

**Proposed Mitigation Monitoring and Reporting Program
County of Mendocino
Mendocino County Medical Cannabis Cultivation Regulation (MCCR)**

Impact	Mitigation Measure	Implementation Responsibility	Monitoring/ Reporting Responsibility	Timing	Applies to Phase			Proposed MCCR Code Section where mitigation is incorporated
					1	2	3	
Aesthetics	AES-1: Mendocino County shall modify the MCCR prior to its adoption by the Board of Supervisors to require that all new structures used for new mixed-light cultivation shall be constructed in a manner so as to fully contain any light or light glare involved in the cultivation process. <u>Security lighting shall be motion activated and fully shielded.</u>	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓	✓	✓	10A.17.040(D) (Note strike out and underline indicate recommended changes by the Planning Commission.)
Agriculture and Forestry Resources	AG-1: Mendocino County shall modify the MCCR prior to its adoption by the Board of Supervisors to remove the requirement for a legal dwelling unit on all parcels which receive a cultivation permit in the AG, RL, FL and TPZ Districts.	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓		✓	10A.17.080 (Changes appear in applicable permit types within this section)
	AG-2: Mendocino County shall modify Zoning Chapter 20.242 prior to its adoption by the Board of Supervisors to prohibit new medical cannabis cultivation permits in the RL Zoning District.	County of Mendocino	County of Mendocino	Prior to issuing Cultivation Permits	✓		✓	20.242.050 E) and F) 20.242.070, Table 2
	AG-3: Mendocino County shall prohibit the issuance of cultivation permits on lands currently enrolled in the Williamson Act until the Policies and Procedures for Agricultural Preserves and Williamson Act Contracts have been amended to address cannabis	County of Mendocino	County of Mendocino	Prior to issuing Cultivation Permits on Williamson Act lands	✓		✓	This does not require a change to the MCCR

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	cultivation.							
	AG-4: Mendocino County Planning and Building Services will participate in reviewing timber conversions and in doing so provide information to CAL FIRE as to whether a Cultivation Permit has been issued corresponding with the bona fide intent for conversion as stated in the conversions request.	County of Mendocino	County of Mendocino/CAL FIRE	Upon adoption of the MCCR	✓		✓	This does not require a change to the MCCR
Air Quality	AIR-1: Mendocino County shall modify the MCCO prior to its adoption by the Board of Supervisors to require consultation with the Mendocino County Air Quality Management District (MCAQMD) prior to the issuance of any permit for the cultivation of medical cannabis. The District will have the opportunity to require emissions control devices, asbestos removal, and Best Management Practices pursuant to adopted regulations to ensure that the proposed cultivation operation will comply with the PM Attainment Plan or District regulations regarding fugitive dust and other sources of PM-10 and otherwise complies with adopted air quality plans including Naturally Occurring Asbestos policies.	County of Mendocino	County of Mendocino/MCA QMD	Prior to Adoption of the MCCR	✓	✓	✓	10A.17.090
	AIR-2: Mendocino County shall modify the MCCO prior to its adoption by the Board of Supervisors to prohibit the burning of excess cannabis plant materials associated with the cultivation and preparation of medical cannabis.	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓	✓	✓	This has been recommended for removal by the Planning Commission
Air Quality	AIR-3: Mendocino County shall modify the MCCO	County of Mendocino	County of Mendocino	Prior to Adoption of	✓	✓	✓	10.A.17.110(M)

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	prior to its adoption by the Board of Supervisors to require that all buildings, including greenhouses, used for the cultivation of medical cannabis pursuant to an "artificial light" permit (generally Type C-A, Type 1-A, Type 2-A and Nursery as applicable) shall be equipped with filtered ventilation systems, permitted by the MCAQMD which rely on Activated Carbon Filtration, Negative Ion Generation, Ozone Generation or other odor control mechanism demonstrated to be effective in reducing cannabis odors.			the MCCR				
Biological Resources	BIO-1: Mendocino County shall amend the MCCR <u>to require referral of Permit Applications to CDFW for each new cultivation site. to require a sign off from CDFW for each proposed cultivation site to evaluate if there is a possibility for presence of sensitive species. Prior to submittal of the MCCR cultivation permit, cultivators will need to coordinate with CDFW who may recommend approval of the proposed development, ask to conduct a site inspection or request additional studies in order to make the determination that no impacts to sensitive species will occur. Upon referral, CDFW may recommend approval of the proposed development, ask to be included in the pre-permit site inspection (Ordinance Section 10A.17.100(B) or request additional studies in order to make the determination that no</u>	County of Mendocino	County of Mendocino/ CDFW	Prior to Adoption of the MCCR	✓	✓	✓	10A.17.090 (Note strike out and underline indicate recommended changes by the Planning Commission.)

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	impacts to sensitive species will occur. If it is determined that a sensitive species could occur, the required cultivation and operations plan shall be revised to incorporate measures to protect sensitive species to the satisfaction of CDFW or if impacts cannot be avoided, another location must be selected for cultivation. A cultivator that cannot demonstrate to the satisfaction of CDFW that there will be a less than significant impact to sensitive biological resources will not be issued a cultivation permit. The County may eliminate this requirement at such time CDFW authorizes the County to perform this function based on available mapping and training of Agricultural Commissioner's staff and the qualifications of third party inspectors to identify sensitive species habitat. CDFW will remain involved when a sensitive resource is identified.							
Biological Resources	BIO-2: Mendocino County shall modify the MCCO prior to its adoption by the Board of Supervisors to require cultivators, not otherwise required to maintain enrollment in the Water Board Order, to adhere to the applicable "Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects" as	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓	✓	✓	10A.17.110(G)

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	presented in Appendix B of the Water Board Order.							
	<p>BIO-3: Mendocino County shall modify the MCCR prior to its adoption by the Board of Supervisors to require that any existing cultivation operation be restored to the maximum extent feasible in conjunction with an approved on-site or off-site relocation during Phase 1. The applicant shall include a restoration plan, consistent with the standard conditions and BMPs listed in the Order, with the application for any permit for which relocation of an existing operation is proposed. The reclamation plan shall include the following, except where such activities can be demonstrated to be technically infeasible or likely to lead to additional environmental impacts:</p> <ol style="list-style-type: none"> 1. Remove or repurpose buildings, greenhouses, fences, irrigation equipment, water intakes, pumps, storage tanks and other materials brought to the site for the purpose of cannabis cultivation; 2. Remove dams, ponds or other in-stream water storage to restore natural stream flows unless such features will continue in use; 3. Remove or compost agricultural wastes; 4. Remove trash and other debris; 5. Re-vegetate cleared areas with native plants typical of nearby natural areas, including groundcover, shrubs and trees; and <p>Take additional site specific steps as recommended</p>	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓			20.242.050G)

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	by NCRWQCB, CDFW, County Staff or third party inspectors, to restore natural function and habitat values to the site.							
	See Mitigation Measure HYD-1.							
Cultural Resources	No mitigation required.							
Geology and Soils	See Mitigation Measure BIO-2.							
Greenhouse Gases	See Mitigation Measures AIR-1, AIR-2, and BIO-3.							
Hazards and Hazardous Materials	See Mitigation Measure AIR-2 and BIO-2.							
	HAZ-1: Mendocino County shall modify the MCCR prior to its adoption by the Board of Supervisors to include a "Cortese List" database search results as part of the application materials for a cultivation site. If the site is listed on the "Cortese List" it must be demonstrated that the cultivation is in compliance and compatible with any cleanup and or abatement order that is established for the site. Currently Cortese List database searches can be run by accessing http://www.calepa.ca.gov/SiteCleanup/CorteseList/	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓	✓	✓	10A.17.090(AB)
Hydrology and Water Quality	HYD-1: Mendocino County shall modify the MCCR Zoning chapter prior to its adoption by the Board of Supervisors to require that the watershed assessment (already specified in Section 20.242.070) be an established "In Stream Flow Policy" as prepared by the State Water Resources Control Board Division of Water Rights or an equivalent document approved	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR			✓	20.242.070C)1)

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	by that agency.							
	HYD-2: Mendocino County shall modify the MCCR prior to its adoption by the Board of Supervisors to require that a water availability analysis be completed prior to permit issuance for any new or relocated cultivation site outside of an AG district where an existing or new well is the proposed water source. The water availability analysis must address the adequacy of the proposed water supply, the direct effects on adjacent and surrounding water users, and possible cumulative adverse impacts of the development on the water supply within the watershed and show there is a sustained yield to support the proposed level of use. See Mitigation Measure BIO-2.	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓	✓	✓	20.242.070C)2)
Land Use and Planning	See Mitigation Measures AIR-1, AIR-2, and BIO-1, BIO-2, and HYD-1.							
Mineral Resources	No mitigation required.							
Noise	No mitigation required.							
Population and Housing	See Mitigation Measure AG-1.							
Public Services	No mitigation required.							
Recreation	No mitigation required.							
Transportation	No mitigation required.							

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Utilities and Service Systems	UTIL-1: Mendocino County shall modify the MCCO prior to its adoption by the Board of Supervisors to require the submittal of a will-serve letter for cultivation sties which receive or propose to receive water and or sewer from a community provider.	County of Mendocino	County of Mendocino	Prior to Adoption of the MCCR	✓	✓	✓	20.242.070C)3) and 10A.17.090(AC)
Mandatory Findings of Significance	No mitigation required.							