



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

June 9, 2020

Re: Agenda Item 6a) Discussion and Possible Action Regarding Recommendations of the Cannabis Cultivation Ad Hoc Committee (Sponsor: Cannabis Cultivation Ad Hoc Committee (Supervisor Haschak)), AND 6b) Discussion and Possible Action Including Direction to Staff Regarding the Potential Re-direction of the Cannabis Cultivation Program(Sponsor: Supervisor McCowen)

Honorable Supervisors,

In light of the impossibly tight timeframe to transition Mendocino County cultivators from State Provisional licenses to State Annual licenses, MCA is in favor of taking a trifurcated approach to problem solving the issues and offers this supplemental memo to our previously submitted memo on these agenda items..

We are now in favor of the Board of Supervisors giving direction to Planning Staff to explore the development of a possible expedited discretionary review process as proposed by Supervisor McCowen with the following important caveats:

1. Simultaneously, County Counsel be directed to explore whether it would be possible to amend our ordinance in a manner that would address the logjam created by explicit dependence on CDFW to either conduct the Sensitive Species Reviews or for CDFW to approve of a program for the County to do that work in-house as part of the permitting process under 10A.17.
2. Simultaneously, the County, through involvement of Supervisors and, if needed, State legislators, to work with CDFW to obtain approval of the County's submitted program proposal, or an amended version of it, designating the County conduct the Sensitive Species Reviews in-house during the cultivation permitting process as an alternative means to ending the logjam.

3. Simultaneously, maximum efforts are made to continue processing the existing Phase 1 cohort and to help them be eligible for State Annual licenses before the State deadline.
4. In giving direction to Staff to explore a land use based system and some sort of streamlined discretionary review process for the existing Phase 1 cohort, that explicit direction be given regarding the need to:
 - a) Examine carefully the impact on the Phase 1 cohort of switching to any land use based system in terms of additional costs and requirements to them.
 - b) After determining the feasibility of any "streamlined" process to "transition" the Phase 1 cohort, specifically calculate the hours of Staff time needed to process all existing permit holders and applicants to know if all of them could be processed within the State deadline.
 - c) Ensure that the exploration of the feasibility explicitly includes the mandate that any new process include a priority processing system that ensures that Phase 1 permit holders and existing applicants are first to be processed, other legacy applicants/Equity Program eligible applicants are next to be processed, and that only after those groups are processed through a new system would "new" cultivation by those that are not Equity Grant eligible are processed.
5. Simultaneously, while working on items 1-4, ensure that the Equity Program is developed and implemented without delay.

It is critical that continued effort to resolve all remaining issues with 10A.17 as it relates to the existing Phase 1 cohort be maintained while expediting the development of the Equity Program if new directions are also pursued.

Finally, it is imperative this is considered to be the beginning of a process, and that MCA have comprehensive engagement with the County to explore all pathways to resolve the issues related to the transition to Annual State licenses.

Thank you for your time and thoughtful consideration of these important points.

Mendocino Cannabis Alliance