

To the Honorable Supervisors and Sheriff of Mendocino County

I am addressing the Board and Sheriff as a concerned and highly impacted citizen, a property owner resident in Mendocino for 45 years. I do not cultivate or sell, buy or use cannabis (although many of my acquaintances do). I am obviously not conversant with the details of commercial growing, I grow my gardens in the sunlight.

As a concerned citizen who is highly impacted by illegal grows on many fronts, I am concerned with enforcement of any ordinance. I do not believe going to the State with complaints of violations would be satisfactory. Calling some 1-800 "hot line" and leaving a recorded message does not compare with contacting our local County and Tribal law enforcement, who will answer the phone and actually be concerned with my problem. The local officers already know the terrain and the actors. They can move against violations with a progressive calibrated response, from a phone call, to a fly-over assessment, to an actual warrant and raid.

Is the Highway Patrol going to drive to Leach Lake Mountain or fly-over my little Halls Valley?

The current permit system does not work for the applicants, the permitted growers, the County staff, the Sheriff, his deputies, the Tribal community, nor the public. The only ones it does work for are the illegal non-permitted growers, who profit from the confusion and ensuing lack of enforcement, in a wild-west anything-goes situation. Our current ordinance needs to be either repealed & replaced, or restructured

At the July 22 Board meeting, on agenda item 5(a), Covid 19, discussing State mandates and local controls, one of our supervisors said that "whenever we can keep local control and not turn it over to the State, we do." The use-permit approach would relegate enforcement to the State and take control away from local government.

I am against repeal and replacement with a use-permit system.

However, the current system is obviously too cumbersome and must be overhauled. I am in favor of an Ad-Hoc Committee to parse the very complex and intertwined issues and issue recommendations which address the needs of growers, staff, law enforcement and members of the public like myself.

This may end up asking the County staff to do something not in its usual playbook, which is to simplify regulations and streamline the process. It is clearly a complex task, involving as it does interfacing with State regulation, but it can and must be done.

One idea, which may be hopelessly naive (given complex State requirements), is to revise the County system to be extremely simple and inexpensive for the small residential back-yard grower, with increasing complexity and fees placed upon the larger applicants:

1. 0-9 plants— no County regulation (State regs limit to 6)

2. 10-25 plants— require purchase of a simple County license, for low nominal fee, self-certify basic protections & environmental requirements
 3. 26-1000 plants— require County permit, moderate but significant cost, self-certify environmental requirements and agree to procedural restrictions and any other requirements
 4. 1000-10,000 plants— apply for more expensive permit, self-certify all required compliances & State agency requirements, and require a site visit & fee, fee based on hourly travel time
 5. over 10,000 plants, 10,000sq ft — full ordinance as it stands
- At any level above the first, site visits and inspections would be automatically triggered by verified complaints, without a search warrant and with 24 hours notice.

Also, extremely important in certain communities, the Board must liaison with the Tribal Councils and Native communities, to encourage improvement of Tribal regulations and enhance enforcement on Tribal lands. The free-for-all in the Round Valley area is out of control at present.

Thank you for your consideration,
Serge Scherbatskoy,