



**OREGON**  
**FARM**  
**BUREAU**

Locally Grown  
and  
GROWING STRONG

July 3, 2019

Deschutes County Commission  
Deschutes Services Building  
1300 NW Wall Street, 2nd Floor  
Bend, Oregon 97703

VIA EMAIL: [Tanya.Saltzman@deschutes.org](mailto:Tanya.Saltzman@deschutes.org); [board@deschutes.org](mailto:board@deschutes.org)

RE: *Deschutes County Text Amendments Re: Marijuana Production*

Dear Commissioners:

The Oregon Farm Bureau (“OFB”) and Deschutes County Farm Bureau (“DCFB”) write to express our concerns regarding the proposed text amendments regarding marijuana production currently under consideration by the Deschutes County Commission (“Commission”). As with the August 2018 draft, the proposed text amendments exceed the scope of the “reasonable time, place and manner” carve out to Oregon’s Right to Farm law granted by the legislature, violate Oregon’s Right to Farm and land use planning goals, and undermine the integrity of the exclusive farm use zone. We urge the Commission not to adopt them.

By way of background, OFB is a voluntary, grassroots, nonprofit organization representing Oregon’s farmers and ranchers in the public and policymaking arenas. As Oregon’s largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry. Today, OFB represents nearly 7,000-member families professionally engaged in the industry and has a total membership of over 60,000 Oregon families. Over 6,200 of these families live in Deschutes County.

OFB closely followed the process leading to the adoption of the bills codified 475B.486 and ORS 475B.928, which allow for the “reasonable” time, place and manner regulation of marijuana production. The bills created a very limited carve out to Oregon’s Right to Farm Law, which otherwise strictly prohibits local governments from regulating farm uses in farm zones. *See* ORS 30.935. In the 2017 session, OFB participated in discussions with legislators, Deschutes County, and others about Deschutes County’s excessive regulation of marijuana

production under the guise of “reasonable” time, place and manner restrictions, and Deschutes County agreed to reevaluate its ordinances. The implication in this promise was that Deschutes County would reconsider provisions such as its “dark skies” ordinance and scale back its regulation of marijuana. In 2019, we helped pass SB 365, which prohibited the County from charging system development charges for marijuana grow operations, which we have recently learned the County does not intend to honor. We are disappointed the County has opted to go the opposite direction and we urge the County to reconsider its regulation of agriculture.

Marijuana has been designated a farm crop by the Oregon legislature. When it is grown in a farm zone, it should not be more heavily regulated than other farm crops. Throughout the County’s discussion of the draft text amendments, we are troubled by the County’s failure to recognize that its exclusive farm use zone has been designed for agricultural use, with the associated noise, odor, lights, irrigation, and other activities associated with a farm use. Instead, the County seems to want to treat its farm zone akin to a rural residential or mixed agriculture zone due to the smaller parcel size of farm parcels in many parts of the County. This approach violates Goal 3, which requires the preservation and maintenance of agricultural lands for farm use, consistent with existing and future needs for agricultural products. *See* OAR 660-015-0000. If the County believes its exclusive farm use zone is no longer suitable for farm use, it should begin the process for rezoning the land, not adopt unreasonable restrictions on a farm use some dislike.

While we are troubled by the entirety of the text amendments being considered by the County, we want to call the following specific issues to your attention:

**1. Right to Farm (Chapter 9.12.020)**

Deschutes County may not change its Right to Farm ordinance in a manner that is inconsistent with Oregon law. Oregon’s Right to Farm law, ORS 30.936, provides that “no farming or forest practice on lands zoned for farm or forest use shall give rise to any private right of action or claim for relief based on nuisance or trespass.” ORS 475B.526 expressly provides that marijuana is a crop as defined under Oregon’s Right to Farm Law, ORS 30.930. Through its amendment to Chapter 9.12.020, Deschutes County seeks to remove marijuana production from the prohibition on nuisance and trespass lawsuits.

The legislature did not grant any exemptions to ORS 30.936, the nuisance and trespass shield, when authorized the limited carve out to ORS 30.935 for local regulation. Instead, the legislature expressly provided that marijuana, as a legal crop, is protected for purposes of nuisance and trespass lawsuits. Deschutes County may not alter state law through a text amendment, and it lacks the authority to adopt a text amendment that is inconsistent with the legislature’s express intent and with Oregon law. We urge you not to adopt the proposed changes to Chapter 9.12.020.

**2. Buffer Distances (Chapter 18.116.330(B)(6))**

We urge you not to move forward with the proposed buffer distances proposed between marijuana grow sites, or with federal land, urban reserves, and opt out jurisdictions. Such

restrictions, particularly those between grow operations, exceed the scope of reasonable regulation of marijuana and set a dangerous precedent for all of agriculture. It is fundamental in the prohibition on local regulation contained in ORS 30.935 that counties should not dictate where or how farmers farm within their jurisdiction. Farmers compete on a state, national and global market, and burdensome local regulation and reduce competitiveness and market access, create inconsistent regulation between counties, and subject farming to the whims of the public, who may know little about how to farm. While we understand that some in Deschutes County dislike marijuana as a crop, it has been designated a legal crop nonetheless, and is not subject to unreasonable restrictions under 475B.486 and ORS 475B.928. Providing for a ½ mile (1,320 ft) buffer distance between operations is unreasonable because it limits a farmer's ability to engage in the full range of farm practices on their operation, which undermines the very purpose of Goal 3 and farmland protection. We urge you to abandon the proposed buffer distances, particularly those between grow operations.

### **3. Light, Noise, and Odor Regulations (Chapter 18.116.330(B)(8-10, 19))**

The County's proposed light, noise and odor regulations far exceed the scope of reasonable regulations allowed under 475B.486 and ORS 475B.928. First of all, by its plain language, the lighting ordinance applies to all "inside building lighting" regardless of whether the building is being used for marijuana production or not. *See* Chapter 18.116.330(8). Regulation of crops other than marijuana is not allowed under the limited carve out contained in 475B.486 and ORS 475B.928. As such, this provision violates ORS 30.935 and is illegal. Even were it limited to marijuana, it is still unreasonable. During peak seasons, lighting may be required in greenhouses overnight and a requirement to make the walls opaque could limit natural light during the day and significantly increase energy and production costs.

Similarly, the requirements around noise and odor abatement far exceed the scope of reasonable regulation. Chapter 18.116.330(9-10). It is patently unreasonable to require odor and noise abatement plans and extensive engineering to protect neighbors from a farm crop in a farm zone. In Oregon's Right to Farm laws, the legislature acknowledged that farming can be loud and occasionally farm uses can carry an odor that may be offensive to residential populations. The purpose of Goal 3 – and Oregon's land use planning system - is to protect farm lands from regulation associated with urban sensitives. Again, if the County desires to promote a more urban or mixed use of their lands zoned for exclusive farm use, it should consider rezoning those areas it deems no longer valuable for agriculture. Excessive regulation of noise and odor from a farm crop is not reasonable and should not be allowed.

Additionally, we must remind you that the County may not authorize private rights of action, especially those that are expressly prohibited under Oregon law. *See* Chapter 18.116.330(19). As such, we urge the County to delete the section where it purports to authorize private rights of action for compliance where they are otherwise allowed under state law. Only the state may create new causes of action, not the County. And in this case, whether a cause of action for nuisance or trespass would be allowed is expressly dealt with in Oregon's Right to Farm law, which the County may not alter.

#### **4. Random Inspections (Chapter 18.116.330(D)(d))**

The County has added a very onerous inspection requirement as a condition of approval related to marijuana production. Specifically, “As a condition of approval, the applicant must consent in writing to allow Deschutes County to, randomly and without prior notice, inspect the premises and ascertain the extent and effectiveness of the odor control system(s), compliance with Deschutes County Code, and applicable conditions of approval. Inspections may be conducted by the County up to three (3) times per calendar year, including one inspection prior to the initiation of use.” We urge the County to reconsider this inspection requirement. As an initial matter, inspections are inappropriate for a farm use in a farm zone, and inspections without consent or notice are likely a violation of the fourth amendment. Further, our understanding is that OLCC rules prohibit anyone on a marijuana facility that is not approved by the grower and who does not have the proper training and supervision to be at the facility. Further, marijuana is grown for human consumption, and many farms have requirements related to food safety and biosecurity that would be jeopardized by untrained and unsupervised county employees entering the facility without notice. Finally, the growers may not have adequate liability insurance to have non-employees unsupervised on the property. The County must provide notice and seek consent to enter premises according to the owner’s processes and procedures relating to outside visitors.

#### **5. System Development Charges (Chapter 18.116.330(D)(f))**

The proposed text amendments require “documentation that System Development Charges have been paid” for annual reporting. We have previously written the County expressing our concerns with its assessment of System Development Charges for a farm use in a farm zone. After the County’s reply failed to alleviate our concerns, we helped work on SB 365 in the 2019 legislative session, which would prohibit Deschutes County from charging SDCs on transportation related to marijuana production. We understand that the County is not indicating that it does not believe that the law prohibits it from charging SDCs related to transportation for marijuana production. If this is accurate, we would remind the County that both the legislative record and the language of the bill could not be more clear, as the County should know from its participation in both legislative hearings on this bill. We urge the County to reconsider its position on SB 365.

#### **6. Site Plan Review (Chapter 18.124.060)**

We have heard significant concerns about implementation of the site plan review process and urge you to abandon this approach. As stated above, marijuana production is a farm use in a farm zone, and utilizes much of the same infrastructure other farming operations utilize, including greenhouse flower and vegetable producers, greenhouse nurseries and other similar operations. The site plan review process is not well suited to an agricultural use, and the factors outlined by the County seem to contemplate a new industrial type business with significant traffic, public access, and new site development. There is no basis in fact for applying these assumptions to any agricultural operation. They do not match the reality of greenhouse agricultural operations, irrespective of crop. We urge you to abandon the site plan requirement.

Thank you for the opportunity to comment on Deschutes County's proposed Text Amendments for marijuana production. Please do not hesitate to contact us if you have any questions.

Respectfully,



Mary Anne Cooper  
Public Policy Counsel  
Oregon Farm Bureau Federation  
(503) 399-1701 x 306  
maryanne@oregonfb.org



Matt Cyrus  
President, Deschutes County Farm Bureau  
Matt@aspnlakes.com

Dear Chair Henderson, Commissioner DeBone, Commissioner Adair,

Please consider the following comments on the current regulations and Ordinance Number 2019-012, more specifically the reconsideration of text amendments to the Deschutes County Code refining the regulation and enforcement of marijuana production on rural lands, which were originally adopted as Ordinance No. 2018-012. We urge you to carefully consider all comments before deciding to enact an ordinance that will increase the costs to the industry and potentially result in the very result that the Commissioners wish to prevent – proliferation of the black market.

The public record has documented that many members of the public presented evidence in the past that there is no demonstrated need for more restrictive regulations of this agricultural use. The marijuana regulations adopted by the County in 2016, set forth in the supplementary provisions of the zoning code have not been established as “too lax,” and have not resulted in actionable proceedings by the County against any of the existing marijuana grow or retail establishments in over two years the laws have been on the books. The Commissioners answer to all voters in the County – not just those persons that are opposed to marijuana in principal. We ask that you consider not only the voices of the opponents, but the vast evidence in the record before you that demonstrates responsible operation of cannabis farms and facilities, and that recognizes the substantial tax revenues the industry brings into the County.

Recreational marijuana was overwhelmingly approved by the voters of the State of Oregon. The new laws considered for adoption by the County would undermine the will of the people, expressed at the ballot box. More importantly, the new laws contain an implicit prejudice against marijuana producers and retailers, casting them in an unfavorable light that is neither justifiable nor constitutional.

Two aspects of the original proposed new regulations are of particular concern. First, the proposal to remove marijuana production from Right to Farm protections is simply not supported by any findings. The Commissioners have not heard any evidence to justify treating one type of farmer differently than another, simply by the type of crop they decide to grow on a property that has been designated for agricultural use. This type of discriminatory regulation is prohibited by the equal protection clause of the constitution, and should not survive a challenge on such basis. The fact that some people are concerned about the “odor” of marijuana plants does not pass constitutional muster, considering that most, if not all, farming operations result in odor emissions. It is for this very reason that the County has decided where to zone lands as exclusive farm use, and to require any new development near or adjacent to farms to acknowledge and waive the right to complain about agricultural operations occurring on properly zoned lands.

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Second, and perhaps of greater concern, is the proposal to subject marijuana producers and processors to random inspections. This turns the notion of “innocent until proven guilty” on its head. The County is in effect presuming that these landowners will violate the law, based only on the type of crop they are growing and processing. The County’s code enforcement division does not have authority to investigate potential code violations absent a report from a citizen. Even then, the code enforcement officers must have probable cause to begin investigatory proceedings; a notice of violation is not issued unless and until the officer finds evidence that would support a potential finding of code violation. Marijuana producers and processors would not enjoy the same rights that others in the County enjoy if the new laws are adopted by you.

Fourth Amendment privacy rights come into play here, as well as a violation of equal protection rights by the County’s potential decision to treat one class of farmers differently than all others. The presumption that these citizens are any less interested in owning and operating their property in a legal manner again is not supported by any findings.

The proposed changes to setbacks, the setback exception and MUA zones also have concerning aspects. Further limitations on compatible proprietries decrease opportunities for local farmers to create niche and value-added farm products; the Deschutes County Comprehensive Plan specifically calls for Deschutes County to preserve farmland and protect both current and future agricultural opportunities.

We urge that you make a considered, and not a reactionary decision based on the facts before you. Fear, misunderstanding and unwarranted presumptions do not make for good law. The County has two years of evidence of quiet and deliberate compliance with the marijuana regulations that have been in place. Please reject the invitation to single out cannabis business owners and treat them in a different and unwarranted way than other farmers and business owners.

Thank you for your consideration of these comments. Please do not hesitate to contact us with any questions.

Sincerely the Cascade Cannabis Association Board,

Judy Campbell, Gary Bracelin, Lindsey Pate, Ellen Parkin, Taylor Dumond and Danielle Carusoe.



Lindsey Pate, CCA President

## Tanya Saltzman

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**From:** Phil Henderson  
**Sent:** Thursday, July 04, 2019 1:57 PM  
**To:** Tanya Saltzman  
**Subject:** FW: Todays public hearing

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**From:** Wendie Every <wendie@every-idea.com>  
**Sent:** Wednesday, July 03, 2019 4:12 PM  
**To:** Phil Henderson <Phil.Henderson@deschutes.org>; Tony DeBone <Tony.DeBone@deschutes.org>; Patti Adair <Patti.Adair@deschutes.org>  
**Subject:** Todays public hearing

Dear Commissioners,

I regret I cannot attend today's hearing on ordinance #2019-012, however I would like to voice my strong opinion to you all about this issue, in hopes it will influence your decision to **Opt Out**.

I am personally asking you to **Opt Out** and protect our rural lifestyle that has been destroyed in some cases and threatened in so many others. Please remember, the Deschutes County voters in favor of marijuana are those who are not affected by the grow operations and only want to enjoy being high no matter the cost and frustration to us in rural Deschutes County and the effects that have been proven and experienced.

The industry has proven their unwillingness to comply with regulations and we now have an abundance of marijuana (6 year supply) in the county and the state. Why would you lessen regulations or allow more grow and/or processing operations? We missed our first opportunity to **Opt Out**, please don't pass this one by.

If regulation is enforced, please know:

I support the revised regulations as were decided last year

I support the increased setbacks

I support the increased inspections

I support light and noise regulations

And, I strongly feel regulations should have been stronger.

Zero regulations should not even be considered.

Thank you for your time.

Wendie Every

Owner



355 NE Lafayette Ave, Bend, OR 97701  
ph 541.383.2669 | fx 541.383.2072  
[wendie@every-idea.com](mailto:wendie@every-idea.com) | [every-idea.com](http://every-idea.com)

## Tanya Saltzman

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**From:** Phil Henderson  
**Sent:** Thursday, July 04, 2019 2:16 PM  
**To:** Tanya Saltzman  
**Subject:** FW: Please Emergency Opt Out

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

From: Mary Jones <amcjones@gmail.com>  
Sent: Wednesday, July 03, 2019 8:58 AM  
To: Patti Adair <Patti.Adair@deschutes.org>; Phil Henderson <Phil.Henderson@deschutes.org>; Tony DeBone <Tony.DeBone@deschutes.org>  
Subject: Please Emergency Opt Out

Greetings, Commissioners,

My husband and I have 5 children under the age of 10.

We cannot attend the meeting today but please urge you to vote today to opt out by emergency order.

We are wanting to preserve best of Deschutes County for future generations.

Thank you for your careful consideration!

Thank you!  
Mary Claire Jones, resident of Sisters  
650-400-6332

## Tanya Saltzman

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**From:** Spencer - Window Alert <spencer@windowalert.com>  
**Sent:** Wednesday, July 03, 2019 6:15 PM  
**To:** Tanya Saltzman; Tony DeBone; Phil Henderson; Patti Adair; Nick Lelack  
**Subject:** Pot

[EXTERNAL EMAIL]

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Dear County Commissioners:

- 1) Marijuana production is industrializing our rural communities.
- 2) Crashing marijuana prices drives current grows into the hands of organized crime; growers must illegally export their product in order to recover their costs.
- 3) Marijuana leads to depression, violence, and addiction among our youth.

You been elected to lead us as a people – not SCARE us with your choices.

**Spencer Schock**

877-733-2753

Email: [spencer@windowalert.com](mailto:spencer@windowalert.com)

Web: [www.windowalert.com](http://www.windowalert.com)



## Tanya Saltzman

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**From:** Phil Henderson  
**Sent:** Thursday, July 04, 2019 2:14 PM  
**To:** Tanya Saltzman  
**Subject:** FW: OPT OUT

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**From:** redarrow55 <redarrow55@aol.com>  
**Sent:** Wednesday, July 03, 2019 9:58 AM  
**To:** Phil Henderson <Phil.Henderson@deschutes.org>  
**Subject:** OPT OUT

[EXTERNAL EMAIL]

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OPT OUT PLEASE. STAY STRONG ON REGULATIONS. THANK YOU. DEBBIE SIMPSON

Sent from my Verizon, Samsung Galaxy smartphone

## **Tanya Saltzman**

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**From:** Pete and Gretchen Pederson <pondhawk2@gmail.com>  
**Sent:** Thursday, July 04, 2019 3:14 PM  
**To:** Tanya Saltzman  
**Cc:** Phil Henderson; Tony DeBone; Patti Adair; Nick Lelack  
**Subject:** Deschutes County Ordinance No. 2019-012 PUBLIC TESTIMONY

### **Deschutes County Ordinance No. 2019-012 PUBLIC TESTIMONY**

County Chair Henderson and Commissioners Adair and DeBone:

The best decision for our county's future is to approve the proposed regulations for established businesses and opt-out for any additional ones. A huge surplus of final product is already in the state, the current situation continues to have problems, and Deschutes County does not need more growers, processors, and retailers.

#### **LAW ENFORCEMENT**

Although many in the industry may follow the laws, OLCC found a mere 55% compliance rate in Deschutes County last year. If we had this rate for driving or any other laws, there would be outrage. Although enforcement efforts have stepped up for marijuana violations, they are still inadequate and more entrepreneurs will increase the challenges. Sheriff Nelson has testified that marijuana operations create multiple problems for enforcement officers. Local operators have had a trial period to prove that they are law-abiding, and although some undoubtedly are, overall they have shown just the opposite.

#### **NEIGHBOR COMPLAINTS**

People do not want to live next door to a marijuana operation. Would you? Grow sites can move in next door to neighbors who have spent their life savings investing in rural real estate only to have their dreams shattered by unsightly greenhouses, unpleasant smells, noise, traffic, surveillance equipment, and impacts on property values. Neighboring wells have gone dry at a huge expense to the existing landowners. Marijuana cultivation requires year-round water unlike traditional farming. Drought, decreasing snow pack, an increasing population, and the desert climate already are causing shortages. Why encourage more water use for a thirsty product, especially if it harms neighbors?

#### **GOOD FOR CURRENT LOCAL INDUSTRY**

Opting out of future expansion could also be good for existing growers. Many in the marijuana industry have made significant financial investments. If additional operations are not permitted, those who jumped in early and became established will not be faced with the uncertainty of competition from newcomers. Small-scale operations would have a better chance against big interests from outside the area.

#### **PREVENTING EROSION OF RULES THROUGH STATE**

Some lobbyists and certain state legislators are trying to undermine the time, manner and place ordinances that our community has developed to meet the specific needs of Deschutes County. Recently our rules regarding systems and development charges were overruled by the state. I worry that continued efforts will be made to whittle away at the regulations we do have. An opt-out for the future could help to prevent that.

### **BAD FOR THE IMAGE AND SOUL OF DESCHUTES COUNTY**

Our community has the image of a vibrant, family-friendly, wholesome, outdoor location. Bicyclists race and ride our local scenic bikeways, people hike, boat, and spend time outside to enjoy the stunning beauty of the Cascades. New residents move in and tourists flock here because of the high-quality lifestyle. The marijuana industry does not enhance our image except for a special-interest minority.

### **BAD FOR CHILDREN AND PETS**

Considerable research has demonstrated that marijuana is detrimental to brain development in children. Our community is perfect for raising children and for vacationing families. There are some protections in place to avoid conflicts, but studies have shown that marijuana products are readily available to kids and easy to conceal in ways that prevent detection. Many edibles are attractive to children and may be eaten if not carefully stored. Emergency room visits due to marijuana use have increased in states where it is legal.

Bend is also known as a pet-friendly community. Pets eat marijuana products. A friend of mine walked her dog in a public area where it picked up a scrap that made it terribly sick. After hefty vet bills the dog recovered, but this never should have happened.

### **FAIRNESS**

Instead of opting out as the majority of rural voters would have preferred, our county opted in with the understanding that local time, place, and manner regulations could be tailored to this area's unique needs. The Marijuana Advisory Committee, the County Commissioners, other employees, and the public spent endless hours to put together these rules. The MAC included parties from the marijuana community and did not appeal these newly established ordinances, but the industry claims that our county's rules are unfair and that marijuana is just like hemp. Marijuana is a federally illegal drug and although related to hemp, has nothing to do with the current discussion. If anything is unfair, it is that local residents are having their lives and quality of life undermined by marijuana-related activities.

Enough is enough. I urge you to make the right choices and pass the proposed regulations for existing operators and to opt-out of any future marijuana ventures in our county.

Thank you for your time.

Gretchen Pederson, Deschutes County Resident

File # 247-18-000540-TA

Reconsideration of Marijuana  
text Amendments 7-5-19

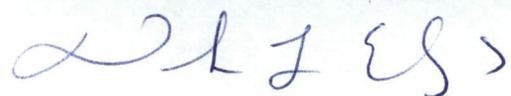
To Deschutes County Board of Commissioners

My husband and I are requesting  
the county to opt out of the marijuana  
program.

Do your job! This is what rural  
people want. This is why Tammy Baney  
is gone and Patt. Adair was voted in  
Stop new permit approvals until  
the county votes

Thank you

Debra Elgas



1. *Handwritten text, possibly a name or title.*

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12. *Handwritten text.*

13. *Handwritten text.*

14. *Handwritten text.*

15. *Handwritten text.*

## Tanya Saltzman

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**From:** Triplett, Thomas <Ttriplett@SCHWABE.com>  
**Sent:** Friday, July 05, 2019 3:04 PM  
**To:** Tanya Saltzman  
**Subject:** marijuana Op out

I write in favor of Deschutes County Commissions allowing their constituents to decide if the County should opt out and freezing the current number growers of this crop. The salient points are these:

- Growth in rural areas adversely affects residents in those areas because of odor, noises, excessive use of water, impairment of the bucolic nature of the area, and the enhanced prospect of the criminal elements threatening presence.
- The documented over production of marijuana, leaving to a black market
- Reduction of land values by adjacent properties
- The inability of OLCC and the sheriff's department to assure the safety of rural home dwellers.
- The inordinate amount of time and resources that the staff and Commissioners have expended on marijuana related issues.

We have had at least 3 years' experience under the opt in. Given that real life experience, it is time for the Commissioners and their constituents to revisit this issue.

**Thomas Triplett**

Direct: 503-796-2901  
[ttriplett@schwabe.com](mailto:ttriplett@schwabe.com)

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## Tanya Saltzman

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**From:** Mary Ann Kruse <junehog9@gmail.com>  
**Sent:** Sunday, July 07, 2019 8:35 PM  
**To:** Phil Henderson; Tony DeBone; Patti Adair; Tanya Saltzman  
**Subject:** Deschutes County marijuana rules

Deschutes County Commissioners & Tanya Saltzman:

It appears to the public that there is a real lack of honesty & transparency with public commentary.

Giving THE BULLETIN a week's notice of a public hearing re: marijuana regulations & giving other media outlets a 2 day notice may not have been intentional, but sure appears to be so.

As a resident of Bend, I want to voice my concern that the new, more stringent rules sought by the Commissioners adding further restrictions & more requirements while EXCLUDING marijuana production in certain multiple use agricultural zones seems nothing short of extreme. When the local Farm Bureau states that these new Commission-proposed rules "...exceed the scope of reasonable regulation setting a dangerous precedent for all agriculture..." it appears your reasons are irrational @ best, flimsy @ worst.

The Commission has spent an excessive amount of taxpayer money & time attempting to make stricter rules than the already conservative Farm Bureau deems reasonable. The local law firm wouldn't have taken this issue to LUBA if it was believed the Commission was willing to hear from Deschutes County residents. Now, MORE taxpayer money will be spent as this battle is sent to LUBA. What choice did you give residents?

It is obvious the Commission is anti-marijuana. Since the Commission actually prevented public comment, LUBA will hear from residents in support of this industry from those of us who do not want to have overly restrictive rules in place.

Please add my comments to your complete record.

Thank you for the opportunity to comment.

M.A. Kruse  
[junehog9@gmail.com](mailto:junehog9@gmail.com)