



# Mendocino County Farm Bureau

303-C Talmage Road • Ukiah, CA. 95482 • (707) 462-6664 • Fax (707) 462-6681 • Email: [director@mendocfb.org](mailto:director@mendocfb.org)

Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

May 7, 2018

Via Email: [bos@mendocinocounty.org](mailto:bos@mendocinocounty.org)

Mendocino County Board of Supervisors  
501 Low Gap Road, Room 1010  
Ukiah, CA 95482

***RE: Cannabis Related Agenda Items for May 8, 2018 Board of Supervisors Meeting***

Dear Chair Hamburg and Supervisors,

The Mendocino County Farm Bureau (MCFB) is a non-governmental, non-profit, voluntary membership, advocacy group whose purpose is to protect and promote agricultural interests throughout the county and to find solutions to the problems facing agricultural businesses and the rural community. MCFB currently represents approximately 1100 members. MCFB offers the comments and concerns below regarding the cannabis related agenda items for the May 8, 2018 Board of Supervisors meeting.

**Item 5E: Discussion and Possible Action Regarding Informational Update on the Implementation of the Mendocino County Cannabis Cultivation Program and Cannabis Compliance and Code Enforcement Unit**

MCFB appreciates the listing of the cannabis cultivation applications by zone. Since a number of the applications are located on AG, RL, TPZ and FL, MCFB would once again like to request that the applications be analyzed to include how many of these parcels are under Williamson Act contracts and that this information be provided in the next update. This is important to analyze in preparation for the review of future compliance statements.

**Item 5G: Discussion and Possible Action Regarding an Update and Presentation on the County's Cannabis State Requirements/Local Ordinance Amendments Working Group**

**General Comments**

- Phase 1 permitting for the county cultivation ordinance already provides an advantage to those who were cultivating cannabis prior to January 1, 2016 (illegally or as part of a previous permit program) on most zoning designations including TPZ, FL, RL and AG since these property owners can apply for a cannabis cultivation permit.
- Those property owners in TPZ, FL and RL that were not cultivating prior to January 1, 2016 cannot provide proof of prior cultivation and therefore are not eligible to apply for a cannabis cultivation permit at all. This exclusion also needs to be considered in relation to the property value discussion.
- The county provides tax incentive through the TPZ program. The TPZ program was established in order to remove the standing timber tax which, was not supportive of the best timber management practices, and shift to a timber yield tax at the time of harvest. TPZ provides an incentive for the purpose of growing and harvesting timber, however there are limited compliance



options for the county to verify that there is an intent to harvest timber and therefore recapture any related timber yield tax. The Board should discuss how to work with the Assessor's office to review ALL TPZ parcels for timber yield tax income to the county and what options are available to verify intent to grow and harvest timber.

- A property tax discount is also made available through the Williamson Act. Since the state subvention funding ended in 2009, counties are voluntarily supporting the continuation of this program to support qualifying farming and ranching operations. MCFB appreciates the continued support of this program by Mendocino County. MCFB requests that the Board work with the Assessor's office to schedule the mailing of the compliance statements in 2018 to ALL Williamson Act contract holders. Those contract holders that cannot or will not come into compliance should be non-renewed to maintain the viability of the program and to provide additional property tax revenue to the county.
- In terms of property tax, property values, land use planning and protection of resource lands, this conversation deserves a larger scope than just what has been presented today from the cannabis working group.

### **Ownership Change Document Specific Comments**

Negative impacts on business development, property values and tax revenue: MCFB would like to remind the Board that property values in Mendocino County have been inflated for some time and this is largely due to the historical cultivation of cannabis. The inflated prices for RL parcels for example have provided one more hurdle for ranchers to compete for additional properties to purchase or lease. This has further impacted the livestock industry in the county. One industries gain was another's loss, and land use will continue to shift.

Only 43% of the MND available parcels will be permittable in 2020:

*Food producers are held to lower pesticide standards then the cannabis industry. To that effect, cannabis sites are subject to contamination from neighboring AG parcels because of wind drift, which may severely impact a cannabis crop. Therefore, an AG parcel is not necessarily the most suitable land for cannabis cultivation.*

MCFB disagrees with the statement above as there are a number of assumptions being made. Cannabis cultivators are trying to reduce the assumption that all cultivation sites are detrimental to the environment in the pictures provided in the presentation for today's board meeting. However, at the same time the statement above is assuming that the last 50+ years of pesticide regulation for conventional agriculture is not relevant. Drift is not allowed under current regulation and is actively enforced by the Mendocino County Agricultural Department.

Current policy in the MCCR contradicts the language and spirit of the General Plan

*California state legislation has classified cannabis as an "agricultural product" and designated the CDFA to regulate this crop. The Mendocino County General Plan has expressed the appropriateness of and encouragement for agriculture in Ag, RL, FL and TPZ zones. With a maximum garden size of less than one quarter acre per parcel, there is no reason to prohibit permitted cannabis cultivation in all zones reserved for agriculture in the General Plan.*

MCFB would like clarification on the intent of the working group. Is the issue about the ability to transfer existing permits on RL, FL and TPZ approved in phase 1 or is the issue about not creating a prohibition of new cannabis cultivation locations on RL, FL and TPZ? The reason for the prohibition of cannabis

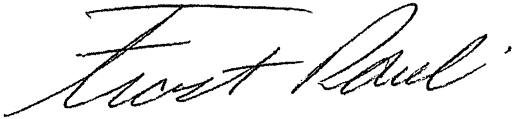
cultivation permits beyond phase 1 is directly connected to the Mitigated Negative Declaration. If the Board considers the allowance for the expansion of new cultivation for cannabis beyond phase 1, the Mitigated Negative Declaration will not be valid.

Recommended Action: Create a Cultivation Land Use Designation

MCFB would like clarification on the need for the creation of a cultivation land use designation?

MCFB appreciates the opportunity to provide comment on the above agenda items and we encourage the Board to consider the statements, questions and requests listed above. If there are any questions, please contact the MCFB office.

Sincerely,

A handwritten signature in cursive script, reading "Frost Pauli".

Frost Pauli  
President

CC:

Harinder Grewal, Mendocino County Agricultural Commissioner: [grewalh@mendocinocounty.org](mailto:grewalh@mendocinocounty.org)  
Kelly Overton, Mendocino County Cannabis Program Manager: [overtonk@mendocinocounty.org](mailto:overtonk@mendocinocounty.org)