

April 19, 2017

REGARDING: Opposition to SB1057 -11 amendments Submitted to OLIS as public testimony

TO: Chair Burdick, Co-Chair Lininger and Committee

As a rural resident of Clackamas County who opted in to allowing commercial marijuana production, processing, wholesaling, and retailing, I would like to note that as of January 4, 2016 there are over:

- 265 marijuana land use applications
- 98% production
- 95% are in EFU
- 11 retail
- 4 wholesale
- 6 processing
- Over 19 of the 36 counties and 100 of the 241 cities have banned medical and recreational marijuana

The 3 S's still drive the complaints around commercial and medical marijuana grows and there are over 46 marijuana related complaints, sight, sound, and smell that include:

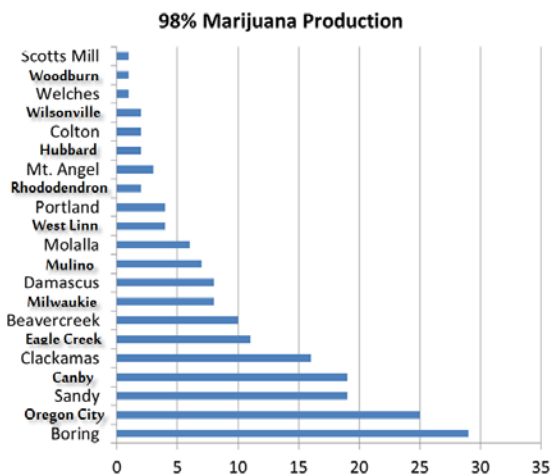
1. The prison looking type compounds with high fencing with barbed wire on the top



2. Skunky smell of pot in which you cannot even enjoy your own property
3. Noise
4. Increased traffic 24/7
5. No neighbor notification

6. Many applicants are simply applying for land use applications with their plans and then getting on site and simply doing what they want to do not even applying for an OLCC license or maybe they have applied but just haven't received it and are planting their grows anyway
7. Unreported robberies are taking place
8. Some neighbors have had their windows shot out trying to intimidate them to sign road easement allowances
9. Guard dogs have become a significant problem with barking all hours of the day and night and dogs not being kept on their own property getting out and killing neighbor's live stock. These types of behaviors are not good examples of being a good neighbor.

It is being touted that Clackamas County land use regulations are being used as a model for other counties, yet their land use regulations are the most liberal in the State and have opened up the door for commercial marijuana growing in almost every zone in the County and the industry is taking over various areas of the county.



The County is allowing more than one commercial recreational marijuana license to be used at one site address, meaning a property owner on a 4 acre parcel can have his own commercial pot grow and then lease the rest of his land out to other commercial pot growers, filling the entire piece of land with commercial pot grows turning them into industrialized pot grows in our rural farming communities..

This is an EFU Exclusive Farm use area. <http://www.clackamas.us/planning/marijuana.html>

Example below:



All Female CBD hemp field with our buildings in the background



<http://growunits.com/>

Citizens were told by our Commissioners that we would revisit marijuana regulations many times as there were over 400 people who showed up at the planning commission public hearings to voice their opposition as well as their desire to allow these facilities.

We were told that our code enforcement department would make enforcement for marijuana businesses a top priority, yet no funding from the State tax money has been diverted to Counties and Cities to increase code enforcement staffing and to date only 3 code enforcement officials are tasked with dealing with many current violations. From Jan. 1, to Nov. 4th of 2016 there were over 661 violation files with over 46 of those being marijuana related. One code enforcement official has over 300 violations to manage. Enforcement is a major concern whether you are in an opt out or opt in City or County.

Most recently I had the opportunity to participate in a Washington State Drug Task force interdiction bust in Washington State. An investor from Texas purchased a 10 acre rural Washington property for \$400,000 cash with the intent to hire a local grower from Oregon to fabricate an illegal medical marijuana grow. In Washington growers are required to display a legitimate doctor's recommendation to grow 15 plants for medical marijuana cardholders. Four fake recommendations were neatly posted on the wall. To attempt to make things look official they had white jackets made with a medical marijuana logo on it hanging in the grow areas. The marijuana was sold to a middle man, profits were split between the grower and Texas investor, and the middle man sold it to Oregon and Washington dispensaries. It is clear that marijuana legalization has only attracted suspicious and illegal activities in our rural farming communities. (Attached is the full story)

Marijuana is still a federal illegal drug and brings with it a lot of public safety, quality of life, and property value risks to our rural communities who did not vote for marijuana legalization and under our current administration they have announced that they will be enforcing federal laws.

I would also like to comment after having observed the comments made about Deschutes County marijuana regulations in the recent SB1057 hearings, that having attended and testified at many of their land use hearings, their diligent and committed process to define their time, manner and place marijuana regulations were commendable and unlike some comments that were made that they were an abuse, as a rural resident and voter, I rather saw their diligence as a responsibility to serve all the residents who live in Deschutes County. When you voted to tax and regulate marijuana you also voted for all of the processes to be public information, just like is required of all other businesses in Oregon.
<https://olis.leg.state.or.us/liz/2017R1/Committees/JMR/2017-04-25-17-00/Agenda>

I am opposed to any attempts to remove Time, Manner and Place regulations under the SB1057 -11 amendment and as well opposed to any attempts to force counties and cities to opt in.

Respectfully,

Shirley Morgan

Citizens for Public Safety, Quality of Life, and Property Values

P. O. Box 1351

Welches, Oregon

CC: Commissioner Paul Savas

Senator Chuck Thomsen

Commissioner Chair Tammy Baney'

Commissioner Tony Debone

Commissioner Phil Henderson

Community Development Director Nick Lelack

Case Study Example of what is happening on many of the EFU commercial land use application properties in Clackamas County.

13471 S. Leland Rd-Oregon City-Z0103-16-Commercial Marijuana Production

Applicant proposed:

- Indoor marijuana production in a total of 9 new buildings.
- 6 new greenhouses 30' x 100' (3,000 sq. ft.) which in Clackamas County are considered indoor grows and require only a **10' set back** from property lines of neighbors in EFU, TBR, and AG Forest and 100' set back if it would have been an outdoor grow.
- 3 new agriculture buildings are proposed
- The total square footage of all proposed grow and processing space is 33,360 square feet. This does not include the estimated 10,000 sq. that will be used to house 44 parking spaces. How many EFU farms actually factor in 44 parking spaces for their farm work?
- A new driveway is also proposed. The total length listed on the site plan is over 500 feet in length
- 44 parking spots



Water Verification: They have all filed a marijuana producer exempt water form and indicate that water will be met through rainwater collection (from the roof of the building) and recapturing water from the internal A/C and dehumidifier equipment, which together shall be gathered and drained into storage tanks. The storage tanks will then be used to deliver water to the internal rooms of the building. Estimated annual volume required from this Source 78,000 gallons annually. Estimated annual volume required from this Source: 52,000 gallons annually.



5 mail boxes have been installed for one property since this site is being leased out to 5 Asian LLC's



Neighbors yard which one day they looked out over a beautiful pasture and a view of Mt. Hood, now they look out over an 8' tall fence, a pole barn, and from their 2nd floor an outdoor pot grow. They have also had to invest

in the planting of 5 tall trees to help now block this view of this commercial/industrial marijuana operation because they have destroyed their once beautiful view.



View from their upstairs windows commercial/industrial pot grows in the middle of their rural residential farming area.

Neighbor wears Hazmat protection to illustrate the strong smell of skunky odor that is coming from this pot grow 10' off of her property line and directly into their outside dining area.



WASTE MANAGEMENT ALLOWING 100 TONS OF MARIJUANA COMPOSTING ON PROPERTY

K. Waste Management. Marijuana shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee.

Finding: Applicant stated that marijuana wasted will be stored inside the production facility until it is sold to a processor or composted inside the property boundary. Any composting will be kept under 100 tons per year, and in compliance with DEQ's composting standards. The applicable standards of this Subsection are outlined above as Conditions of Approval. This criterion can be met.



How and where will this composting debris be disposed of?

Currently in Washington State they are working on laws that do not allow the incineration of marijuana debris as well some in Washington have been feeding it to livestock. This will not be allowed in Oregon according to OLCC.



PUBLIC HEALTH AND SAFETY: The Oregon Liquor Control Commission who licenses commercial marijuana facilities requires running water and sanitary services for any employees who are working

on the property. When asked, OLCC noted that porta-patties meet their standards for providing sanitary needs. So now imagine next to your rural home a series of port-a-patties lined up. This is NOT what Oregon voters, voted for.

**ACCORDING TO LOCAL NEIGHBORS THE
IMPACT TO THEIR PUBLIC SAFETY,
QUALITY OF LIFE, AND PROPERTY VALUES
HAVE BEEN SIGNIFICANT!**

In October of 2016 all the illegal marijuana plants from this pot grow were burglarized in the middle of the night.

In December of 2016 this property got two dogs who got out of the fenced area and killed neighbors chickens.

On Saturday 2-15-17 a man showed
Up at the neighbor's home indicating that
He had just spotted his bobcat at the pot
Grow next door at 13471 S. Leland Rd. which
Had been stolen. Police were called.