

December 5, 2017



TO: Mendocino County Board of Supervisors
FROM: Scott Ward, CBO
RE: Agenda Items 5b and 5d

Agenda item 5b: FIRE RECOVERY

I have two family friends that lost their homes in the recent fire. I am helping them with the permit process and have encountered difficulty in communication with the various agencies. The Bureau of Toxic Substance Control, the Army Corps of Engineers and the Federal EPA do not appear to be coordinating their efforts in a manner that provides easily accessible property clean up status information to the fire victims. I respectfully suggest an Excel spread sheet matrix with list of addresses of burned homes and the status of each agency's involvement regarding lot clearing could be created and put online so that it available to county staff and the fire victims. I have a client with a building permit ready to issue and with this good weather they could begin construction today. I would like to offer Kudos to plan checker Don Owensby and Bldg. Official Mike Oliphant for the fast turnaround.

Agenda item 5d: PORTABLE TOILETS

I and other stakeholders have been discussing with Environmental Health Department for approval to use portable accessible toilets for greenhouses similar to what other agricultural employees are permitted to do by state law. *I have provided to staff suggested language for an office policy and an ordinance amendment.* We have been in discussion with Environmental Health staff regarding this issue for **7 months!** To date there has not been a definitive response. I respectfully request that the Board direct Environmental Health department managers to provide a written determination within 2 weeks as to whether or not portable accessible toilets can be used by agricultural employees working in greenhouses.

Agenda item 5d: CANNABIS WORKING GROUP BUILDING USE REQUIREMENTS

The Cannabis Working Group for Building Use Requirements has been working with building official Mike Oliphant and have completed a final draft of policies for shipping containers and Agricultural Exempt structures. These final draft policies will be presented to the Board Health and Safety sub-committee on December 11. It is my opinion that these office policies do not need review by county counsel as they are not ordinance amendments. The members of the Cannabis Working Group respectfully request that matter be on the December 19 agenda. If the draft policies are sent to county counsel for review and approval, it is unlikely that the policies will be approved prior to the December 31 expiration of the Building Amnesty Program. If this is the case, we respectfully request that you extend the building amnesty Program to June 30, 2018.

Agenda item 5d: CULTIVATION APPLICATIONS ON RANGE LAND

The Planning Department has informed me that they will not perform a property profile review of my clients Ag Department cultivation permit application because their property is zoned Range Land and that the matter is being reviewed by County Counsel. When my clients originally applied for permits with the Ag Department they were not informed that continuing to cultivate on properties zoned Range Land was going to be an issue. My clients applied for their permits in good faith and in accordance with the instructions from Planning and Ag Department staff. To have this matter held up at county counsel at this late date, jeopardizes their ability to apply for state permits.