

THE STATUS OF THE MENDOCINO COUNTY CANNABIS PROGRAM

- **Enforcement without opportunity is a broken paradigm.** As long as our local permits (and annual state licenses) are inaccessible to existing unlicensed farmers, our friends and neighbors have no opportunity to participate in the regulated cannabis market.
- **Sheriff Kendall has reiterated that none of the recent violent crimes have been associated with licensed farms.** He agrees that there should be a path forward to bring more people into the regulated system. He also believes that current local and state regulations are far too onerous and complicated.
- **Cannabis is an agricultural crop, cultivation is an agricultural activity, and MENDOCINO CANNABIS CULTIVATORS ARE FARMERS.** Until the local and state regulations reflect this reality accurately, our cannabis farmers will continue to struggle to participate in the regulated system.
- **Despite the challenges our licensed farmers continue to face, it looks like CANNABIS TAXES WILL BRING IN \$5.8 MILLION THIS YEAR, AND HAS CONSISTENTLY BEEN THE ONLY REVENUE SOURCE TO OUTPERFORM EXPECTATIONS.** It is estimated that many Mendocino's existing cultivators are not yet licensed. When more of them can join the regulated industry, cannabis will become a truly thriving economic driver for our county. Cannabis has been deemed an essential business and if allowed to flourish, may be more insulated than other local industries that have been heavily impacted by the pandemic..
- **The Board of Supervisors has voiced support for the priority of legacy cultivation from the beginning of this regulatory process, and have recently reaffirmed their commitment to Phase One applicants.** Resolving the issues facing existing licensed operators **must remain the first priority** in all changes to the County's cannabis program.
- **Licensed Cannabis Farms must adhere to strict environmental regulations.** There are no environmental controls on unlicensed farms. The more existing farms that get licensed, the better the outcomes for our environment.

MCA RECOMMENDATIONS

**FOR THE 10/13/2020 MENDOCINO COUNTY
BOARD OF SUPERVISORS MEETING**

**IF YOU AGREE LET YOUR SUPERVISORS KNOW
EMAIL BOS@MENDOCINOCOUNTY.ORG**

- 1. DESIGNATE CANNABIS CULTIVATION AS AN AGRICULTURAL CROP AND TREAT IT WITH PARITY WITH OTHER FORMS OF AGRICULTURE: ALLOWING CANNABIS IN ALL ZONES WHERE ROW & FIELD CROPS ARE ALLOWED INCLUDING RANGELAND, FORESTLAND, AND TIMBER PRODUCTION ZONES, AND BY TREATING CANNABIS THE SAME WHEN IT COMES TO BUILDING PERMITS, LOCAL FIRE ORDINANCES, CALFIRE FIRE DEFENSIBLE SPACE, TAXES, AND BUSINESS REQUIREMENTS.**
- 2. WE MUST PRIORITIZE OUR EXISTING LICENSED OPERATORS AND PROVIDE THEM A PATH TO ELIGIBILITY FOR STATE ANNUAL LICENSES.**
- 3. ASSOCIATE PROOF OF PRIOR CULTIVATION WITH THE LAND, NOT THE PERSON.**
- 4. DISCUSSIONS REGARDING PHASE 3 SHOULD BE RESCHEDULED FOR NOVEMBER WHEN MORE INFORMATION CONCERNING THE WORK REQUIRED TO GET PHASE 1 APPLICANTS TO THE FINISH LINE HAS BEEN PRESENTED BY THE CANNABIS AD HOC COMMITTEE.**
- 5. RE-OPEN PERMITTING FOR THE LEGACY CULTIVATION COMMUNITY AND FOR LEGACY CULTIVATION SITES NOW THAT THE EQUITY GRANT PROGRAM IS NEARLY LAUNCHED.**
- 6. CONTINUE TO VALUE ENVIRONMENTAL PROTECTIONS AND SUSTAINABILITY BY UTILIZING THE CURRENT ORDINANCE AS A METHOD TO ENSURE ALL LEGACY CULTIVATION IS INCLUDED IN THE REGULATED FRAMEWORK, WHICH HAS THOSE PROTECTIONS BUILT-IN.**
- 7. PHASE THREE MUST BE DEVELOPED FIRST AND FOREMOST AS A 'PLAN B' FOR THE EXISTING COHORT OF LICENSED OPERATORS IF PHASE ONE PERMITS ARE NOT ELIGIBLE FOR STATE ANNUAL LICENSES.**
- 8. ALLOW EXPANSION UP TO 1 ACRE FOR OUTDOOR AND ALLOW EXPANSION FOR MIXED LIGHT AND INDOOR BASED ON A SITE-SPECIFIC REVIEW OF THE IMPACT**

TO THE ENVIRONMENT AND NATURAL RESOURCES THROUGH A DISCRETIONARY PERMIT PROCESS.

- 9. FOR NEW OR EXPANDED CULTIVATION, USE ADMINISTRATIVE PERMITS (AP) AS THE METHOD OF DISCRETIONARY REVIEW IN ALL ZONES WHERE POSSIBLE, ONLY USING MINOR USE PERMITS WHEN ABSOLUTELY NECESSARY AND IN PARITY WITH OTHER AGRICULTURAL CROPS. THE LOCAL EQUITY PROGRAM MANUAL (LEP) MUST BE REWRITTEN TO ENSURE THE MAXIMUM NUMBER OF PERSONS IMPACTED BY THE WAR ON DRUGS ARE SERVED BY THE PROGRAM. ELIGIBILITY CRITERIA MUST BE BASED ON DIRECT HARM BY THE WAR ON DRUGS WITH AN EXPANSIVE APPROACH TO HARM, THE COUNTY MUST ASSIST IN PROVIDING ACCESS TO RECORDS THAT PROVE DIRECT HARM (RAIDS, ETC.), ADDITIONAL IMPACT FACTORS CAN AND SHOULD BE USED TO DETERMINE THE LEVEL OF AWARD TO EACH APPLICANT, AND AWARDEES MUST BE FREE TO DETERMINE WHAT THE MONEY WILL BE SPENT ON TO ADDRESS THE NEEDS OF THEIR CANNABIS BUSINESSES.**