



February 8th, 2021

Re: BOS Meeting 2/9/2021 Agenda Item 6a

Dear Honorable Board of Supervisors,

The Covelo Cannabis Advocacy Group (CCAG) is very concerned for our Phase 1 cultivators in Mendocino County. As it stands currently, the majority of Phase 1 cultivators, still *to this day* do not hold a Mendocino County permit. This is very problematic and disturbing given that this program has been in operation since 2017. With already limited Staff at the County, we have serious concerns for how the County will be able to continue to process applications at this time given that folks engaged with a program that began nearly 4 years ago and still haven't made it through the process. We are also extremely concerned about the feasibility of the County implementing a successful Phase 3 program in the coming months given the County's current track record of implementing Phase 1.

The County is now requiring that all Phase 1 operators contract with an approved CEQA consultant to work on the Appendix G application to satisfy CEQA. However, in order to qualify to use Appendix G, one must prove that the SSHR with CDFW is complete. 270 County permits have been issued, of which approximately 188 permits do not have proper SSHRs complete. By now, notification should be sent to affected applicants of this error many times over since the County has known about its own responsibility for this error since last year; that affected applicants have *still* yet to be notified is another fact that increases concern about the County's ability to successfully implement Phase 1, let alone Phase 3. We have been told that Staff is working on notifying applicants but we need concrete action.

We have identified actions that must be prioritized immediately for Phase 1 operators.

- 1. Direct Staff to review the 188 County permits that have been issued incorrectly and notify these applicants within 30 days.**
- 2. Create an Urgency Ordinance that will allow Phase 1 operators to continue operations if they are unsuccessful in using the Appendix G checklist to satisfy CEQA requirements.**

3. **Direct Staff to only accept existing Phase 1 applications for the first 60 days, when Phase 3 opens.**
4. **Direct Staff to revise the Phase 3 zoning table to identify what classification of Use Permit will be required for existing Phase 1 operators in: RR5, RR10, TPZ, FL, RL, AG, UR, and Accommodation District zoned parcels.**
 - **CCAG advocates for Administrative Permits for these existing Phase 1 operators.**

We hope the Board can answer these questions during the 6a agenda item:

1. **Does the County intend to hire a Cannabis Manager? If not, who will oversee the program at this time?**
2. **When will Staff release a statement clarifying risks inherent in attempting to reuse County's phase 1 site specific review documentation for the purpose of a State license?**

This was intended for Phase 1 applicants to reference to determine if they would be eligible to utilize the streamlined Appendix G pathway. Board direction was given to Staff on 1-5-2021 and all concerned parties are in need of an update on the status of this action item.

For reference, here is Board direction from 1-5-2021 highlighted in yellow below:

"Direct Staff to develop a third party consultant engagement package for Phase 1 applicants, including agreement to release records to a consultant contracted by applicant, and a statement clarifying risks inherent in attempting to reuse County's Phase 1 site specific review documentation for the purpose of state license."

3. **If a Phase 1 cultivator attempts to submit an Appendix G application and it is rejected, will the cultivator lose their good standing/permit at the County level?**
 - **If so, when would this go into effect / how would the loss of that good standing be implemented?**
4. **With the loss of Staff, what does the County intend to do to ensure the cannabis program remains active and that necessary action and correspondence continues?**

5. When will Staff respond to emails/calls from Phase 1 cultivators concerning their cannabis permits or applications?

Many cultivators report that Planning & Building has not been responding to their calls or emails. These cultivators have important questions and deserve a timely response.

Thank you for the opportunity to provide comment on this agenda item.

Sincerely,

Monique Ramirez
for the Covelo Cannabis Advocacy Group