

To the Honorable Ginny Burdick and Ann Lininger, Co-Chairs Joint Committee on Marijuana Regulation,

Recently the Deschutes County BOCC denied the first land use application for Cannabis production on EFU land which is a Use Permitted Outright in DC 18.16.020 subject to provisions found in DC 18.116.330. A controversial decision, 2 No and 1 yes, my application met the intent of the criteria, however the majority of BOCC still felt that the land use was inappropriate because they wanted more clarity from my application and called into question my ability to bring in proper electric utility power to serve the cannabis farm.

Here is a link to the hearing in which I was denied and a timeline to the video below:

<https://deschutescountyor.igmp2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1604&Format=Agenda>

30 min: start

41 min : **electric** – All BOCC say that will not deny based on this

51 min : **odor** - Commissioner Henderson admits he knows nothing about odor mitigation, all 3 BOCC say not going to deny based on this

60 min : **water - inadequate**, lacks specificity of what the impacts of the property will be (note: there are water rights and a will serve letter submitted, this was met).

65 min : **non farm dwelling** BOCC will not deny based on this.

~85 min : **road access** cannot use **traffic analysis study** for production anymore, only processing as it triggers a full site plan review. ~92 **SDC charges**, Commissioner Henderson wants it increased, via "wholesale category"

~100 min : **decisions: water**: staff says they have two sources of water in the record BOCC rules that they do not meet the burden. Staff verifies that the criteria do not ask for a linkage. This leads Commissioner Baney to change her mind about the Electric, saying that now she wants the specificity for the demands/the linkage to cannabis. Commissioner Baney says applicant did not give enough clarity. **Ultimately Electric is the issue and lack of specificity.**

In addition, I have included the **staff report in which my application was approved**, the **appeal filed by an adjacent property owner**, and an **article referencing the BOCC decisions to deny my application.**

Thank you for your time,

Roy Rubio