Sanhedrin Chapter
Inland Mendocino and Lake Counties
sanhedrin.cnps.org
California Native Plant Society

February 6, 2017

To: Mendocino County Board of Supervisors
860 North Bush Street
Ukiah, CA 95482

RE: Medical Cannabis Cultivation Ordinance

Dear Members of the Mendocino County Board of Supervisors;

The Sanhedrin Chapter of the California Native Plant Society sent in comments during the development of the Mendocino County Medical Cannabis Ordinance and were pleased that many of our concerns were addressed with the additional mitigation AG-2, excluding Rangeland from permitted new grows. Many sensitive watersheds and habitats can thus be protected from this speculative industry by wisely applying the precautionary principal.

We have read over the Planning Commission's Resolution dated January 19th, 2017. The recommendations in the Resolution reflecting community input requesting stronger habitat conservation and the need for an "expanded grading ordinance prior to issuing new cultivation permits starting January 1, 2020" are a good start.

To bring the ordinance closer to compliance with acceptable environmental protection, we believe the following measures should be adopted:

1. **In order to avoid the EIR process, the county needs to properly mitigate the cumulative impacts of existing and future cultivation**. This means that we need grading rules that are explicitly performance standard based and that can be enforced sooner than 2020. The direct and cumulative effects of unmitigated grading and habitat conversion represent a significant threat to our wildlife corridors, our native plant communities, and our fish habitat in the form of erosion-induced sedimentation of our waterways.

   Because the current regulatory climate favors rural cultivation in Mendocino County, much of the current cannabis cultivation occurs on steep slopes, with high erosion potential. In fact, roughly 75% of the land in RR10, RMR20, and RMR40 zones have slopes greater than 30% (SSURGO Soils GIS database; Assessor's GIS parcel database, 2013; MCRCE rangeland/oak woodland GIS database, 2016).

   A *minimum* mitigation measure option would be for Mendocino County to include Coastal Zoning Codes related to grading and habitat conservation while developing new or expanded grading rules for the county. DIVISION II - MENDOCINO COUNTY COASTAL ZONING CODE (CHAPTER 20.492 - Grading, Erosion and Runoff and CHAPTER 20.496 - Environmentally Sensitive Habitat and Other Resource Areas) can be used as amendments to CHAPTER 18.70 - Excavation and Grading and CHAPTER 16.30 - Stormwater Runoff Pollution Prevention Procedure.

Similarly, Lake County developed a clear grading ordinance that has been well supported by multiple stakeholders, including the agricultural community, and used to protect its natural resources. This example may provide a model for Mendocino County moving forward.

2. We request that **Recommendation 4-I** to "Consider future amendments to the cultivation ordinance to allow cultivation in Rangeland, TPZ and Forestland zoning districts." **should not be adopted.** This recommendation leaves the door open for habitat loss and fragmentation of wildlife corridors, massive land type conversion, and is unnecessary in the context of the Ordinance. The county needs to protect our wild spaces and fish habitat.

Several of the members of the Sanhedrin CNPS have been attending the planning commission's public hearings on the MCCO. We have been impressed with the respectful tone and sincere listening that has been going on at these hearings. Thank you for considering our input and all the effort that you have put into the development of the MCCO.

Sincerely,

Jennifer Riddell and Andrea Davis, Co-Presidents, Cathy Monroe, Vice President
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