

the outdoor cultivation of marijuana within the unincorporated area of Tehama County.

Section 4 (9.06.020 (F) of Ordinance 2040 Findings and Purpose: the indoor cultivation of marijuana within a residence or other structure used or intended for human occupancy presents potential health and safety risks to those living in the residence or otherwise occupying the structure, especially to children, including, but not limited to, increased risk of fire from grow light systems, exposure to fertilizers, pesticides, anti-fungus/mold agents, and exposure to potential property crimes. To adequately address these risks, it is proper and necessary that requests to cultivate marijuana within a residence or other structure used or intended for human occupancy be considered on a case-by-case basis through a Waiver process administered by the Tehama County Department of Environmental Health.

As you are aware, at this time, the possession, cultivation and sales of marijuana/cannabis is considered a federal felony as the drug is still classified as a schedule 1 drug. However, several states including California have passed state laws allowing state and local governments to decriminalize the possession, cultivation and sale of medicinal and now the recreational use of cannabis. Federal resources and the DEA still apprehend, process and convict persons and people for the possession, cultivation and sales of marijuana/cannabis throughout the United States including California where the drug is decriminalized at a local level. This has led to multiple significant environmental and social related problems that impact public services such as the Police/Sheriff/CHP, Environmental Health Dept., Fire and other adult or adolescent State and County support service. Based on this information and the findings related to marijuana/cannabis that are contained in the public record and included in this correspondence, the Planning Department is requiring that an Environmental Impact Report (EIR) be completed for the proposed project

The EIR is required before the project can move forward through the public review process. The EIR will be developed by a third party consultant, paid for by the applicant and contracted with the County. This requirement will take the form of a written agreement between the applicant and Tehama County Board of Supervisors, of which a \$20,000 deposit for the consultant services will be required at the time of approval and signing by the Board of Supervisors or within 10 business days of the date of Boards approval. Once the agreement has been signed by both parties and the deposit amount of \$20,000 dollars is received, the Planning Department will start the Request for Proposal (RFP) process that will ultimately result in the selection of a consultant for this project. At that time the applicant will be notified of the CEQA consultants full cost estimate and another deposit will be required before hiring the project consultant in the amount of \$60,000. Once the CEQA consultant is hired an additional amount of \$20,000 is required upon receiving the consultant's first invoice. The applicant will be responsible to pay the full amount of the Consultants costs of the project as it moves through the public review process.

In summary the information need for a complete application includes:

- 1) Modify or explain how the proposed County regulation would be consistent with state law licensing terms regarding proposed Ordinance Section 17.08.090(A)Pg.12.
- 2) Signature by the applicant on the Environment Information Form.
- 3) Signed agreement and \$20,000 deposit for CEQA consultant services.