a property owner

Hello,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

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Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; 108  
Ellensburg WA 98926

**From:** Angela Nelson [<mailto:ryatthouse@msn.com>]  
**Sent:** Wednesday, December 11, 2013 9:32 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Concerns of a property owner

To whom it may concern,

Hi. My name is Angela Nelson and I am a very concerned and upset property owner in Kittitas County. I have just recently learned of plans to put in a marijuana growing/processing farm across the street from my house.

My husband and I bought what was supposed to be our forever home for us and our children in 2008 and owning property here in Kittitas County has been a nightmare ever since. Not only did the value of our home plummet shortly after we bought it, but tons of windmills were put up just west of us which not only ruined our view but plagues our night sky with an endless sea of flashing red lights. Now our home is further being threatened by this marijuana growing outfit on the other side of my home! Is anybody considering what this means to all the people that actually live out here! It means having a facility out here that looks like a prison and has constant lights and the reason that those have to be there is because it also means higher risk of crime and violence to our neighborhood.

We live on Howard Rd, which may be rural but it is full of houses. I have three children, who all do online public school at home. These marijuana facilities are not allowed by schools or bus stops for a reason but yet they are being allowed to be right next to my children's home. My children should have the freedom to be outside with the animals, riding their bikes, taking walks out on the country roads without any threat to their safety.

My family should not be put at a higher risk of violence and crime so that Blue Rock Acres can make a profit! There are plenty of places in the state that are far away from any population where they could have their "farms", there is no reason to be plopping these things in the middle of your citizen's neighborhoods, risking our safety and lowering our property values even more. We are so buried in our property that I don't know if it will ever be worth what we owe on it!

As our county government, it is your job to protect the interests of the people that live here and own property here. Letting people from outside our community come in and give us higher crime rates and ruin our landscape so that they can make money at our expense is NOT protecting us!

Sincerely,  
Angela Nelson

Sent from Windows Mail

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Wednesday, December 11, 2013 10:24 AM  
**To:** Kittitas County Commissioners Office  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: Pot Farms

Hello Jane,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

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Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

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**From:** jane nurick [<mailto:jlnurick@hotmail.com>]  
**Sent:** Tuesday, December 10, 2013 7:27 PM  
**To:** Kittitas County Commissioners Office  
**Cc:** Paul Nurick  
**Subject:** Pot Farms

Commissioners:

We are writing to express our absolute opposition to the potential location of pot farms in established rural residential neighborhoods like the one on Weaver Road. We believe it is inappropriate and shortsighted to consider such a precedent in Kittitas County.

Thank you,

Paul and Jane Nurick

41 Ridge Road  
Ellensburg WA 98926  
509-933-1690

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Wednesday, December 11, 2013 11:21 AM  
**To:** mseth@elltel.net  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** Re: Pot growing facilities

Hello Mary,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

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Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; 108  
Ellensburg WA 98926

**From:** Mary Seth [<mailto:mseth@elltel.net>]  
**Sent:** Wednesday, December 11, 2013 10:39 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** pot growing faculties

Please place a moratorium on any marijuana related business/growing facilities in Kittitas Co. We have a family oriented environment in our county and that would only change if these businesses were allowed. Areas where these operations exist experience a number of home invasion robberies, thefts, and murders related to the growing and processing. This would impact our local law enforcement and all the people of the county.



Mary Seth

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December 12, 2013

Kittitas County Board of Commissioners  
205 W. 5<sup>th</sup> Ave. Ste. 108  
Ellensburg, Washington 98926

I am submitting the following comments and suggestions for consideration by the Board and staff regarding any necessary county adopted policy in relation to marijuana grower and processor uses in Kittitas County as provided by the passage of Initiative 502 by the voters of the State of Washington and regulated by the Washington State Liquor Control Board (WSLCB).

I believe the county should consider allowing **adequate time** for consideration of any county action on the potential impacts of passage of Initiative 502. Any AGO or other guidance received could be included in deliberations.

Review other county jurisdictions handling of this issue such as the Metropolitan King County Council approval of legislation modifying building codes and development regulations for siting of licensed recreational marijuana businesses and Douglas County's outright allowance as any other commercial agricultural activity.

**Avoid assuming liability** by the county.

1. Recognize that licensure of growers and processors is done by the WA. State Liquor Control Board and clearly state this in any applicable ordinance, regulation, etc.
2. Treat as much as possible like any other rural agricultural operation.
3. Agricultural production and processing categories in rural designations and zones can provide some direction for dealing with these specific uses.
4. Determine if there is potential for additional legal challenge if marijuana growing is distinguished from other growing operations.
5. State clearly it is the State of Washington's duty to enforce regulations stemming from the passage of Initiative 502.
6. If the county finds issues stemming from these activities do require special attention, keep to the focus of public health, safety and welfare and limit any policy to land use planning and zoning, environmental health and public works.

Considerations for **rural character compliance** under the Growth Management Act.

The Growth Management Act contains guidance for compatibility with a county's rural character. (RCW 36.70A.030 Definitions).

(15) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

Consideration of use of project **SEPA review**.

#### RECOMMENDATIONS TO WSLCB BY BOTEC ANALYSIS

The final revised September 7, 2013 analysis identifies a number of measures to reduce environmental risks associated with cannabis cultivation. Have county environmental health submit any incentive based suggestions.

#### WATER

Review estimates of water use under exempt well provisions.

- Any new ground water withdrawal is mitigated.
- Review amounts of water estimated to be required for grow operations outdoors under county water policy.
- If using existing well, calculate total water withdrawal for existing approved use and new proposed use.

If a grower uses groundwater or surface water, the following considerations may be appropriate:

- Have effluent water regularly tested for contamination before disposal.

#### CONTAMINANTS

Require statement of applicant on the following:

- Use of artificial lighting and disposal.
- Review whether use of rodenticides is intended and any means to control contamination and unintended exposure of humans and animals to these poisons. Require Best Available Practices be adopted.
- Planned use of toxic substances.

#### AESTHETICS

Require detailed plan for visual compatibility with rural character provisions.

#### SECURITY

Consider county law enforcement officials suggested security provisions in addition to those required by the WSLCB.

Inquire as to need for special consideration given to school bus stops.

Thank you for this opportunity to comment on this issue before the Board.

Sincerely,  
Janice E. Sharar  
390 Cattail Road  
Ellensburg, WA 98926

jkshar2@fairpoint.net

## Doc Hansen

---

**From:** Obie OBrien  
**Sent:** Monday, December 16, 2013 8:57 AM  
**To:** mike sharon  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** reply

Hello Mike,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character.

The Board of Commissioners is taking this seriously and has held study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next action will be to hold public hearing to consider an ordinance that addresses our concerns and sets out guidelines for our planning department. Notice will be given on our website and in the Daily Record which is the legal publisher for the county. You are invited to attend and if you wish you can speak at the public hearing. Also any additional thoughts can be submitted in writing and they too will be placed in the record.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

Mr. O'Brien- I read a recent article in the Daily Record wherein you indicated you were in favor of a truncated, rather than an extended, moratorium on the implementation of the initiative 502. I believe you should reconsider that position. The implementation of the new pot law leads us to uncharted waters and therefore to unintended consequences related to the process involved in establishing the protocol related to the new law. By way of example, wise businessmen do not become the vanguard for brand new technology. Instead they wait for others to make the mistake of such a purchase, and sit in the wings observing the de-bugging process until they are satisfied the technology will work as advertised. Kittitas County should do the same thing with the new pot law-let others implement it right away and benefit from their mistakes and oversights rather than making the same mistakes contemporaneously with our local government peers. The expedient

approach is to minimize the length of the moratorium. The prescient approach is to maximize the length of the moratorium and learn by the missteps of others. Regards, Mike Sharon

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## Doc Hansen

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**From:** Obie OBrien  
**Sent:** Wednesday, December 11, 2013 10:34 AM  
**To:** stry1234@gmail.com  
**Cc:** Julie Kjorsvik; Doc Hansen  
**Subject:** RE: Weaver road marijuana farm

Hello David,

Your comments are now part of the record of information that will be presented to the Kittitas County Board of Commissioners and will be considered during any deliberations as part of the decision process. What must be said is that the placement and location of Marijuana production, processing, and retail operations is solely the authority of the WA. Liquor Control Board. A 1000 foot buffer has to exist from an applicant's address from a list of activities like schools, day cares, areas where children can gather.

We as Commissioners are very limited in the choices we may have to address your concerns. The only legal option for us is that if we have substantial evidence that an applicant or the location has a record of illegal activity we can object in a letter to the LCB. Outside of sending a letter, we can only look at our zoning and land use ordinances to identify activities that are compatible with rural character.

The Board of Commissioners is taking this seriously and holding study sessions with our planning and legal staff. The public is welcome to attend and listen to the dialog as we look for those answers that will best serve the safety and health concerns of our citizens.

Our next study session is scheduled for Thursday 2PM in the Kittitas County Courthouse, Commissioners Auditorium. You are welcome to attend.

Sincerely,

Obie O'Brien  
Kittitas County Commissioner  
205 W. 5th Street; Suite 108  
Ellensburg WA 98926

**From:** david stroud [<mailto:stry1234@gmail.com>]  
**Sent:** Wednesday, December 11, 2013 8:24 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Weaver road marijuana farm

Dear commissioners I'm writing to express my concern regarding the proposed marijuana grow operation to be located on Weaver Road. While the proposal may meet agricultural zoning guidelines I question the compatibility under environmental impact given the security restrictions necessary for the operation. Please consider carefully all aspects of the impact on the surrounding residential uses.

Respectfully  
David Stroud  
4541 cove rd  
Ellensburg wa

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# World Famous Timothy Hay

[timothygrowers@gmail.com](mailto:timothygrowers@gmail.com)

[www.kittitastimothy.org](http://www.kittitastimothy.org)



## MEMORANDUM FOR RECORD

January 27, 2014

TO: Kittitas County Board of Commissioners  
- District #1: Paul Jewell, District #2: Gary Berndt, District #3: Obie O'Brien

FROM: Organization of Kittitas County Timothy Hay Growers & Suppliers

SUBJECT: Marijuana Production in Kittitas County

The Organization of Kittitas County Timothy Hay Growers & Suppliers has concerns over the growing of marijuana in the County. Our organization was established in the mid 1970's to be a unified voice of the timothy hay industry in Kittitas County, Washington. The organization supports activities and projects with the purpose of resolving production-related problems while preserving and enhancing, product quality. We represent over 150 growers, exporters, and suppliers throughout the county and take our industry very seriously.

In November of 2012, Washington voters approved I-502 which allows residents of the state to produce, process, & sell marijuana through proper licensing channels. While the rules for I-502 are still being developed, members of the Kittitas County Hay Growers feel that some issues with I-502 are not being properly addressed. While growing marijuana could yield some additional tax funding for the county, it could also severely damage the largest industry in the county, affecting millions of dollars that are brought into the county on a yearly basis. Weeds can negatively impact the sale of hay to foreign buyers, but more critically, if buyers found marijuana growing in a single timothy field in this valley – all buyers could abandon buying hay from the Kittitas Valley for years to come. At this time, our organization requests that production of marijuana in Kittitas County be strictly limited by the County Commissioners until rules & understanding of plant production are further developed.

Our hay industry in this county is a very sensitive market. 80-90% of the hay grown in this valley is exported to foreign countries to buyers looking for superior hay products. Purchasers of our hay products are very knowledgeable of how the hay is grown, stored, and shipped. They perform numerous tests of their own on our hay products before making any decisions on purchasing. Some of the hay purchased is for the race horse industry in Japan. In the late '90's, a Coca-Cola can was found in a bale of hay. This led to an immediate shut down of the race track for a complete day until the issue could be resolved – the fear was that a horse had consumed a stimulant drug. Another issue that you may be aware of concerns the soft white wheat market in Oregon. A producer in Oregon tried to develop a Roundup Ready variety of soft white wheat without following the proper protocols for handling this crop. Some of this seed got into the supply chain and it has created mass chaos. Please seriously take into consideration the negative impacts that the production of marijuana could cause for the timothy market and the Kittitas Valley.

Sincerely,

Brian Cortese

### Board of Directors

Brian Cortese, President   Craig George, Vice President   Mel Dyk   Bill Lowe   Brent Dekoning  
Carl Jensvold   Kendra Allen   Mark Anderson   Rollie Bernth   Richard Wachsmith, Registered Agent

## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 16, 2013 7:48 AM  
**To:** Gary Berndt; Obie OBrien; Paul Jewell  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Jeff Watson; Clayton Myers; Gene Dana; Darren Higashiyama  
**Subject:** FW: Allowing Marijuana related business in our county

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** tamiww@aol.com [mailto:tamiww@aol.com]  
**Sent:** Sunday, December 15, 2013 8:53 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Allowing Marijuana related business in our county

Dear Commissioners,

Having lived in the Kittitas Valley since 1983, I am deeply concerned about recent applications for licenses to grow and sell marijuana in the Kittitas Valley. Despite the fact that the Kittitas Valley is surrounded by counties that deal with drugs, gangs and serious crime on a daily basis, we have managed to remain a very "safe" community. Included on the WSLCB SEPA Environmental Checklist is a supplemental sheet with some of the information provided by BOTEC Analysis Company which was contracted to provide technical expertise. It states:

*"Due to the high monetary value placed upon marijuana, areas can experience a number of home invasion robberies, thefts, and murders related to marijuana cultivation which impacts local law enforcement"* ([http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA\\_Environmental\\_Checklist.pdf](http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA_Environmental_Checklist.pdf))

In recent planning sessions there has been discussion regarding the placement of these operations. The discussion has indicated that the largest "grows" could be located in the "Ag 20" zoned regions of our county. I urge you to carefully consider what has happened to the "Ag 20" designation in the areas where these growers have applied for license. Both Weaver Road and Robinson Canyon Road have multiple applications to the West of Cove Road. This area has been subdivided to the point that the density is nearly 20 times the intended density of "Ag 20" land in some places. There are many more 1, 3, and 5 acre lots on this stretch of Robinson Canyon and Weaver Road than there are 20 acre lots. The impact of grows in this area will affect many land owners. These areas are not the rural areas that the zoning would imply.

There is no doubt that the area around the marijuana grows will be severely impacted, the degree to which nobody knows. I think it is safe to say that property values in the vicinity will fall considerably. If you were considering purchasing land or a home, how close would you want to be to one of these operations? It is also safe to say crime will increase. The grow operations we are talking about are not "normal agricultural activity" and should not be treated as such. In the last planning session I heard the legal team say that all of the options presented by Doc Hansen were

defensible. Please, please, please use very strict zoning to keep these operations away from the taxpaying citizens of Kittitas County who have spent their life building homes in what they consider to be safe neighborhoods”.

You also have this opportunity to join with other counties across Washington State to try and keep marijuana out of the county completely. My understanding is that the county is gaining nothing from the presence of these operations. The licensed individuals who are able to begin operations here are the only ones who will win in this situation. Clearly there are legal advisors in other counties that believe they can accomplish this. The list grows every day. Why would Kittitas County want to be one of the first to allow Marijuana producing operations? We cannot turn back once these businesses are in place. We have nothing to gain and everything to lose.

Sincerely,  
Tami Walton  
4901 Weaver Road

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Monday, December 30, 2013 10:49 AM  
**To:** Gary Berndt; Obie OBrien; Paul Jewell  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Darren Higashiyama; Clayton Myers; Gene Dana  
**Subject:** FW: Marijuana licenses

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
**<http://www.co.kittitas.wa.us/>**

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**From:** Jean Walton [mailto:jcwalton@aspeedynet.net]  
**Sent:** Saturday, December 28, 2013 11:38 AM  
**To:** Kittitas County Commissioners Office  
**Subject:** Marijuana licenses

Dear County Commissioners,

We are a retired couple, and we have recently purchased a piece of property in Ellensburg, and are planning to move there in a couple of years. We are very concerned about the seemingly disorganized and unplanned issuance of marijuana licenses which seems to be approaching. We understand that you have no control over issuing marijuana licenses, and that the Washington State Liquor Board controls that. However after researching what many counties and cities are doing throughout our state, we believe that you do have control over decisions concerning moratoriums, bans, and zoning. Many county and city leaders are choosing to use a moratorium to address all of the complex issues of this new uncharted territory. This doesn't mean you are burying your head in the sand, but just the opposite. I appreciate what the commissioners from Walla Walla said, " *I just have to make sure it's right. I have to protect all the taxpayers.*" Johnson said, "The moratorium will allow the county to address the issues on its own terms as opposed to responding to state or federal mandates. We have a unique opportunity to do something for ourselves."

Another county making sure they get it right. One-year moratorium in Walla Walla  
<http://union-bulletin.com/news/2013/sep/17/walla-walla-county-commissioners-opt-one-year-mora/>

Thoughts from Walla Walla County Commissioners -

*It seems like an oxymoron to me," he said. "We need to have a substantial discussion before we create a situation that will affect people, especially young people."*

*Tompkins said his concern was limiting the county's liability from federal or other legal actions. "I just have to make sure it's right. I have to protect all the taxpayers," he said.*

*Johnson said the moratorium will allow the county to address the issues on its own terms as opposed responding to state or federal mandates. "We have a unique opportunity to do something for ourselves," he said. "I just think the prudent thing to do is declare the moratorium."*

*Andy Porter can be reached at [andyporter@wwub.com](mailto:andyporter@wwub.com) or 526-8318.*

Thank-you so much for your attention to this matter.

Don and Jean Walton

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Wednesday, December 18, 2013 2:01 PM  
**To:** Gary Berndt; Paul Jewell; Obie OBrien  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Jeff Watson; Clayton Myers; Gene Dana; Darren Higashiyama  
**Subject:** FW: Marijuana grow operations

**Julie Kjorsvik**  
**Clerk of the Board**  
**Kittitas County Board of Commissioners**  
**509-962-7508**  
**509-962-7679 Fax**  
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**From:** Keith Winter [mailto:kwinter@jecumming.com]  
**Sent:** Wednesday, December 18, 2013 10:31 AM  
**To:** Kittitas County Commissioners Office  
**Cc:** Brooke Winter  
**Subject:** Marijuana grow operations

Dear Commissioners,

In response to consideration of Marijuana grow operations in our county and more specifically our neighborhood, I urge you to please consider all of the severe negative impacts it will have upon us. We live in a populated area albeit zoned ag 20 many of the home sites are on less acreage (Robinson Canyon and Kilmore). We have 3 young children and there are many families surrounding us with children. This is no place for a Marijuana grow operation.

*"Due to the high monetary value placed upon marijuana, areas can experience a number of home invasion robberies, thefts, and murders related to marijuana cultivation which impacts local law enforcement"* ([http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA\\_Environmental\\_Checklist.pdf](http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA_Environmental_Checklist.pdf))

To add to my concern with the two proposed operations in our neighborhood is the relationship between the specific areas and the KRD canal. The canal road is remote, runs between the proposed operation off of Weaver and the proposed location off of Robison Canyon. The canal road could be used for trafficking, home invasions, etc.

I moved my family here specifically to get away from this type of activity after experiencing problems due to drugs in our previous neighborhood. Although voted legal to use, we are miles away from understanding the true impacts of grow operations. I strongly oppose any grow operation in Kittitas County and especially in our family oriented neighborhood.

Sincerely,

Keith and Brooke Winter

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## Doc Hansen

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**From:** Kittitas County Commissioners Office  
**Sent:** Wednesday, December 18, 2013 2:01 PM  
**To:** Obie OBrien; Paul Jewell; Gary Berndt  
**Cc:** Neil Caulkins; Doc Hansen; Lindsey Ozbolt; Jeff Watson; Clayton Myers; Gene Dana; Darren Higashiyama  
**Subject:** FW: Marijuana grow operations

**Julie Kjorsvik**  
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**From:** Brooke Winter [mailto:brooke.winter@alpiusa.com]  
**Sent:** Wednesday, December 18, 2013 11:46 AM  
**To:** 'Keith Winter'; Kittitas County Commissioners Office  
**Subject:** RE: Marijuana grow operations

Dear Commissioners,

In addition to what my husband has listed below, I am very concerned that these types of operations will encourage gang activities to move to Ellensburg. Please fully investigate the impact a change such as this could make to our community before any decisions are made. Please consider placing these operations in areas not already populated, or impose strict regulations such as requiring an indoor growing operation (outdoor grow operation and fencing of any type will not provide sufficient protection).

Lastly I am also concerned about how this will affect the value of our home and land. Should the grow operations be allowed and they prove to be a detriment to our community and safety, I can only assume it will drop the value of our home and land as well as make it difficult to sell. I believe there are better places to consider growing operations, a family community such as this is not one of them. My husband and I have worked very hard to get here and we prize our way of life, again please strongly consider other alternatives.

Best Regards,

Brooke Winter

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**From:** Keith Winter [mailto:kwinter@jecumming.com]  
**Sent:** Wednesday, December 18, 2013 10:31 AM  
**To:** bocc@co.kittitas.wa.us  
**Cc:** Brooke Winter  
**Subject:** Marijuana grow operations



Dear Commissioners,

In response to consideration of Marijuana grow operations in our county and more specifically our neighborhood, I urge you to please consider all of the severe negative impacts it will have upon us. We live in a populated area albeit zoned ag 20 many of the home sites are on less acreage (Robinson Canyon and Kilmore). We have 3 young children and there are many families surrounding us with children. This is no place for a Marijuana grow operation.

*"Due to the high monetary value placed upon marijuana, areas can experience a number of home invasion robberies, thefts, and murders related to marijuana cultivation which impacts local law enforcement"* ([http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA\\_Environmental\\_Checklist.pdf](http://www.liq.wa.gov/publications/Marijuana/SEPA/SEPA_Environmental_Checklist.pdf))

To add to my concern with the two proposed operations in our neighborhood is the relationship between the specific areas and the KRD canal. The canal road is remote, runs between the proposed operation off of Weaver and the proposed location off of Robinson Canyon. The canal road could be used for trafficking, home invasions, etc.

I moved my family here specifically to get away from this type of activity after experiencing problems due to drugs in our previous neighborhood. Although voted legal to use, we are miles away from understanding the true impacts of grow operations. I strongly oppose any grow operation in Kittitas County and especially in our family oriented neighborhood.

Sincerely,

Keith and Brooke Winter

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