

Dear Supervisors,

I AM CONCERNED, GRAVELY CONCERNED, for the future of many very hard working, small farm, cannabis cultivators in Mendocino County. Those of us who have complied with all local and state regulations, many excessively burdensome and expensive, desperately need the full allotted attention of County government and staff to devote available time and effort to securing a path to Annual State Cultivation Licenses for all current Phase 1 and Phase 2 permittees. PLEASE DIRECT STAFF TO POSTPONE ALL CULTIVATION ORDINANCE ACTIVITY, with the exception of Sensitive Species Review existing ordinance language, UNTIL SITE-SPECIFIC CEQA REVIEW AND SENSITIVE SPECIES REVIEW CONDITIONS ARE ACCEPTED BY CDFA AND CDFW for current Phase 1 and Phase 2 permittees. Permittees' livelihood and the County's \$4.5M+ anticipated cannabis tax revenue depend on this concerted effort.

The following comments are incidental to the above requested Board direction, but can be considered as we move forward.

I was expecting more substantive information from Planning and Building Services (PBS) presentation and attachments. At the last Board meeting, at Sup. McCowen's insistence, Supervisors agreed to leave PBS alone during these past two weeks, so that "they could get the job done". I cannot infer from Mr. Schultz's memo and attachments what has been accomplished, what job got done?

There is no mention in the agenda item subject description or memo that includes suggested current ordinance amendments. When was the current ordinance scrapped? When did PBS assume the authority to redirect Board requests? I think it's time for more Supervisor oversight, not less. I see "no job getting done" as directed by the Board.

Mr. Schultz's memo repeats what is already known, offers unverified staff "estimates" of time required to perform yet to be determined tasks associated with CDFA and CDFW interactions and approvals, and then concludes, "...PBS staff has no confidence that sufficient time remains for active permittees and applicants in the County's Cannabis Cultivation Permitting Program to obtain all necessary approvals for an Annual State Cannabis Cultivation License to be issued". (8/4/20 B. Schultz Memo to Board, Pg. 3, Paragraph 3)

Mr. Schultz extols the virtues of a land use permit system, while virtually abandoning the pathway to Annual licenses. He provides no cost/fee details, no reasonable way to recognize the vetting and mitigation already performed by existing permittees who hold County and State permits/licenses, less than transparency between his Department and state agencies as still, Supervisors' requested CDFA and CDFW correspondence has not been produced, no analysis of excessive staff time required for any PBS recommendation. Eventually Mr. Schultz concludes that cultivation permits will no longer be necessary and, "This also eliminates the need to train staff to administer a complicated and unique regulatory system instead of building on their skills as land use planners". (8/4/2020 B. Schultz memo, Pg. 4, Paragraph 2)

The above last sentence is the only statement in Mr. Schultz's memo with which I agree; land use planners are ill prepared, not adequately trained, and inefficient when confronted with "...a complicated and unique regulatory system...." like cannabis regulations that we permittees have navigated for years. Cannabis is unique in the regulations applied to an agricultural crop and products, in the "special" taxes that apply at the County, State and Federal levels, in the scrutiny of multiple water and environmental resource agencies and conflicting government standards.

I recommend the Cannabis Program be transferred back to the Agriculture Department, where CDFA and environment relevant regulations are familiar. I agree that our land use planners' distinct skills are best applied to County needs, separate from cannabis. I recommend an Ad Hoc Committee of Supervisors whose tenure extends beyond January, 2021, be appointed by the Chair to oversee continued County resolution of CEQA and CDFW concerns.

In addition to my individual comments, I whole heartedly support the information and recommendations submitted by the MCA.

It's not too late, but we need bold adjustments to overcome our obstacles. Thank you for your continued efforts.

Sincerely,

Corinne Powell
Legacy Cultivation permittee since 2016