

6/2/2021
Agenda Item 3a

Dear Honorable Supervisors,

In preparing for this meeting, we went back & reread our communication over the years, we have sent dozens of letters on the subject of cannabis dating back to Laura's 1st letter to Supervisor Croskey in 2017. Some things have changed, but the chaos & confusion she wrote about years ago remains the same. You know where we stand, we are a small farm that believes the farms of Phase 1 & 2 deserve every chance to get their Annual State License & stay in business. We do not understand why Phase 3 has to be tied to expansion?! We've followed the discussion with regards enforcement & impacts on the environment & we agree it's out of control & needs to be reigned in related to illegal cultivation. We stand with the community of the 3rd District, of the County, of the Country. We believe in the Democratic process. We, too, are scared by the drought. And by fire. Our farm was 2 miles from the August Complex Fire lines last year for months. It was also the 1st year our farm's well ran dry & we needed to have water delivery toward the end of the season.

We have made ourselves clear, now to retrace our steps, how we got here...

We are patients 1st & foremost, especially Laura, whose life this plant saved & continues to save every day. We are co-owners of a 10,000 sq foot farm on 25+ acres on Rangeland in Covelo. It's a simple, sustainable, all organic & natural amendments, grown in soil under the sun, completely outdoor, a one harvest a year business model.

We have held a County Permit (not an embossed receipt) since 2017. Back then, most permits were issued with a "compliance plan" if something needed to be mitigated the farm had one year to comply before renewal. We bring this up for 2 reasons. 1. Is a compliance plan not the same thing as conditioning a permit, or at least a good stand-in for moving a ministerial permit forward in cannabis permitting & licensing? AND 2. We were one of the very few that did not need a compliance plan when we were issued a County permit in 2017. Our farm has been told again & again by County Ag, P&B, Cannabis Dept officials as well as State Ag-CalCannabis, CDFW, Cal-fire & other local, regional & statewide employees & inspectors that we are a model farm.

Additionally, we have worked with Jacobzoon & other consultants the entire time. They have a thick file full of biological assessments, we inherited their services, they have consulted on the land longer than we have owned the farm. We are sure we dotted every "i" & crossed every "t" along the way. We were completely ready in 2017 to move forward with our State Annual Licensing, except the CEQA hold-up, so we applied for a State Provisional License. Four+ years, whenever anyone asked & as was reported in public meetings, we were told along with everyone else, that CEQA was not our worry, the County & State were working on a compromise. That has obviously changed & we are now working with Jacobzoon on our Ap G / CEQA documentation.

We renewed our County Permit & Provisional License, we paid our taxes, we updated as needed along the way on paper & on the ground. We obviously had to provide proof of prior cultivation but we were not yet a 10,000 sq foot operation prior to 2016, NO ONE WAS. We have had to grow into this size. In fact, we still to this day have not yet grown the full 10,000 sq ft canopy. But we have made upgrades, improvements & expanded our gardens over the past few years in business toward this goal. NOW we learn these normal activities of an operational farm may have caused us problems moving forward?!

2020 brought so many issues to every sector of life, the cannabis industry included. It was amazing to be considered essential business. But all the more difficult to navigate the flow of goods needed for production & ever-changing policies & regulations, etc. when most of the world was shutdown & the largest fire ever in California practically burning in our back yard.. Some examples include waiting extra months for the plastic tops for to our jars which in turn meant waiting for our flowers to get to market, we still cannot find the proper fence material for a project, etc Even the public comment in these very public meetings has been more difficult, we are not in the same room anymore, the commenter is not even shown on the screen, instead it's a clock ticking down the 3 minute timer, so much gets lost in translation, so much gets lost in techno-glitches.

When it came time to renew our 2020 permits last December, we were informed of a need for an upgraded map as well as the Sensitive Species & Habitat Review & Air Quality Report aka. SSHR & AQ. It took us into 2021, nearly 5 months, to get that County Permit renewed. This was far longer than any other year prior. We were told at some point that the delayed processing was because we were waiting on the SSHR & AQ. But somehow, our permit was renewed earlier this month without 1st passing the SSHR & AQ. We had figured since we had been renewed, that we passed SSHR & AQ. We were shocked to learn this was not the case. And to next learn that we can't immediately move forward on our Ap G because our SSHR is now shuffled over into the CDFW pilot program queue. It was explained to us that the CDFW review is due to our expansion, which may have a significant impact. Wait what(!?!?!), as mentioned above, it's yet to exceed the 10,000 sq ft permit size, less than a quarter of a acre of our 25+ acres. The new & improved contiguous definition turned out to be an obstacle for us, by a few hundred feet. This is a situation where we cleared scrub brush for fire safety, leaving all the trees. If we dug up Lupin or anything else we were not supposed to by mistake we would be happy to mitigate by planting some literally on the other side of the fence. So, yes, being sent back to CDFW recently was another big surprise! And to add insult to injury, as of last weeks BOS meeting, it seems there is an issue with the CDFW pilot program, that needs to be worked out with MCP to revise, no timeline. So, we are in purgatory, yet again, waiting?!?!? And the clock keeps ticking on the State Provisional deadline... It's frightening! THIS IS UNACCEPTABLE AT THIS JUNCTURE! The literal guidelines keep changing, not to the benefit of the small farm. We have had a County Permit since 2017. Should we & others in similar situations not have some sort of grandfathered in exemptions?! It is starting to all feel like stall tactics. Have we all been

operating under false assumptions, or false information all along?! We know many people who keep quiet, don't question, don't write, don't speak up for fear of retaliation. We don't want to be the squeaky wheel, but how to get anything moving otherwise.

We do not understand why this all has to be so difficult. It's not rocket science, it's not brain surgery. We are growing a plant. A plant! Yes, we all know about the Schedule 1 status & the Farm Bill making Hemp legal, while Cannabis is still a controlled substance. But have you seen the news, Delta8THC, people found a way to get high off of hemp, too, this is all a joke... on small farmers like us who came forward & gave their all only to be met with the current nightmare. We are not politicians or even politically motivated. We just want to have fair access to the legal framework. That's all anyone participating in the MCP- Mendocino Cannabis Program wants!!! Our County hemp program has one participant. Your grape growers & ranchers wanted that, now they want this, but will they still want it when they realize they will lose their crop insurance or ability to bank, because commercial cannabis is still not Federally legal. Yes, that is all changing, but it has not changed yet. Long before the renewed interest in this particular ordinance change, Marty sat in many Board meetings, working group meetings, town hall meeting, adhoc meetings, etc. for years, while Laura watched from home online before everyone was forced to watch from home. We follow along, we participate, we speak, write letters. We pay attention & we pay our taxes AND we see the circles of confusion clearly.

We are excited about the new configuration of the MCP & we look forward to seeing Kristin Nevedal make some magic. We are not sure there has been any point in the past 5 years since Prop 64 passed, when we felt comfortable about the regulatory process, while continuing to invest in our business & in this county. We celebrated our permit renewal a couple of weeks ago, only to have the SSHR / CDFW news dropped on us next. We still do not see how this new plan you are considering today is going to help us, or very many others. The 22.18 ordinance is a plan geared toward BIG AG & it's not a plan suited for our county which has so many existing small farms. This Board was supposed to help navigate the cannabis industry in this County out of the despair caused by the previous Board, but now all we see are further divisions within the cannabis community & less trust by the citizens countywide than ever, of cannabis or County officials.

Quoting Michael Steinmetz, owner of Flow Kana in Rolling Stone Magazine just last week, "California has a surplus of cannabis in general..."

https://www.rollingstone.com/culture-council/articles/interstate-commerce-help-cannabis-industrys-1167275/?fbclid=IwAR0KzrGj_ocjKII5axiCdGgY0-yhLOGpE4HBm3Tze1nvdMamVHMNUi1WiFM

And yet his company is at the forefront of the local push for expansion. We agree with his premise, we can grow responsibly, in fact, permitted & licensed small farms of Mendocino County already do, just ask the many state agencies regulating us. Even the State's EIR (Environmental Impact Report) says that outdoor organic sun grown cannabis is the most sustainable. There are many reasons why the cannabis industry is struggling here & everywhere. But meanwhile, we are the county of little-farms-that-could be flexible to make it through the hurdles.

We have been able to sell our farm's products both bulk wholesale & build a retail brand. Martyjuana holds a U.S. trademark & markets our flowers & other value added products, mostly in smaller shops in northern California. We are grateful to the mom & pop dispensary owners for being willing to stock the mom & pop farms. Kure & Sundialed both carry our products in Mendocino County today. Locals everywhere stop Marty to say thank you for bringing quality to market at an affordable price. We have retail outlets stocking us in Humboldt, Lake & Sonoma, as well as Sacramento & the Bay Area. We are able to make a living from 10,000 sq ft. farm & we know many other farmers who would tell you the same.

Members of our CCAG group are working on a presentation to the Board in the near future on Best Management Practices, in hopes of creating a certification, as was brought forth in the original 2017 cannabis program guide but never happened. It takes the environmental issues to the top of the list in terms of importance. It is another way to build on the heritage of our area using sustainable, responsible earth friendly methods to create clean, high quality cannabis.

It's painful that after so many years of so little representation in the 3rd District, Supervisor Hashchak is being marginalized on this topic every time he expresses the will of the people in his district, people both in & outside of the cannabis industry. And our guess is that the majority of what he is saying also represents the will of a much more widespread citizenry on this County. We agree with where he is coming from & appreciate his support. We hope for a measured approach going forward. We know many of their opinions on this subject diverge, but he has been working alongside Supervisor Williams to help the Cannabis Program via the adhoc committee. We are especially grateful to both of them for the time & effort.

We still do not have clear answers on the County, State, National or even the Global stage, but the new permitting system you are voting on as it's today is not a great solution, it's only addressing portion of the problems. (side note: \$18 million to help Provisional licenses that still has to be applied for & awarded AFTER it's accepted as a part of the the Governor's Trailer Bill, sounds more & more like a longshot. Unfortunately, it may be a too little too late scenario to help the 1000's of small farms in legacy producing regions like Mendocino County.) We still stand with the recommendations in the CCAG memo. We see the clarity put forth by MCA in their efforts to compromise. It's still too big in terms of expansion for our personal tastes, but we watched both Planning Commission meetings & attended umpteen other meetings on today's agenda item, we understand the need to find a middle ground. We just hope that what you decide upon works for the smallest farms & the community at large.

Let's again look back in order to move forward... now to the Mendocino County Cannabis Program Mission Statement: "To assist & support Mendocino County Cannabis Community through the legalization & normalization process of cannabis as a commercial agricultural product. Thereby promoting the sustainable, diverse & environmentally sound economic growth for the future of our distinct region of California."

YOU the Board hold a lot of power. YOU have the ability today to make it right for many. YOU do not have to rush into this. YOU can most easily accomplish the task of cleaning up the current County cannabis industry by uncoupling the discretionary permit model from the expansion discussion. And continuing to find ways to streamline the applicants already in the system. YOU can make the priority to look at the Mendocino County General Plan. The tax collected last year alone proves the dominant industry in our County is officially shifting & it's a good time to update it with an EIR. Sonoma County took this path recently. Mendocino County owes it to its own reputation to take care of itself & do what is best for the plant, people, planet.

Thank you, Laura & Marty Clein