



To the Mendocino County Board of Supervisors,

This memo is in response to agenda item 3a: Discussion and Possible Direction to Staff Regarding the Mendocino Cannabis Cultivation Ordinance, Including Possible Changes to Phase Three.

Flow Cannabis Company, a licensed cannabis distributor and manufacturer based in Redwood Valley, is glad that the BOS is moving forward with the discussion of opening Phase 3. The pathway to licensure for farmers in the county has been difficult, and, for many farmers, off the table, until Phase 3 comes online. However, *we do not support delaying the discussion about cultivation in RL zones and the issue of expansion beyond 10,000 SF.* Developing the ordinance and then going back to these issues will not only upend the process but will reduce the likelihood of their inclusion. The Board of Supervisors has, on previous occasions, supported cultivation in RL zones and expansion, the only logical plan now, would be to incorporate these components into the ordinance as it is being developed. We also believe that the county should engage in a county wide EIR inclusive of cannabis cultivation in RL zones. This would allow use permits to be administered with a site specific EIR. Understanding that there is a cost associated with a county wide EIR, we hope the county will look for partnerships with the local regulated industry. We are in this together.

Flow Cannabis Company supports an expansion model tied to the land being considered for licensure. *The amount of land that can be used for cannabis cultivation should be a % of overall parcel size.* This approach is currently be used by other rural counties such as Lake and Sonoma. Regarding cultivation in RL zones, *we strongly support allowing RL to a part of the Phase 3 zoning table.* Not including RL for new applicants, who may have been cultivating for 3+ years on that land, is unequal protection under the law. People who are already growing on RL but cannot prove cultivation prior to 2016 should not be treated differently under the law than those who can. This opens the county up to a lawsuit that they will likely lose. The reality is that, right now, a lot, if not most of those currently cultivating and hoping to move into the legal program are cultivating on RL. People who need Phase 3 in order to come into the program. Additionally, the BOS just approved hemp cultivation on RL as a row crop. It is the same plant as cannabis, and actually, cannabis cultivation is a cleaner process because of the strict pesticide regulations, which do not exist for hemp. It is silly to think that a plant with less than .3% THC somehow has different environmental impacts than the same plant with more than .3% THC. Supervisor Williams said it eloquently in his Facebook post: "By approving a zoning chart which categorically excludes the bulk of the existing cultivation, local regulation will become the new prohibition, furthering an outlaw model and preventing the application of regulation. It leaves law enforcement with two possibilities: look the other way or bust small family farms. "

Thank you for your consideration,

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VP, Community Relations  
Flow Cannabis Company