



COUNTY OF HUMBOLDT

For the meeting of: 3/7/2024

File #: 24-287

To: Planning Commission
From: Planning and Building Department
Agenda Section: Departmental Report

SUBJECT:

County Processing of all issued Cultivation Interim Permits and coordination efforts with CDFW

RECOMMENDATION(S):

That the Planning Commission:

1. Receive the report.

DISCUSSION:

Many members of the public have expressed interest in both the County's efforts to bring to completion all issued cultivation Interim Permits and in the efforts of the County and CDFW to collaborate on addressing key environmental issues. This is a brief report on these efforts.

When the County first adopted its cannabis ordinance in mid-2016, there was a deadline for all existing and proposed operations to apply by December 31, 2016. Over 2,300 applications were submitted by the deadline. Initially the ordinance allowed for all pre-existing cannabis cultivators to continue to operate while seeking their permits, however in 2018 the County adopted an ordinance allowing cultivation to continue only with a valid Interim Permit, which also enabled the operator to seek state licensure. In 2019 there were over 750 Interim Permits that had been issued. The County's efforts to permit both new and existing cannabis has been successful, with approximately 1,066 cultivation permits (including for new cultivation) being in effect as of February of 2024. As of February 2024, approximately 85 Interim Permits remain, and the County is making a concerted effort to complete all of these by December 31, 2024, as it is unlikely that any Interim Permits will be extended past this date.

As the Planning Commission has likely noticed, recent agendas have had less cannabis cultivation applications than in past years. There are many reasons for this, however the primary one is the increased engagement of our partner agency the California Department of Fish and Wildlife. Beginning in mid to late 2023, in what appears to be at least partially due to additional staffing resources, CDFW began to specifically seek to conduct a site visit and provide additional referral comments on nearly all

cannabis applications prior to the applications being presented to the decision-making body. The Planning and Building Department has committed to working with CDFW to provide this opportunity, and similarly the Planning Commission has generally wanted to have written comments from CDFW before taking action on cannabis applications. The result of this has been positive, as Fish and Wildlife concerns and LSAA issues have been able to be more tightly addressed in the County's permit conditions. This has resulted in a longer lead-time between completing the County's review and scheduling a project for hearing, as additional time is being given to allow for CDFW staff to visit sites and provide comments. It is not uncommon that at least two or three projects that would otherwise be on an agenda are delayed in order to allow for this coordination to occur and in many cases to work to address and incorporate CDFW permitting issues as part of the County permit conditions.

While the cannabis permitting effort has slowed somewhat recently and some members of the public have expressed concern, this has allowed CDFW to visit sites and provide more detailed comments. In many cases CDFW is identifying CDFW violations that need to be addressed.