

Dear Honorable Supervisors-

My name is Brandon Wheeler and I am the manager of our family farm, 'Blazing Oaks' located outside of Hopland. We are a legal cannabis producer, growing a combined total of 10,000 square feet of both outdoor and mixed light cannabis spread out over several small gardens on several parcels. We have been part of the county cannabis program since the first month of the program, and before that we were a registered non-profit MBC cultivating cannabis medically in accordance with SB 420 and Prop 215. We are a multi-generational family farm, owned and operated by myself, my parents and my wife.

I am writing today as a farmer on Range Land zoning to request that the board consider making changes to the zoning table for the upcoming Phase 3 cannabis ordinance. Currently, all Phase 3 applicants in Range Land are going to be required to go through a Major Use Permit regardless if they are already existing and regardless of the size of cultivated area. This is extremely excessive, especially for smaller farms such as ours, who have been in existence for years, or in some cases, even decades. Mendocino County is already facing an unprecedented problem with our cannabis program, which stands to lose the county millions of dollars in tax revenue, in addition to the loss of thousands of local jobs. If only 15% of current farms can get an annual state license, as currently predicted, that would mean the loss of approximately 700 legal, tax-paying businesses county-wide - all while in the middle of the greatest economic and health crisis seen in generations. Anything that can help existing legal farms continue operation will have a considerable long term positive impact on Mendocino County.

Though we have no intention of expanding, re-applying for a Phase 3 permit for our farm is appealing as it could help resolve the CEQA issue that has plagued Phase 1 applicants such as ourselves. Phase 3 provides CEQA compliance, which is the single largest hurdle cannabis farmers are now facing in being issued an 'annual' cultivator permit from CDFA. However, if we have to go through a Major Use Permit to apply for Phase 3, it is unrealistic for us to be able to continue to operate due to the extra expense and extraordinarily tight timelines required to keep our CDFA issued state license active. Range Land accounts for 30% of current cannabis permits, based on the last county survey from Building and Planning, and is the single largest group out of all zoning types. We are concerned that very few farms on Range Land will be able to continue to operate if the current zoning table is not modified, including ours. In addition, county staff is already overworked, underfunded, and understaffed unfortunately. Requiring a Major Use Permit for all Range Land cultivators will add substantially to the workload for county staff, which could create a bottle-neck in the Phase 3 permit process. Again - the timelines needed to continue to operate with an active state permit are very tight, and a Major Use Permit is not a quick process - especially if the county suddenly finds itself inundated with new applications. A lapse in permitting at the state level means a farm can no longer legally cultivate, and no small farm can afford to lose a growing cycle - it will put us all out of business.

Range Land zoning has always been for Agriculture use, and activities such as running cattle (which we have done for 30 years) and planting vines have a far greater impact than growing a 1/4 acre of cannabis, yet those activities require no zoning clearance at all. In addition, no other zoning in the current proposed Phase 3 table requires a Major Use Permit for 10,000 square feet or less of mixed light or outdoor cultivation.

Therefore, we would request that the Board of Supervisors give serious consideration to changing the zoning table for Phase 3 to allow a Minor Use Permit for mixed light and outdoor cultivation for cultivation permits that are 10,000 square feet or less. A Minor Use Permit will still allow for community input as well as address the concerns related to the impact of having cannabis farms on Range Land. It will also lessen the burden on county staff and help ensure more legal cannabis farms are able to transition into Phase 3. We believe this is a very reasonable compromise that will balance both the needs of cannabis farmers and the community at large.

Sincerely,

Brandon Wheeler

Julee Wheeler

Roger Wheeler

Chanel Wheeler