

August 3, 2020

From: Shawna Jeavons
Willits, CA 95490
smj2@berkeley.edu

To: Chair John Haschack and Members of The Board of Supervisors

Re: Repeal of the Cannabis Cultivation Ordinance, 7-21-20, Agenda Item 5b

Dear Members of the Board and County staff;

I support the repeal of the cannabis ordinance. I support reliance on the state licensing system. We are currently spending too much money on an ineffective and dysfunctional cannabis department that is understaffed and has continual high turn-over. *And*, I favor creating countywide land ordinances to protect woodlands, water and soil as well as neighborhood integrity. I believe environmental protections should apply equally to every agricultural use, from orchards and truck farms to vineyards and cannabis cultivation. The protection of Mendocino County's natural resources is important, now more than ever.

Many letters have been written recently expressing fears that the proposal to do away with the county cannabis ordinance will lead to clearcutting of oak woodlands like what happened in California to make room for vineyards. Another fear is that it would lead to misuse of water as well as erosion and contamination of soil. These are valid concerns. I do not see how keeping Mendocino County's Cannabis department will solve, address or mitigate any of these concerns as there is not even ample staff to provide oversight and enforcement in the cannabis department. It is inappropriate to address these environmental concerns solely through the lens of cannabis cultivation.

We can close our cannabis permit department *and* protect our environment and local area. These two things do not operate co-dependently. We already have a fully staffed state licensing authority in place in California that is working with environmental agencies such as California Department of Fish and Wildlife and California State Water Resources Control Board to ensure environmental health compliance, and enforcement. The state agency has an anonymous tips hotline for concerned neighbors and citizens to call 24 hours a day, should the need arise.

We need to more clearly define our vision of what we do want in Mendocino County and come together to put environmental protections in place for all agriculture. We need to stop looking to a department that is incapable of providing these protections and safeguards.

If the focus is on healthy neighborhood relations, preserving the water, the woods and the environment, then keep the focus on that. I agree with Ted Williams in proposing and following through with general land use ordinances and regulation, these are non-discriminatory land use safeguards, *and* when I say discriminatory I mean that cannabis has been discriminated against historically and currently. General land use ordinances, rather than cannabis use ordinances include all agricultural practices. Planning and implementing best practices puts the focus where it should be, and the county should encourage this. We already have laws in the books for these things: you don't dump chemicals in your backyard, you don't poison your neighbors creek, you don't poison your creek, you don't create a problem for local habitat and animals downstream. Focus on best practice, encouraging what we want, rather than hanging onto a department and ordinance that is not serving us and is not best use of funds.

It is discriminatory and not environmentally sound to deny permitting of outdoor cultivation sites to cannabis farmers while still allowing permitting of indoor grows. It is discriminatory to deny permitting of farms on rangeland. Rangeland uses include row and field crops, horticulture and cottage industries. Cannabis crop farmers already carry with them years of stigma and misplaced assumptions as well as misplaced judgement stemming from destructive practices of some cultivators and trespass grows that left our forestlands and streams trashed. Not allowing the cannabis industry in zones such as rangeland districts, which by language permit cultivation of row and field crops, while promoting cattle raising and timber harvesting instead is not only discriminatory, but not environmental best practice. The impact of livestock on land has historically been the greatest source of rangeland and woodland degradation. This is a fact. Livestock produce far more manure and urine runoff in creeks whereas cannabis plants fix carbon promoting a healthy environment if grown with best practice.

We should be promoting the healthiest, best agricultural products. For cannabis, this means promotion of full sun, artisan, appellation flower, not plants in warehouses under artificial light, suited for extraction.

I want to thank Ted Williams for having our best interests at heart. His proposed administrative change to how these farms will be permitted gives our county more flexibility in addressing local conditions. Focus on land use and protections for land and water are of utmost importance across the board. I give a big 'right on' to our Supervisors for addressing local concerns and proposing to get rid of an ineffective system.

As we cannot interfere with cutting trees, grazing cattle and planting vineyards on rangeland, we should not stop cannabis row and field crops on rangeland. And, yes, cultivation sites, when not properly permitted or used in a prescribed manner can be just as damaging as some of these other uses. All the more reason to get the 700+ un-permitted farm applications on track to be permitted and regulated as efficiently as possible so that the state, in conjunction with Fish and Wildlife and the water board, can regulate these farms.

The letters that I have read in opposition to the repeal of Mendocino County's cannabis ordinance all share a common thread of resistance to a business and culture that some don't agree with. This is a culture that has carried this county and its businesses for a long time, even if it was an open secret. No discrimination. Cannabis is a row and field crop, it can be classified under horticulture use, it is a cottage industry. You will find row and field crops, as well as horticulture classified as permissible uses for rangeland under defined agriculture use types chapter 20.032. You will find cottage industries classified as a permissible use for rangeland under commercial use types chapter 20.024.

Cannabis cultivation is of equal and valid standing as any other economic use of rangeland and should be treated as such, in accordance with the definitions set forth by Mendocino County.

For anyone unfamiliar with the term Occam's razor, here is a refresher:

Focus on simplicity. We don't need new laws, enforce the ones we have. "entities should not be multiplied without necessity" and "the simplest explanation is most likely the right one."

Thank you for your time and attention to this matter.

Sincerely, Shawna Jeavons

Taken from Mendocino County's Coding Ordinance - exact definitions of permissible uses - Rangeland Zoning

CHAPTER 20.032 - AGRICULTURAL USE TYPES

Sec. 20.032.005 - General Description of Agricultural Use Types.

Agricultural use types include the on-site production of plant and animal products by agricultural methods. They also include certain uses accessory to the above specified in Chapter 20.164, Accessory Use Regulations. (Ord. No. 3639 (part), adopted 1987)

Sec. 20.032.010 - Horticulture.

"Horticulture" means premises devoted to horticultural and floracultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. Typical uses include wholesale/retail nurseries limited to the sale of horticulture and horticulture specialties grown on site and in green houses. (Ord. No. 3639 (part), adopted 1987)

Sec. 20.032.015 - Row and Field Crops.

"Row and field crops" means premises devoted to the cultivation for sale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

**Commercial Use Types (See Chapter 20.024). -MENDOCINO COUNTY PLANNING AND BUILDING SERVICES DIVISION I
OF TITLE 20--INLAND ZONING CODE FOR RANGELAND Agricultural sales and services; Animal sales and services –
auctioning; Animal sales and services – veterinary (large animals); Cottage industries – general.**