

March 17, 2021

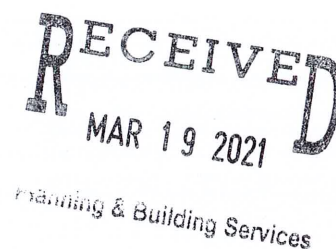
**From:**

Helen Magruder Menasian

1361 Vista Verde Road

Ukiah, CA 95482

[hmenasian@pacific.net](mailto:hmenasian@pacific.net)



**To: Mendocino County Planning Commission** OA\_2021-0002 (Cannabis Cultivation) (Phase 3)  
**Mendocino County Board of Supervisors**

**Regarding:** Proposal to move to a Phase 3 Land Use Based Permit Process for Mendocino Cannabis Cultivation, allow cultivation on up to 10% of a qualified parcel, and allow the cultivation of cannabis on rangeland in Mendocino County

Dear Commissioners, BOS Members and Staff,

It is my understanding that the Board of Supervisors is moving toward terminating the existing Cannabis Cultivation Ordinance and replacing it with a Land Use Permit process that would be "more manageable" and result in an increase in large scale cannabis production on rangeland. I **strongly oppose opening up rangeland and I am very concerned about the move to increase the number of acres allowed for cannabis production at this time.**

I am from a ranching family that has lived in Mendocino County for over 100 years. I understand the need and pressures to adopt county policies that support agricultural endeavors that might provide income for local farmers and broaden the County's economic base. Regulating the cultivation of cannabis in our county is challenging, but the Mendocino County General Plan and our Cannabis Cultivation Ordinance (and any changes to it) should act a guide for such decisions. Large scale production of cannabis in rangeland is not compatible with the goals and policies set forth in the Resource Management Element of our General Plan and, at this point, is explicitly prohibited in the Phase one Cannabis Cultivation Ordinance.

The Mendocino County General Plan goals and policies promote land uses and development practices that facilitate healthy watershed ecosystems and protect and enhance the long-term sustainability of our water resources. *Opening up additional rangeland for cannabis production will have a major impact on the availability of water for existing land use and for the sustainability of our already heavily impacted ecosystems.* This is in direct conflict with General Plan Policy RM – 14 which states that existing water uses shall have priority over new water uses, and Policy RM-17 that states that no development shall be allowed by the county beyond proof of the capability of the available water supply. *Water in Mendocino County is already over allocated and this has impacted the health of our streams and rivers for salmon and steelhead and other wildlife. Adding additional water demand higher up in our watersheds will only increase this problem.*

General Plan Policies RM-24, 25, and 26 protect the county's natural landscapes by restricting conversion and fragmentation of timberland, oak woodlands, farmlands, and other natural environments; prevent fragmentation and loss of our oak woodlands, forests, and wild lands and preserve the economic and ecological values and benefits; AND protect, use and manage the county's farmlands, forests, water, air, soils, energy, and other natural resources in an environmentally sound and sustainable manner. *Many large ranches in Mendocino County are composed of smaller legal parcels. Permitting widespread cannabis cultivation on rangeland parcels would provide an economic incentive to breakup these ranches and other large landholdings and lead to the very fragmentation and loss of ecological diversity and sustainability that our general plan works to prevent.*

While the proposed PHASE THREE LAND USE PERMIT PROCESS for the regulation of cannabis production is well intentioned, there are many issues that need to be worked out before it will achieve its stated goal of protecting the natural resources of our county while allowing for the expansion of legal cannabis production. This may require an EIR before expanding cannabis production and certainly requires increasing staffing at both the planning and enforcement levels.

Your time and effort to create, adopt, and enforce responsible cannabis cultivation guidelines is greatly appreciated.

Sincerely,

Helen Magruder Menasian

County of Mendocino Planning Commission  
501 Low Gap Rd.  
Ukiah, CA 95482  
[pbs@mendocinocounty.org](mailto:pbs@mendocinocounty.org)

March 18, 2021

Dear Planning Commissioners:

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Following are facts related to this Cannabis expansion item.

1. A large number of permits were issued illegally by the Agriculture Department, in their haste to issue permits.
2. The Planning Department admits they do not inspect whether Land Use Conditions are implemented.
3. Cannabis Code Enforcement is intentionally severely under-staffed.
4. The Sheriff reports he is over-whelmed and under-gunned by the current Cannabis community.
5. The County proposes a major expansion that exceeds State standards of 1-acre maximum and rather than hire more Enforcement, hires a Cannabis lobbyist to head the Cannabis Program!

In view of these facts, the public is concerned more illegal permits will be issued and that the Planning Departments site specific CEQA analysis and Land Use conditions are essentially a paper exercise to collect a fee and the grower will simply do whatever they want with no consequences.

Because the public has absolutely no confidence in these three departments, as currently configured, to protect the public interest we insist on a fully transparent process posted on-line, in real time, so the public can monitor the functions of these departments.

Following are changes the public who decisively defeated measure AF require.

1. Decouple Phase III from Cannabis expansion. No expansion until the public and Sheriff are convinced that the existing condition is under control.
2. An annual cap on the total number of permits by zoning and a cap on the total number of permits allowed county-wide.
3. Cumulative affects and CEQA analysis posted on-line for each permit.
4. Code Enforcement and Planning Cannabis environmental analysis be independent of the Cannabis Manager.
5. All permits, especially AP and Minor Use, be legally noticed public hearings, not necessarily involving the Planning Commission.
6. All permits and Use Permit conditions be posted on-line, in real time.
7. All permits require an annual inspection, paid for by the grower, and inspection results posted on-line naming the agencies and inspector(s) involved.
8. Cannabis Staff qualifications posted on-line.

Sincerely,  
Dennis Slota and concerned Public

**Angie Lane - Planning Commission - Special Meeting Commercial Cannabis Facilities March 19, 2021**

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**From:** Laura Clein <koalaura18@yahoo.com>  
**To:** "pbs@mendocinocounty.org" <pbs@mendocinocounty.org>, "bos@mendocinocount...  
**Date:** 3/18/2021 12:57 PM  
**Subject:** Planning Commission - Special Meeting Commercial Cannabis Facilities March 19, 2021

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Planning Commission - Special Meeting Commercial Cannabis Facilities March 19, 2021

Dear Honorable Commissioners & Supervisors,

We support The Mendocino Cannabis Alliance memo. Phase 3 can move forward without expansion at this time!!! Since there is a facilities & a cultivation side to this ordinance you are considering , we wish the item could grandfather in not just zoning types but facilities for small farms to be able to more easily process as well as have wholesale distribution & retail delivery of our own products.

Thank you, Laura & Marty Clein

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**Angie Lane - Opposition to Phase 3**

**From:** Sun Roots Farm <sunrootsfarm@gmail.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 12:59 PM  
**Subject:** Opposition to Phase 3  
**Attachments:** A.png

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Planning & Building Services

Hello,

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Although it continues to be stated and informed that all phase 3 applicants will be under strict environmental and scientific review in order to be approved, this is not nearly enough. This is because the review is only prior to cultivation, it does not take into consideration the effects of long term extraction of resources, nor does it consider the effects of what such a large canopy of cannabis plants can do to the future's ecosystem. Of course a new undisturbed site will complete all the check marks for a major use permit, but will that continue to be the case in a couple years time?

On any cultivation site many pests and diseases may endanger the plant's growth, and because of this a cultivator must be extremely diligent in controlling the pests or disease outbreak before it spreads to other plants, including non-cannabis plants such as native trees and fauna. This is the case with aphids, mites, thrips, fungal root rot, mildew, mold, and other pests and diseases that are appearing **anew** every year. Typically these pests and diseases require hand applications of either organic measures including beneficial insects or worse, non organic pesticides, fungicides, and more. Even with organic measures and insects the farmer is introducing, likely, non native species and outputs. To maintain order in a 10,000 sq foot garden takes thousands of dollars and months of labor to get under control. Granted these expansive acreage grows owned by well capitalized entities will be able to afford these costs, but it is very unlikely that they will have the ability to check every single branch of every single plant in order to eliminate damage to their surrounding environments on that scale. This is why monocropping is well known for being so detrimental, because they can only be controlled with invasive and inorganic measures, which in turn further depletes soil health and leaks poisons into water ways, causing desertification. This is easily seen by looking at a map of drought areas. See attached file titled: A.png. Everywhere there is little rainfall and desititivatoon happening, is where huge AG farms exist. Coincidence? Absolutely not. There is a 100% guarantee that with this proposed expansion of canopy, new bugs and diseases will spread all over the county and the soil health will take a turn for the worse, harming our water and air health along with it and therefore contributing to food, water, and clean air shortage.

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My partner and I have been farming collectively for over 40 years. Him, right here in Mendocino County the whole time, and myself, all over the world. I am speaking to you with grave concern as I have witnessed other locations in the world suffer due to desertification from inappropriate expansive farming practices, and the HUGE impact it has on the region and communities that reside there. Small farms will help reverse climate change. It would be extremely dangerous to allow this expansion knowing that monocrop scales of agriculture are depleting the last of the earth's resources while brewing a whole plethora of new problems for the planet in contribution to climate change. Northern California will become uninhabitable because it will be too hot to live here if we continue on the path of over extraction and do not do our best to support and create more regenerative, small farms.

We know that regenerative agriculture through SMALL farms is crucial. Expansion will wipe us all out and leave little left behind. When the water dries up and the soil becomes dead dirt, these 10% farms will want to move on, having left behind a huge mess. Exactly what many vineyards are doing now. Cancer causing glyphosate can be found in all of California's wines. Why would we allow them to take over undisturbed land in the hills and valleys of our precious Mendocino County? Profits over habitable land, natural resources, and safety for ourselves and future generations really is not worth it. Please reconsider this expansion and hear the loud voices of the already existing community that wants to invest time, money, and energy and live here for generations to come.

Another case, which has been made clear through many of the public comments already, is that allowing further water usage, and A LOT of it, takes from the same watershed that homes and businesses are already taking from. This does not add up, there is no new water coming into our aquifers at this time, as we face the worst droughts in the world's history. What will we do when the majority of peoples residential wells dry out? Where will we be sourcing water from when we are literally the last holders of water in the State of California. Northern California has been supplying water to the entire state for many years now and it is currently facing challenges, dried creeks, and dried wells with its own residents. How could we tax our water supply even further at this time? Also, with the water table so high in our region, any inputs put into the soil, will also affect the drinking water. Life will not exist without access to water.

There are also issues already with enforcement of the existing farms that need to be dealt with before any kind of expansion. The Sheriff's department does not support Phase 3, the Farm Bureau does not support it, and it seems like the entire county is not in favor of it. We do not support it because we know how much work needs to be done before we can even consider growing more. Let's deal with our Phase 1 applicants properly before creating a new giant mess.

There are so many public comments on this Phase 3 proposal in opposition to it, with the majority stating their concerns, and a petition going around that has gotten 1,000 signatures



in less than 2 days. Will the BoS consider what the entire community is petitioning for or will they ignore all of us for the pockets of a few corporations? Quick profits have always equaled detrimental long term effects in Mendocino's history - see salmon, logging, and mining industries - none of which lasted and all of which the county is STILL recovering from in a very unfortunate way - wildfires, drought, loss of native species and destruction to natural ecologies.

Impact on the community is yet another challenge to this proposal. It is better to have thousands of small farm owners who spend their money and energy and invest locally in their communities than non local residents. Those who are in favor of Phase 3 have not been local residents in the last 10 years, and only perhaps recently joined Mendocino County residents with the sole intent of extracting from the precious resources we have here. They have come to this county to purchase acres upon acres of undisturbed land in order to invest their 10% grows there. This has created further inequality in our area through jacking up the prices of land. There are residents here who have lived here their entire lives, contributing and adding to their communities, who can not afford to purchase land here anymore because the prices have become so inflated. I am witnessing residents whose parents are now elders and need to be taken care of unable to afford a place to nurse their parents and grandparents as they age.

Mendocino County is incredibly beautiful and is a special place to live. As an award winning regenerative farm, I would love to see all Phase 1 applicants be supported through education in best practices. This could work through a program, where best practicing farms are certified and enlisted to work with other local farms in order to help them achieve beyond organic, sustainable, regenerative, high quality cannabis. This could even be a volunteer program, as many regenerative certifications are, so the county does not have to incur any cost.

At our farm, Sun Roots Farm in Covelo, we have managed our farm using regenerative practices for years, and we have no problem pulling high quantity and great quality from our 10,000sq ft site. We believe that this can be reflected on all of Mendocino County cannabis operations so when federal borders do open up, we have the most special product available with an incredible story behind it. One that demonstrates a local governance and its community working together to create the highest quality cannabis the world has ever seen. Let our story be one of harmony, collaboration, and success!

We want to work together to create the best future possible and we are more than willing to participate in any type of education programs that will bring our people and our wonderful county together. Thank you so much for all your time and efforts.

Image source: <https://www.drought.gov/news/2020-drought-update-look-drought-across-united-states-15-maps>

Patricia Vargas

SUN ROOTS FARM

Covelo, CA 95428

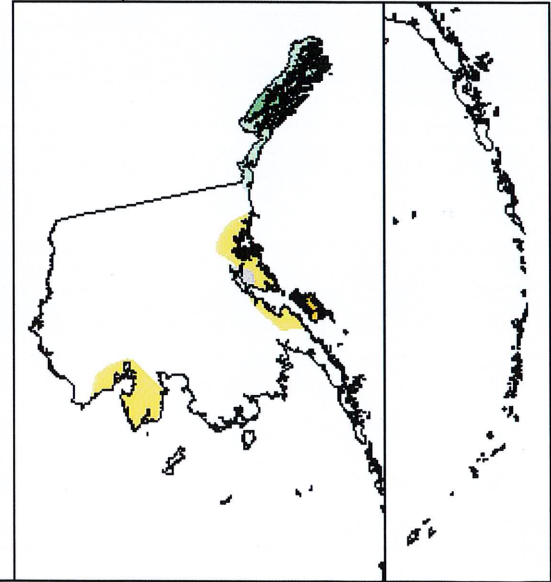
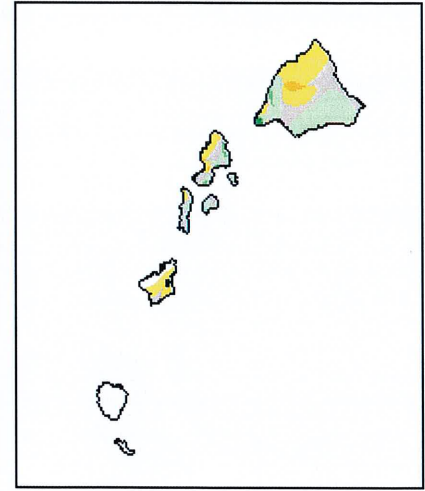
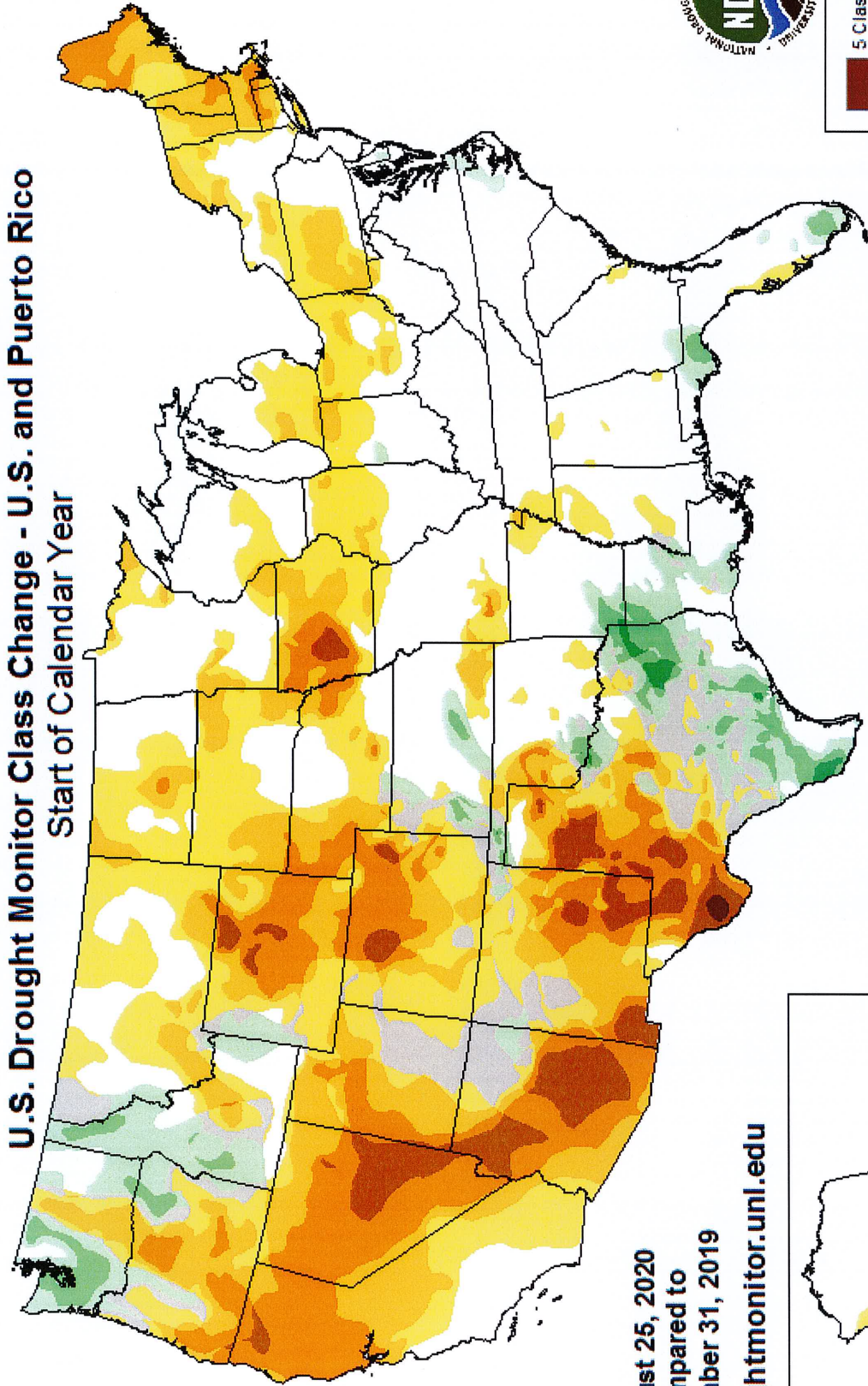
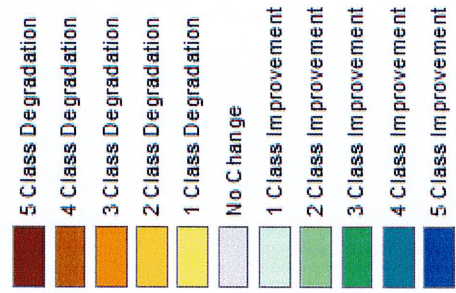
[\(707\) 272 - 4852](tel:(707)272-4852)



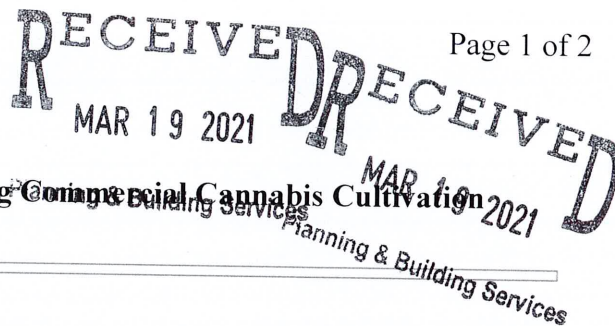
# U.S. Drought Monitor Class Change - U.S. and Puerto Rico

## Start of Calendar Year

August 25, 2020  
compared to  
December 31, 2019  
[droughtmonitor.unl.edu](http://droughtmonitor.unl.edu)







Angie Lane - Planning Commission - Special Meeting Commercial Cannabis Cultivation  
March 19, 2021

**From:** Laura Clein <koalaura18@yahoo.com>  
**To:** "pbs@mendocinocounty.org" <pbs@mendocinocounty.org>, "bos@mendocinocount...  
**Date:** 3/18/2021 12:59 PM  
**Subject:** Planning Commission - Special Meeting Commercial Cannabis Cultivation March 19, 2021  
**Cc:** Christopher Nielsen <christopher.nielsen@sen.ca.gov>

Planning Commission - Special Meeting Commercial Cannabis Cultivation March 19, 2021

Dear Honorable Commissioners & Supervisors,

We are a 10,000 sq ft all outdoor commercial cannabis farm on Rangeland in Covelo. We have been permitted by the county & provisionally licensed by the state since the cannabis program's inception, as well as participating prior to that in the 9.31 program.

We oppose the 10% expansion. There are a myriad of issues from economic to environmental, to name a few: The lack of water amid a drought. The fires! California's cannabis market is already over-saturated. There is no ability for interstate commerce yet. There are 1000+ farms, including ours, who only just received clarity from the County & State on the ongoing CEQA pathway problem last week, & it was NOT worked out as they promised it would be for the past four years... it's a mess but we & so many others, are willing to work through it.

We support the Covelo Cannabis Advocacy Group's memo, it aligns with what farmers who have been working at this for the past few years, some even decades, need at this time. Let's do this right this time! Let's find a compromise that reviews & expands incrementally as needed & like the state, reevaluates in 2023 & or if & when the borders open up. The entire premise of today's agenda is a fabricated narrative brought to you by corporations who are already operating at a loss with multi-national investment. They are playing our county government for fools!

We also support The Mendocino Cannabis Alliance memo which provides much more reasonable options to phase 3. Phase 3 can move forward without expansion at this time!!! Since there is a facilities & a cultivation side to this ordinance you are considering, we wish the item could grandfather in not just zoning types but facilities for small farms to be able to more easily process as well as have wholesale distribution & retail delivery of our own products.

Honor the commitment the County made to the phase 1 farms. Streamlining phase 1 is the priority. We support phase 3 land use permits as a pathway for phase 1 farms who need it. We support phase 3 for new projects from local farms who did not enter phase 1. Phase 3 does not need to be tied to 10% expansion, it could be 1 acre, 22,000 sq,ft or even stay as is. What is important is for phase 1 operators in good standing to be able to

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continue to cultivate & have continuity of business while this transition is happening. Another important consideration: minor use or administrative permits for outdoor small & cottage farms that are 10,000sq ft or less.

Overall, keeping Mendocino small farms small, for food, for wine, for cannabis, etc is in keeping with Mendocino's values of rugged independence, community resiliency & both economic & environmental sustainability. Small is beautiful! Put people over profits. We wonder why we are discussing anything above 1 acre. There is no license for over an acre at the state level at least until 2023 & it might not ever happen because for Type 5 large farm above 1 acre outdoors, the state will only approve this license type if a need or shortage is identified in the supply chain. CALIFORNIA MAY NEVER APPROVE OF ANY LICENSE ABOVE ONE ACRE.

You are tasked today with deciding the trajectory of cannabis as a precious resource in our county. We do not envy you. But we believe in a measured approach. Phase 1 is flawed. Phase 3 is flawed. After the bungling of phase 1 presumably in part because Mendocino County created an ordinance prior to the state regulations, it seems like we are right now poised to repeat that same mistake for phase 3, with much more dire consequences for the entire county. This is an excerpt from the Mendocino County General Plan "Principle 2-2c: Support the county's resource-based economy and take actions that protect and enhance the county's diverse natural resources. ... Promote small-scale or niche manufacturing using local resources for local or general use." We suggest a full countywide environmental review to find out significant impacts & more clarity on the sustainability of this item with regards to expansion before the county gets ahead of itself again.

Thank you, Laura & Marty Clein

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MAR 19 2021

Planning &amp; Building Services

**Angie Lane - Land use policy change**

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**From:** Sheila Matthias <sheilamatthiasptl@gmail.com>  
**To:** <pbs@mendocinocounty.org>, <bos@mendocinocounty.org>, <hascakj@mendocino...>  
**Date:** 3/18/2021 12:59 PM  
**Subject:** Land use policy change

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To Whom It May Concern,

Let me begin by thanking you for serving Mendocino County in the capacity that you are. I am humbly asking you, please reject the proposed ordinance change!

I have lived in Round Valley for over 32 years and have watched serious changes take place ever since the legalization of marijuana. We were told that things would get better as the county could regulate the industry, and the exact opposite has happened. There are more illegal grows here than legal, and it has carried more crime, pollution and destruction of our environment and community than anything I've seen in over 3 decades. There are hoop houses lit up everywhere with the constant sound of generators going. People's wells are going dry because of the high demand for water. Trees are being cut down for more light changing the beauty that we all love so much. Trash dumping is out of control and pesticides are doing damage that is incredibly destructive to our wildlife and water supply.

I understand that the temptation to create revenue is intense, especially with so many businesses effected by the covid-19 situation...but I'm begging you not to sell us out! No profit can be worth the destruction of a community and the lives of the people who live in it. I have talked with a wide spectrum of people in the valley concerning this issue, and everyone is in agreement that this is NOT a good thing for us!

Thank you for considering my request. Each of you has been entrusted with an obligation to be caretakers of the county in this capacity, please conduct your decision from a place of honesty as you hear the concerns of the people. I promise you that no amount of money is worth the integrity that is purchased without price. May you be guided in your decision.

Kind Regards,  
Sheila Matthias

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**Angie Lane - Opposition to Phase 3**

**From:** Sun Roots Farm <sunrootsfarm@gmail.com>  
**To:** <bos@mendocinocounty.org>  
**Date:** 3/18/2021 1:00 PM  
**Subject:** Opposition to Phase 3  
**Attachments:** A.png

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 Planning & Building Services

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Image source: <https://www.drought.gov/news/2020-drought-update-look-drought-across-united-states-15-maps>

Patricia Vargas

SUN ROOTS FARM

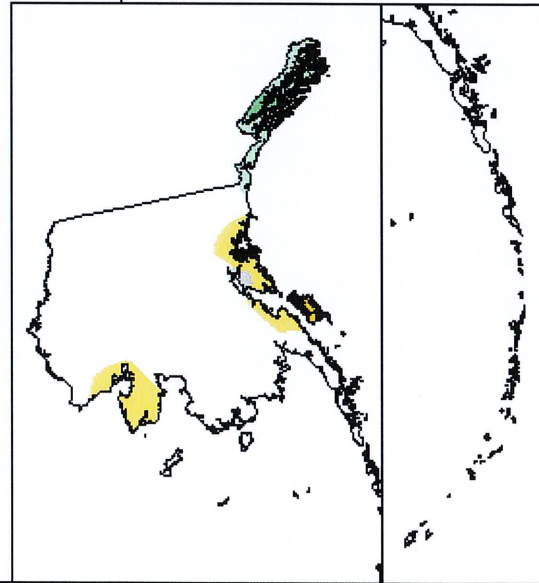
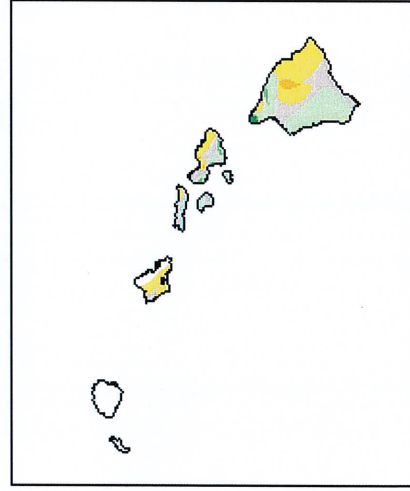
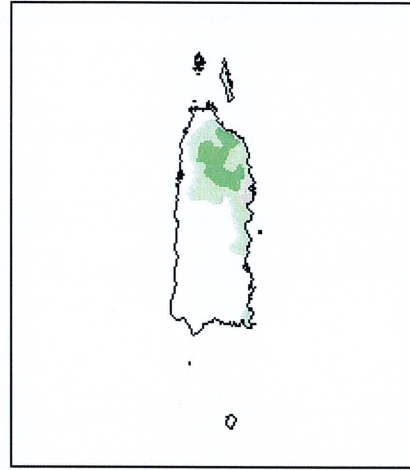
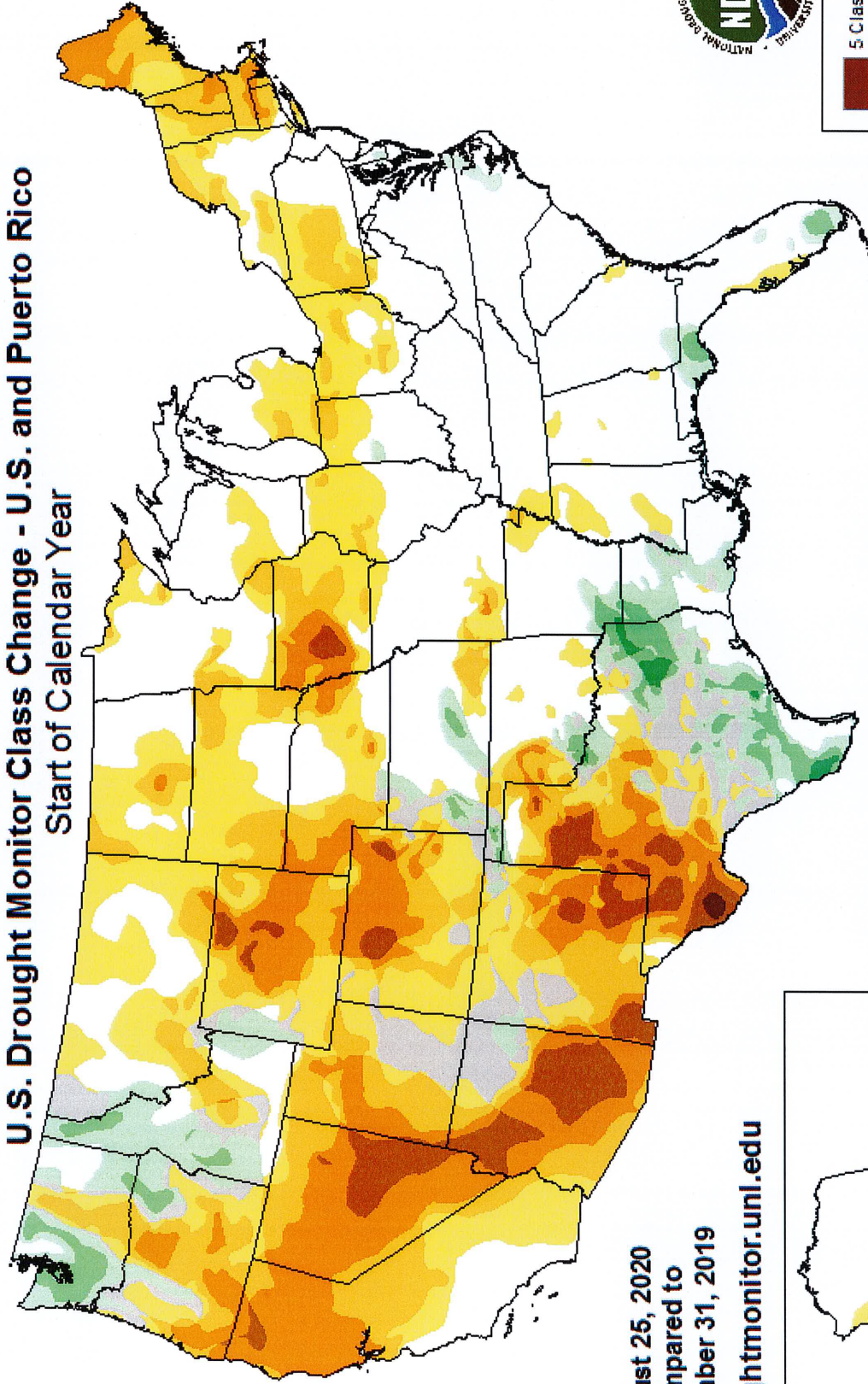
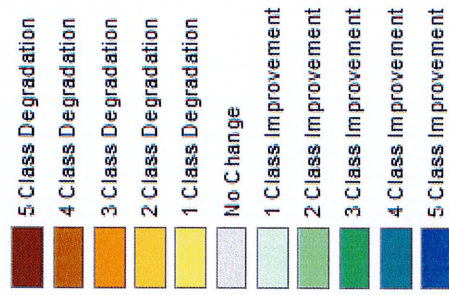
Covelo, CA 95428

[\(707\) 272 - 4852](tel:(707)272-4852)



# U.S. Drought Monitor Class Change - U.S. and Puerto Rico Start of Calendar Year

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December 31, 2019  
[droughtmonitor.unl.edu](http://droughtmonitor.unl.edu)



**Angie Lane - Planning Commission - Special Meeting Commercial Cannabis March 19, 2021**

---

**From:** Sequoia Crider <sequoia095@gmail.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:05 PM  
**Subject:** Planning Commission - Special Meeting Commercial Cannabis March 19, 2021

---

Dear Honorable Commissioners & Supervisors,

My name is Sequoia Crider & I am a concerned citizen and patient who uses medical marijuana.

I support the small farm model & oppose the 10% expansion.

The issues are many from economic to environmental:

The water amid a drought.

The cannabis market is already oversaturated.

There is no ability for interstate commerce yet.

The state does not allow anything over 1 acre size until 2023.

Phase 3 can move forward without expansion at this time. We suggest a full county environmental review to find out significant impacts & more clarity on the sustainability of this idea.

To quote the Ukiah Daily Journal "There are plenty of cannabis growers in this county already and if the county made it cheaper and easier to create and maintain mom and pop gardens, they would have fewer illegal grows.

Supervisors, listen to your sheriff, your farm community, your current growers, the environmental community, and put this idea on the shelf."

Thank you,  
Sequoia Crider

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**From:** Rosie D <bookhawkrosie@gmail.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:06 PM  
**Subject:** Proposed 10% expansion

Greetings!

I agree with the Laytonville Area Municipal Advisory Committee, the Round Valley Area Municipal Advisory Committee, Sheriff Kendall, the Mendocino Farm Bureau, and the more than 120 other concerned citizens who contacted you, please recommend against allowing a 10% expansion of commercial cannabis production into rangeland, ag land, and upland residential areas.

Thank you.

Sincerely

Rosie Brown

P. O. Box 707

Laytonville Ca 95454

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**Angie Lane - Planning Commission - Special Meeting Commercial Cannabis March 19, 2021**

---

**From:** Sequoia Crider <sequoia095@gmail.com>  
**To:** <bos@mendocinocounty.org>  
**Date:** 3/18/2021 1:05 PM  
**Subject:** Planning Commission - Special Meeting Commercial Cannabis March 19, 2021

---

Dear Honorable Commissioners & Supervisors,

My name is Sequoia Crider & I am a concerned citizen and patient who uses medical marijuana. I support the small farm model & oppose the 10% expansion.

The issues are many from economic to environmental:

The water amid a drought.

The cannabis market is already oversaturated.

There is no ability for interstate commerce yet.

The state does not allow anything over 1 acre size until 2023.

Phase 3 can move forward without expansion at this time. We suggest a full county environmental review to find out significant impacts & more clarity on the sustainability of this idea.

To quote the Ukiah Daily Journal "There are plenty of cannabis growers in this county already and if the county made it cheaper and easier to create and maintain mom and pop gardens, they would have fewer illegal grows.

Supervisors, listen to your sheriff, your farm community, your current growers, the environmental community, and put this idea on the shelf."

Thank you,  
Sequoia Crider

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LEEF Holdings  
175 North Lenore Ave  
Willits, CA 95450

Mendocino County Planning Commission  
501 Low Gap Road  
Ukiah, CA 95482

March 18, 2021

Dear Mendocino County Planning Commission;

I would like to express support for the items brought forth in Agenda item 6b by the Cannabis Ad Hoc Committee, and share our business' perspective.

LEEF Holdings has been operating in Mendocino for over two years. Our main focus is extraction and we currently have to buy over 2 million dollars of product each month outside of the county because Mendocino does not support our business's needs. We currently consume over 100 acres of canopy on an annual basis to put it in perspective.

There have been a lot of unknown variables hanging in the balance for local cultivators and ambiguity about the future of annual licensing. This puts our local suppliers in a vulnerable position, and makes it very difficult for a business like ours to plan for the future.

Phase 3 may be important to keeping the door open for legacy cultivators who don't make it through Phase 1. Phase 3 may be the only way for them to get into the program, and continue to operate here in Mendocino County.

This is especially important for Supervisor Haschak's and Brown's districts where many of our legacy cultivation partners are farming.

I hope that you will schedule a special meeting to discuss what Phase 3 might look like.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink that reads "Kelly Mayhugh". The signature is fluid and cursive, with the first name "Kelly" and last name "Mayhugh" clearly distinguishable.

Kelly Mayhugh, Manager

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To: Mendocino County Planning Commission

Subject: Proposed Phase 3 Cannabis Cultivation Ordinance

As a Cannabis business owner in Mendocino County, with two state provisional licenses in Phase 1, I am writing today in support of Phase 3 expansion. I am a business person with a background in retailing who is married to a legacy farmer. I ensure we run a completely legal farm from taxation, to track and trace, to environmental compliance, and the current caps on cultivation canopy limit our ability to take advantage of current market demand to support our farm and community for the long term. We support Phase 3 for the following reasons:

- (1) The regulated market is growing and changing quickly and we in Mendocino county are losing out to be key partners in the supply chain to growers in other counties in the state.
- (2) By limiting scale, we are limiting our name recognition and the legacy value of Mendocino County as the destination for the finest cannabis in the world. In a growing marketplace with new cannabis consumers, we are ceding shelf space and appellation recognition to large commercial outdoor, greenhouse, *and* indoor grows from other parts of the state. This issue will continue to be exacerbated when multi-state distribution and federal legalization become a reality.
- (3) We want to be the Napa Valley of cannabis. We cannot meaningfully support this destination status without expansion of our cultivation footprint.
- (4) Most importantly, we want to create a stable business model that will create long term jobs for our community. We want to be here in 20 years representing the best that Mendocino cannabis has to offer for our community, our business, and an independent, family-owned sustainable agricultural model.

Thank you for your time.

Ingrid Tsong

Founder

ITW Management, LLC

5155 Mill Creek Road

Ukiah, CA 95482

CCL19-0000944

CCL19-0000953

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**Angie Lane - Phase 3**

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**From:** Adam Shumaker <adchrisshu@yahoo.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:15 PM  
**Subject:** Phase 3

---

Dear Mendocino County,

I have lived in Mendocino County for **16** years. I love this county and am raising my family here. Currently, I work in cannabis in Sonoma County. I would love for more cannabis businesses to open and thrive in my home county. The countless hours I spend driving to work in order to work in this industry, I would much rather spend with my family. This past year, I am grateful that cannabis was deemed essential and I was able to continue working to support my family. I know many friends and neighbors that were not so fortunate. I do think cannabis business in Mendocino is a good thing and updating the existing regulations to better suit the cannabis worker and business owner would help our County tremendously.

Thank you,  
Adam Shumaker  
104 Poulos ct.  
Ukiah CA 95482  
[\(707\) 536-6864](tel:(707)536-6864)

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MAR 19 2021

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**Angie Lane - MCFB Comments on Agenda Item 6B for March 19, 2021 Planning Commission Meeting**

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**From:** Devon Jones <director@mendofb.org>  
**To:** "pbscommissions@mendocinocounty.org"  
<pbscommissions@mendocinocounty.org...  
**Date:** 3/18/2021 1:17 PM  
**Subject:** MCFB Comments on Agenda Item 6B for March 19, 2021 Planning Commission Meeting  
**Attachments:** MCFB Comments on Agenda Item 6B Phase 3 Cannabis Cultivation Ordinance for March 19 2021 Planning Commission Meeting.pdf

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Please see the attached comments from the Mendocino County Farm Bureau for Agenda Item 6B on the March 19, 2021 Planning Commission Meeting.

Thank you

**Devon Jones**  
**Executive Director**  
**Mendocino County Farm Bureau**  
**303-C Talmage Road**  
**Ukiah, CA 95482**  
[\(707\)462-6664](tel:(707)462-6664)

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# Mendocino County Farm Bureau

303-C Talmage Road • Ukiah, CA. 95482 • (707) 462-6664 • Fax (707) 462-6681 • Email: [admin@mendocfb.org](mailto:admin@mendocfb.org)  
Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

March 18, 2021

Mendocino County Department of Planning and Building Services  
860 North Bush Street  
Ukiah, CA 95482

Submitted Via Email: [pbscommissions@mendocinocounty.org](mailto:pbscommissions@mendocinocounty.org)  
[pbs@mendocinocounty.org](mailto:pbs@mendocinocounty.org)

*RE: Agenda Item 6B for March 19, 2021 Planning Commission Meeting*

Dear Commissioners,

Mendocino County Farm Bureau (MCFB) is a non-governmental, nonprofit, voluntary membership advocacy group whose purpose is to protect and promote agricultural interests throughout Mendocino County and to find solutions to the problems facing agricultural businesses in our rural community. MCFB requests that the Planning Commission consider the comments below for item 6B on the March 19, 2021 agenda related to Chapter 22.18 –Commercial Cannabis Activity Land Use Development Ordinance.

## **General Comments**

It is a fact that “Phase 3” of the county cannabis cultivation ordinance has been postponed several times. MCFB understands that limiting cannabis cultivation permit capabilities to those with proof of prior cultivation under Phase 1 is a double standard and that Phase 3 is the proposed pathway to allow for new permits. However, it is also a fact that the county is severely struggling with making headway on approving permits on the 1000 or so applications that were received to cultivate cannabis under Phase 1. There have been multiple revisions and attempts to move the process forward, yet the existing system is broken, and it is not apparent if there is a fix to assist applicants with getting beyond provisional state licensing.

Now, with this agenda item, the county is looking to add one more layer of complexity to the already spiraling situation. MCFB, like many others, have spent a significant amount of time submitting comments on the county cannabis ordinance for close to five years. It has been an almost exhausting process of multiple revisions, changing policy and confusion over what is currently being implemented. In addition, if there was a true accounting of county resources spent on developing and executing these cannabis ordinances, it would most likely circumvent the income dollar signs that seem to be driving the conversation.

So, as you can see, there are doubts that a Phase 3 program will be run any smoother than what has been seen to date. MCFB encourages the Planning Commission to consider the comments below and take time to reflect on the existing situation the county is in before rubber stamping the next phase for cannabis cultivation.

### **Oversight: Will it happen?**

Several of the environmental review roadblocks seen in Phase 1 are being proposed to be resolved through the requirement of use permits in Phase 3. Perhaps through permit specific CEQA and by placing specific conditions on a permit, a smoother environmental review process can be seen in Phase 3.

However, based on what has been seen in Phase 1, the key to mitigating environmental impacts will be oversight to ensure the implementation of mitigation terms. Use permits can be revoked or modified if violations are found, but does the county truly have the capacity to offer this oversight? If not, then violations will continue to occur and the county is not any closer to protecting the environment, its citizens or those in the cannabis industry that are working to be compliant.

The staff memo for agenda item 6B tries to instill that there will be a more stringent discretionary review process for Phase 3. MCFB bluntly asks the county to back this claim up by concurrently staffing up code enforcement and the Sheriff's department to verify compliance for both Phase 1 and Phase 3. If the status quo continues with a complaint driven system, then Phase 3 will just compound the frustrations expressed by the non-cannabis cultivating citizens of the county.

### **Appendix A**

It was not surprising that the conversation about expanding permit sizes and re-introducing the ability to cultivate on RL came back to the Board of Supervisors last year. It was frustrating that the conversation occurred without adequate notice to the public to offer comment on the proposal.

Within Appendix A for agenda item 6B, the two zoning designations that MCFB will focus comments on are RL and AG.

### **Range Land**

With Phase 1, a Mitigated Negative Declaration was performed by the county for CEQA compliance for existing cannabis cultivation on resource land designations such as RL, FL and TPZ. "New" cultivation was removed from consideration on these same resource lands due to concerns regarding environmental impact. However, new cultivation has been seen on RL designations throughout the county. Perhaps some of these were permit transfers, but without seeing regular updates on permit transfers or permit approvals on RL, it is hard to say if these situations are working within or outside of the permit system. Without extensive compliance review, how does the public know if the county has followed the terms of the Mitigated Negative Declaration?

If RL is going to be brought back into the permitting conversation for Phase 3, what was the rationale for having RL included under every possible permit type? How many RL parcels of 10+ acres in size, which qualify for Phase 3, are in the hundreds of thousands of total acres of RL in the county? Driving indoor permit types onto RL will require further development of structures and related infrastructure on remote locations throughout the county. This does not seem advantageous to reducing the conversion of RL and lessening the environmental impacts for Phase 3 or improving oversight.

If RL is going to be re-included under Phase 3, there needs to be serious consideration to also limiting new permits to pre-developed RL parcels that have existing infrastructure (water, roads, etc.) that are appropriate for a conversion to a cannabis cultivation facility. Remote RL parcels with limited resources

should not be considered.

MCFB does not feel that the county has given enough consideration to the potential environmental impacts that could be seen with the proposed permit allowances on RL as represented in Appendix A and requests revisions be made to limit permit types on RL.

### **Agricultural Lands**

In relation to promoting additional cannabis cultivation onto AG zoned property, MCFB has significant concerns premised on what has been seen with Phase 1. Acres of AG zoned property, some with prime soils, have been converted using aggregate groundcovers or permanent concrete pads for indoor grow structures. The loss and degradation of AG soils in the county is not something that should be taken lightly. Since there is limited to no data on the assumptions of the future of the cannabis market for the county or the state, if the cannabis boom goes bust, then MCFB has significant concerns about how AG zoned properties under cannabis cultivation will be returned to a state to allow a conventional agricultural use.

Like RL, Appendix A proposes to allow for all permit types on AG zoned property and to even expand cultivation footprints to 10% of the parcel size. Acres of permanent structures on AG zoned property will be difficult to mitigate if the operations connected to the structures cease.

CEQA specifically calls out the need to consider project impacts to agriculture and forestry resources. The county needs to be prepared to understand the CEQA checklist requirements (see below) related to agriculture and forestry resources to ensure that proposed projects are fully mitigating any potential impacts.

#### *AGRICULTURE AND FORESTRY RESOURCES.*

*Would the project:*

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?*
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*
- d) Result in the loss of forest land or conversion of forest land to non-forest use?*
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?*



MCFB does not feel that the county has given enough consideration to the potential environmental impacts that could be seen with the proposed permit allowances on AG as represented in Appendix A and requests revisions be made to limit permit types on AG.


Additionally, anticipation of Phase 3 permits being driven onto AG zoned properties has led to a surge in the purchase of AG zoned properties, both on and off the market. In areas of the county with larger AG zoned designations, such as in Potter Valley, property owners who do not have properties listed for sale have been approached with lease to own options or purchase options significantly above market value for the intent of cultivating cannabis. Even if owners decline a sale offer, there has been continued pressure to sell. These occurrences are happening, and the county needs to be aware.

With the focus on AG zoned properties for cannabis cultivation, the county had also seen property values become artificially high. Almost every AG property for sale right now is being purchased by a cannabis cultivator or investor that is overpaying for the property. If you are a young conventional farmer, or an existing farmer looking to expand an existing operation, you will be driven out of the market.

There is also significant concern over verification of water source. Certain county water districts are already looking at creative ways of providing water to both municipal and agricultural customers. Water use for cannabis cultivation is not always truly accounted for as the district management may not be aware of where “permitted” cultivation is occurring. With 2021 looking to be another below average water year, the Planning Commission needs to be serious about verifying water source adequacy and being transparent with water purveyors about cannabis permitting. This is applicable to all zoning districts and it should not always be assumed that AG zoned properties have adequate water resources.

It is unfortunate that the county’s inability to implement Phase 1 or enforce mitigations and protections related to cannabis cultivation is overshadowing the process for Phase 3. However, this is the reality. The Planning Commission should take an honest look at the state of cannabis permitting in the county and decide how to improve upon the process, not make it worse. If the county does not have the resources to adequately implement and provide oversight to Phase 3, then the county needs to admit this up front and not dig a deeper hole.

Sincerely,

A handwritten signature in black ink that reads "George Hollister". The signature is written in a cursive, flowing style.

George Hollister  
President

**Angie Lane - Opposition to Expansion of 10% Rangeland for Corporate Cannabis**

**From:** Bob and Kathy Hallinan Bonnet <bonnetranch@gmail.com>

**To:** <pbs@mendocinocounty.org>

**Date:** 3/18/2021 1:27 PM

**Subject:** Opposition to Expansion of 10% Rangeland for Corporate Cannabis

**Cc:** <bos@mendocinocounty.org>, <senator.mcguire@senate.ca.gov>, <cfbf@cfbf.c...

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Dear Mendocino County Planning Commissioners:

Cc: Mendocino County Board of Supervisors , Senator Mike McGuire, California Farm Bureau, California Audubon Society

Cc: Hard copy: State of California Governor's Office, California Department of Water Resources, California Department of Fish and Wildlife

We are 20 year residents and property owners in Mendocino County - I am retired law enforcement and work with Cal Fire on wildland fires.

We are opposed to this proposal by Mendocino County to allow expansion of corporate cannabis into 10% County rangeland.

We believe this approval will change the landscape of this beautiful County from one of mountains and valleys to backlit greenhouses spoiling vistas and lives.

We believe this approval would adversely impact the already desperate water aquifers, and displace current levels of wildlife allowed to graze on Mendocino's pastures and hillsides.

Currently existing corporate entities have consistently brought in workers from outside Mendocino county causing disruption, in housing and ignoring the local community needs. Existing permitted corporate owners have ignored regulations and requests from neighbors for certain input and outright trespasses with lack of issues such as road maintenance , bridge maintenance, and excessive traffic patterns by their heavy equipment.

Their lack of infrastructure improvements for the residents and the county show that they are not interested in improving conditions in this county rather only interested in taking profits and cutting corners with regulations and accountability.

We understand that some of these greatly self touted cannabis corporations have lost their state business licenses and have come behind in their county property taxes, even though advertising their tens of millions of dollars in investors and assets. All the while promising their benefits to the County which has yet to be seen.

This is a great injustice to the existing small family grows that have been in this County struggling until legalization had arrived - just to throw the heritage and small business advantages to Cannabis corporations makes no sense and is plainly wrong.

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In closing we oppose Mendocino County proposals to allow cannabis corporations to expand into 10% of County pristine rangeland for the above reasons , and for the fact that their history in our county shows a proven lack of cooperation with neighbors and lack of trust within local communities.

Mendocino County property owners and small businesses who have been maintaining their taxes dutifully, look to Mendocino County representatives to hold these large conglomerates of cannabis corporations to transparency and rule of law.

Sincerely,

Mr. and Mrs Robert and Kathleen Bonnet



**Angie Lane - Letter for Planning Commission Hearing 3/19/21**

---

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**From:** Meghann Sommer <meghann@heritagecal.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:35 PM  
**Subject:** Letter for Planning Commission Hearing 3/19/21  
**Cc:** Joshua Keats <joshua@henrysoriginal.com>, Jamie Warm <jamie@henrysorigin...  
**Attachments:** Henry's Letter- PC Hearing - signed.pdf

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To whom it may concern:

This letter is being submitted for the Planning Commission Hearing tomorrow on behalf of Joshua Keats and Jamie Warm of Henry's Original in support of agenda items 6a. and 6b.

Thank you

--

Meghann Sommer

Heritage Holding of California, Inc.

[www.henrysoriginal.com](http://www.henrysoriginal.com)

@henrysoriginal

@henrysoghouse

m. [\(513\) 335-8648](tel:5133358648)

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# HENRY'S ORIGINAL

**To: Planning Commission of Mendocino County**  
**From: Henry's Original co-founders Joshua Keats & Jamie Warm**  
**RE: Proposed Phase 3 Ordinance Adoption**

Cannabis cultivation in Mendocino County has been both a boon and a curse for the better part of half a century. Those that have acted responsibly in their cultivation practices have likely found a niche life of self-sufficiency and satisfaction. Many beautiful small communities have been built around it here in Mendocino. The inception period of Mendocino Cannabis will certainly be looked back on in an idyllic way. And too, there have been bad actors that have come into the County following the illicit cannabis gold rush, and we all know well the result of these: environmental degradation, home invasions, overburdened law enforcement, infiltration of National Forests and private lands alike with sometimes violent incidents. This has been our community's collective history.

Since the passage of Prop 64 by the State of California five years ago, we have seen a crossroads for our County racing quickly towards us. The world is now in the middle of a global legalization of cannabis, and it is happening at an increasingly accelerated rate. While more and more States legalize cannabis for recreational and medical use, sovereign countries are now following suit. Just last week Mexico ratified its cannabis legalization. Only six States in the US currently consider cannabis illegal. There is more cannabis being produced in the US and globally than ever before. The times have changed. It is time for us as a community to now accept this, and move forward with what we are going to do next. Because here, in Mendocino County, especially in the Third District, we face many crises: housing, under-equipped law enforcement, poverty, and a lack of general resources to sustain a community.

I am here to speak some unpopular truths: we as a County have relied on black market cannabis to support our communities for decades. This has done foundational damage to our local society. People do not want to get everyday jobs. Every employer I have spoken to repeats this same problem - they cannot compete with the pay rate and lackadaisical employment practices of illicit cannabis work. Secrecy and theft, people holding cash in their houses because they cannot deposit unclaimed income into their banks, home invasions for cannabis held in residences after harvest - these things have torn at the fabric of the community here. This is in addition to the fiscal disaster that a lack of taxation on the County's largest product has created for the infrastructure of the County.

It is time to make a change. It is time to put Mendocino County on a path to a normalized agricultural economy and community. It is time to create stable, lasting jobs, collect taxes, build infrastructure that is long overdue to support the communities that are about to be very adversely affected by the imminent decline in the bulk commodity pricing of cannabis.

Because that is what is coming. We are facing an imminent oversupply that will crash the black market within a matter of years. If we do not take this moment to let our licensed, legal, tax paying, job creating, employee-benefit-providing businesses scale with the rest of the State - Country - World - we will be in a far far worse place than we are now. If the legitimate businesses here cannot scale along with the rest of the industry we have but two choices - leave Mendocino County or close our doors. What jobs will the Third District have when that happens and the price on the black market drops below the cost to produce cannabis in the hills? When at 10,000 square feet or even an acre of cannabis cultivation there is not enough margin to run a legitimate, licensed business?



# HENRY'S ORIGINAL

This is another truth: agriculture runs on scale - that's the premise of a farm. There are not 1 acre farms of any product because no one can make ends meet at such a small scale, regardless of the crop. The USDA considers a "small farm" anything under 179 acres. Agriculture is only successful at some level of scale that allows for reduced costs to produce the good.

These are not popular sentiments. But they are irrefutable truths. To wait until 2023 to reconsider adequate expansion, as the Mendocino Cannabis Alliance has suggested, is to put Mendocino so far behind the times that it will suffer the same fate that I have heard told time and time again by the County's grape growers: that as the California wine industry started to rise, Mendocino farmers were not adequately supported by their County, and the brand value was won by our neighboring Counties. Let's not make this same mistake again.

Additionally, we are up against a wall in regards to the State's willingness to allow cultivation activities to be recognized under their current environmental compliance. Right now there is a window of opportunity to promulgate a cannabis ordinance that is already included in the States CEQA compliance. If we wait past this June, we will be in a lengthy process to readminister an ordinance without this CEQA exemption and that would potentially cost the County millions of dollars and take years to prepare, effectively delaying future expansion to beyond 2025.

Phase 3, as drafted, is a solution to the Cannabis Problem Mendocino County has faced for the last twenty-plus years. Both the 9.3I Program and Phase I allowed cultivation without oversight, without State Licensure, without checks and balances. Phase 3 allows for none of those things. Phase 3 is a discretionary process and each operation is vetted by the Use Permit process for environmental and community compatibility. No one can plant a single plant without an annualized State License, full environmental compliance plan approved by CDFW, Use Permit approved by the County. The 9.3I Program and Phase I allowed for cultivations in neighborhoods. Phase 3 only allows for cultivation at scale in Ag appropriate zonings of AG, RL and UR. Phase I only allowed pre-existing "legacy" cultivators to obtain licenses. Phase 3 allows grape growers, ranchers, farmers to diversify their crop or lease a small portion of their land, to allow for solvency of their farming operations at a time that grape prices are below cost to produce. Phase I did not effectively produce substantial tax revenue for the County because so many operators came from and continued to divert to the Black Market. Phase 3 will shepherd in traditional farmers cultivating out in the open, next to sheep, cattle, vineyards and olive trees - farmers that have not previously operated a business of selling cannabis on the black market and are not already inclined to divert. Phase I did not create a meaningful amount of compliant, tax paying jobs because the scale was so small that there was little additional labor needed on-farm, and the locations were more often than not so remote that there was little scrutiny of employment practices. Phase 3 will create thousands upon thousands of jobs for County residents, with benefits, safe work environments, compliance with OSHA and California Employment Laws, payroll tax and direct-deposit paychecks that will eliminate paper-cash from the community. Phase 3 will allow the businesses here to continue to create a brand for Mendocino County Cannabis by providing enough produce to compete in the legal, licensed, open, soon to be global market.

I see a welling up of crises in the community and the fear change brings. But this change, although hard, is healthy. We have in front of us an opportunity to set the County in a direction that has a better chance of resulting in a happier, healthier, more sustainable and prosperous future.

Sincerely,

*Joshua Keats*  
Joshua Keats (Mar 18, 2021 13:20 PDT)

Joshua Keats, Co-Founder, Co-CEO

*Jamie Warm*  
Jamie Warm (Mar 18, 2021 13:19 PDT)

Jamie Warm, Co-Founder, Co-CEO











# Henry's Letter- PC Hearing

Final Audit Report

2021-03-18

Created:	2021-03-18
By:	meghann sommer (meghanncsommer@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA2sUTlekDpIlbvpvpihKSn85Rz4Ft0p2rF

## "Henry's Letter- PC Hearing" History

-  Document created by meghann sommer (meghanncsommer@gmail.com)  
2021-03-18 - 8:16:40 PM GMT- IP address: 23.134.144.242
-  Document emailed to Jamie Warm (jamie@henrysonline.com) for signature  
2021-03-18 - 8:17:46 PM GMT
-  Email viewed by Jamie Warm (jamie@henrysonline.com)  
2021-03-18 - 8:17:51 PM GMT- IP address: 66.249.84.83
-  Document e-signed by Jamie Warm (jamie@henrysonline.com)  
Signature Date: 2021-03-18 - 8:19:17 PM GMT - Time Source: server- IP address: 67.170.217.50
-  Document emailed to Joshua Keats (joshua@henrysonline.com) for signature  
2021-03-18 - 8:19:18 PM GMT
-  Email viewed by Joshua Keats (joshua@henrysonline.com)  
2021-03-18 - 8:19:37 PM GMT- IP address: 66.249.84.83
-  Document e-signed by Joshua Keats (joshua@henrysonline.com)  
Signature Date: 2021-03-18 - 8:20:04 PM GMT - Time Source: server- IP address: 76.102.233.102
-  Agreement completed.  
2021-03-18 - 8:20:04 PM GMT

Angie Lane - OA\_2021-0002

**From:** First Cut Farms <firstcutfarms@gmail.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:50 PM  
**Subject:** OA\_2021-0002

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MAR 19 2021

Planning & Building Services

Mendocino Planning Commission

I'm in opposition of the proposed 10% expansion. There is no reason expansion should be considered for Phase 3.

Currently, Mendocino County restricts a resident's ability to cultivate for medical or personal use by not allowing outdoor cultivation of 6 plants on parcels smaller than 10 acres. Now you are considering international corporations, investment firms and citizens to be able to cultivate up to 10% of a parcel over 10 acres?

The state of California does not have a license type to accommodate a 10% expansion.

License stacking in Mendocino should still not be allowed. The county should keep its current policy on how many licenses a parcel can have associated with it and not allow permits to exceed the total amount of approved canopy of 10,000 sq ft.

The completion of current applicant's permits should be the priority. Then, allow for new applicants to open under the same canopy caps the county already has in place.

I am in favor of a land use ordinance as a path way for existing applicants and for new applicants to move forward with county and state licensing requirements. Just because new applicants apply for a use permit and go through an environmental review does not mean the ordinance should include expansion. Expansion should not be allowed

Thanks  
Jerry Munn

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**Angie Lane - "Commercial Cannabis Activity Land Use Ordinance."**

**From:** Paul Jacobson <4paulj@gmail.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:51 PM  
**Subject:** "Commercial Cannabis Activity Land Use Ordinance."  
**Cc:** <bos@mendocinocounty.org>

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**MAR 19 2021**  
Planning & Building Services

Re: agenda item 6B for the 3/19/2021 Planning Commission meeting.

Dear Mendocino County service representatives, Commissioners, and Supervisors;

This letter regards agenda item 6B, the "Commercial Cannabis Activity Land Use Ordinance" which has been proposed and will be reviewed on 3/19/2021.

I adamantly oppose this ordinance as written. It is contrary to my values and those values of most community members I know. It is so terrible I consider it a complete betrayal of your constituents. I live off a dirt road with Numerous cannabis grows, both legal and illegal. While I once viewed the moon rise over the hills, I now see glowing hoop houses ruining night sky viewing. 'Grow boys' race by in their 4 x 4's, caring little about the consequences of their actions; clouds of dust follow their trucks billowing into the air, coating everything, including our lungs. Your ordinance, like the green rush profiteers, show little concern about the communities, the environment, or the consequences of your actions. It insures more of the same.

The new influx of green-diggers seem to be concerned about dollars and nothing more. Your ordinance enshrines this complete lack of community value.

Where are the environmental safeguards we desperately need? Where is the regard for your existing constituents, forced to hear hours of generators ruining the night silence, dust clouds from trucks, and ruined roads.

The ordinance clearly increases fire risk, extra roads, and massive extra water use for more cannabis grows. This proposal arrives as we've faced catastrophic fire seasons over the last five years, and are in a major drought right now! What an amazing lack of judgement you display. This is completely astounding to me.

Currently, with more eggarious illegal grows, (now more than ever before), who are you representing by opening up more rangeland, and further expanding this already out-of-control situation?

Where is funding for oversight to reign in this massive disregard for our community complaints? This entire ordinance enshrines bigger as better, and throws the struggling small family growers under the bus. It enshrines disregard of citizens while prioritizing dollars. It enshrines corruption, because more and bigger illegal grows will continue to arrive while you turn a blind eye.

This ordinance also completely disregards the many objections raised by civic and environmental organizations which advise Mendocino County, and helped develop the current ordinance.

We all object to this proposal.

Paul Jacobson  
Willits, CA

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"Re-examine all that you have been told... dismiss that which insults your soul."  
~ Walt Whitman

"Our task must be to free ourselves by widening our circle of compassion to embrace all living creatures and the whole of nature and it's beauty."  
~ Albert Einstein

**Angie Lane - Cultivation Ordinance**

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**From:** chris potter <calicouple247@yahoo.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 1:57 PM  
**Subject:** Cultivation Ordinance

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Planning & Building Services

Dear Mendocino County,

I have lived in Mendocino all my life. I have been disheartened to see how slow the county has been to adopt cannabis regulation to make this iconic county a thriving economic center for the cannabis industry. People are often perplexed that I work in cannabis in Sonoma County but live in Mendocino county. I would love for my county to become the mecca it once was for this industry. I also have seen the effect cannabis has had in other places and I'd like to see that success happen in Mendocino.

Thank you,

Chris Potter

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[Sent from Yahoo Mail for iPhone](#)

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**From:** Susie Rohrbough <susierohrbough@yahoo.com>  
**To:** <pbs@mendocinocounty.org>  
**CC:** <bos@mendocinocounty.org>  
**Date:** 3/18/2021 2:15 PM  
**Subject:** Agenda item 6B

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We are writing this letter with many concerns..

1. The land that is already taken over by Cannabis is being destroyed by lack of inspections to see if they are properly staying within guidelines of the ordinance that is already on in place. Land is being clear cut, hills eroded due to machinery cutting down soil with no proper erosion control being enforced. The inspections process after it leaves your office is very obviously never looked at again. You don't allow homesites, roads or any other construction without proper study and inspections so why so fast to move on the Cannabis issue.? This lack of care for the process that you want this to move through quickly is very alarming and disrespectful to all individual in other occupations in this county.

2. WATER is the second and the biggest problem that is going to arise. What are you going to do about it? There is already a shortage and many law breaking illegal ways of transporting water that are happening so these individuals growing the Cannabis can water their crops. If you expand without researching this problem and getting out of the office inspecting these grows it is going to destroy more land and water ways. We believe all new ventures need research to protect the land and individuals involved.

In our opinion you have allot more to look at to make it safe for everyone and everything. More money in this county needs to go to law enforcement to protect what is already a gross out of control income canabis. All should have to follow and be inspected to stay within what is already set in place, if new things need to be added to the existing ordinance do so in a manner that the land, waterways and people are all protected.

In closing this agenda item in our eyes needs a lot more research and studies performed before you so quickly push it through!

Thanks for you time,

John S. Rohrbough  
Susie Rohrbough

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COAST ACTION GROUP  
126 Steiner Ct.,  
Santa Rosa, CA 95404

March 18, 2021

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MAR 19 2021

Affiliate of Redwood Coast Watersheds Alliance

Mendocino Board of Supervisors

Subject: Comments –Correction/Suppliment - DRAFT ORDINANCE AMENDING CHAPTER 6.16 –OUTDOOR FESTIVALS, CHAPTER 6.36 CANNABIS FACILITIES BUSINESSES, CHAPTER 20.164 CHAPTER 20.168 –TEMPORARY USES AND CHAPTER 20.243 –CANNABIS FACILITIES

Dear Planning Commission and Supervisors:

These Comments are to supplement or clarify statement and issues previously made by Coast Action Group as comments this subject.

The previous comments stated: “Commercial – probably the only zoning that would allow for processing and sales.” Though this is true (where commercial cannabis plant propagation is not allowable in Commercial or Industrial zoning – in, both, the Coastal Zone and outside of the Coastal Zone). The status of zoning and commercial propagation of cannabis should (must) be clarified in the development of any proposed ordinance.

Please add this discussion to the comments submitted previously by Coast Action Group.

Zoning Ordinance (copied below – is from the Coastal Zone, but applies (similarly) to any inland application of cannabis ordinance and permitting):

Sec. 20.324.005 - General Description of Coastal Commercial Use Types. (Coast Zone – though Inland uses are similar)

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as civic uses. They also include certain uses accessory to the above, as specified in Chapter 20.456 (Accessory Use Regulations).

Sec. 20.324.015 - Agricultural Sales and Services.

Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, pesticides and similar goods or in the provision of agriculturally related services with incidental

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storage on lots other than where the service is rendered. Typical uses include nurseries, hay, feed and grain stores, crop dusting, or tree service firms.

Sec. 20.324.125 - Wholesaling, Storage and Distribution.

"Wholesaling, Storage and Distribution" means establishment or places of business primarily engaged in wholesaling, storage, distribution and handling of materials and equipment other than live animals. The following are wholesaling, storage and distribution use types:

#### CHAPTER 20.396 - C—COMMERCIAL DISTRICT

- 
- Sec. 20.396.005 - Intent.

The intent of this district is to provide suitable locations within or contiguous to developed areas for commercial development appropriately located in and compatible with unincorporated and rural communities. Housing should be encouraged as a conditional use to encourage retention and construction of affordable housing.

None of the Above noted zoning language allows for commercial horticulture (cannabis production) operations (in or outside of the Coastal Zone).

The approval of, allowing the existence of, commercial horticultural (agricultural crop production) production of cannabis in Commercial or Industrial zoning is inconsistent with Mendocino County Zoning, the Coastal Act, and California Planning Law (Public Resources Code). Any existing horticultural/agricultural growing in these zones is not compatible with existing zone and State Code. Such operations can be challenged, when discovered, by any enforcement entity.

This issue should be reviewed by County Counsel for legal compliance and the protection of the County from enforcement actions.

Sincerely,

Alan Levine for Coast Action Group.



Mendocino County Board of  
Supervisors 501 Low Gap  
Road, Room 1010  
Ukiah, CA 95482

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Planning & Building Services

RE: *Agenda Item 6B*, Review and consider a recommendation to the Board of Supervisors on proposed adoption of Mendocino County Code Chapter 22.18 –Commercial Cannabis Activity Land Use Development Ordinance and corresponding proposed amendments to Mendocino County Code Chapter 10A.17 –Mendocino Cannabis Cultivation Ordinance, and Chapter 20.242–Cannabis Cultivation Sites

Dear Chair Gjerde and Board Members,

My name is John March and I am a fifth generation Potter Valley resident and sit on the Mendocino County Farm Bureau board of directors. I would like to submit comment on agenda item 6B for the March 19<sup>th</sup> planning commission special meeting for Possible Action on Phase 3 of cannabis cultivation.

I think we can all agree that Phase 1 of our counties cannabis legalization rollout has been an all out debacle. The county has issued 1000+ provisional permits for cannabis growers while also admitting that a very select few of those permits could possibly pass through to the state level. In no other circumstance are permits issued with such fervent and ease regardless of quality. On top of this, no cap has been put on the number of permits issued in regard to the number of resources in place to effectively and efficiently enforce the rules and regulations of the initial ordinance.

Now we are talking about moving toward Phase 3. I am not against legal cannabis grows in our county and I am not against moving current legal operations to be more in line with the state requirements. What I am against is inefficient ordinances that are more confusing and detrimental to our environment, communities, ancillary industries, and the cannabis industry itself. In Potter Valley we have seen a recent disregard for cannabis permits due to a lack of enforcement and we have also seen an exponential increase in property sales at above market values. I am concerned for the future of not only Potter Valley, but the rest of our county if Phase 3 is initiated and the level of non-enforcement continues.

Many properties in Potter Valley are zone AG or RL and are being bought up sight unseen by out of county purchasers at prices well above the market rate. These AG and RL lands, many with prime soils and grazing habitat, are then quickly being converted into commercial indoor growing operations and forever changing the landscape and makeup of our community. By allowing AG and RL to be converted into indoor commercial grows, you are effectively destroying the land forever as most of these operations are being put on aggregate base and/or concrete and are required to implement additional permanent infrastructure. The plants are then grown in raised beds and light, humidity and temperature-controlled environments. This is not agriculture,

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this is commercial industry and it should not be allowed on AG and RL zoned properties.

Outdoor, inground operations with proper setbacks would be a more appropriate allowable use. AG zoning is also the only zoning that does not require some sort of use permit, only an administrative permit. These operations are also utilizing the AG designation to utilize ag water through the Potter Valley Irrigation District which is already a contentious resource as we are dealing with the relicensing of the Potter Valley Project and yet another impending drought. All of these factors pose extremely high risk for long term environmental damage throughout our communities.

Young families are unable to compete with the current land race in our valley and multigenerational families are being forced out. Young farmers hoping to start their careers are having to look elsewhere as the prime lands are being converted and destroyed forever. Our community, once tight knit and personable is turning into a raucous and unrecognizable version of itself. Newcomer cannabis growers have very little regard for their neighbors or the history of our community. We have seen increased crime over the last two to three years in a town where virtually no one ever locked their doors. Personally, we have had to install security cameras on two properties we own in the valley because of cannabis related theft and crime on neighboring properties. Two years ago, my mother's home was used as a stash spot for a cannabis theft at a neighbors property. At the time she was 70 years old and lived alone and she was scared for her life for the first time in 30+ years of living on the property.

Traditional agriculture has also taken the brunt of change with the cannabis explosion in Potter Valley. Not only the land conversion but the labor pool has been significantly decreased. Traditional ag cannot compete with the continued illegal hiring of employees by the cannabis industry with under the table cash payments, no workers comp payments or other mandated labor compliance standards. There is also concern with the lack of setback enforcement for cannabis cultivation permits that adjoin existing farming or ranching operations. Established agricultural operations, many for multiple generations, should not be impacted by new land uses moving in next door. These are real issues that can be fatal to existing agricultural businesses and the families that have given their lives to these farms for generations.

Growing up in Potter Valley in the age of prop 215 I am pretty familiar with the "heritage" growers and their original ideals of cultivation. Many that I know of are actually concerned with the environment and their growing practices while also being concerned with the financial aspect of the industry. Many of them have been in the industry for generations just as my traditional agriculture counterparts. They typically have "sun-fed" operations and are intermixed with traditional agricultural crops. There is a regenerative and holistic basis to many of these operations that fit with the land they operate on, not the other way around. These operations are not the problem children and in fact probably make up a chunk of the viable Phase 1 applicants. They are also the ones who have beat their heads against the wall in dealing with our county, its inept processes and lack of enforcement.

Many of these families have fought for legalization for decades only to get it and then be undercut by illegal operations who seem to be allowed to do whatever, wherever and whenever. It is no wonder why previous projections of tax revenue from cannabis have fallen short and will likely continue to do so when our county does not support the Code Enforcement and Sheriff's Department to do their jobs and generate fines on illegal operations and in the long run ensure legal farms have the incentive to continue to pay taxes.

The Sheriff has said that last year there were 1 million plants on the ground in Round Valley alone. From what I understand, legal market price is \$800 per pound. Let's just say that each of those plants only produced one pound each, that's 8 million pounds, and at \$800 per that is \$6.4 billion in total revenue. Our Board of Supervisors has touted that the county made \$5 million last year in taxes and fees which is 0.078125% of just that one area of our county, and that is at the absolute lowest pound per plant calculation. Can we all agree that a substantial amount of tax revenue is being left in the hills?

If there was actual enforcement of cannabis cultivation and related tax infrastructure, that money could go to better all of our communities, our roads, our schools, our environment, mental health and public safety while still support a thriving cannabis industry. As it stands, the illegal market is being allowed to thrive while our county officials are supposedly trying to do their best by the legal market. If I were a current legal operation, I would have very little incentive to continue in the white market and pay my taxes when my neighbor is illegal, not paying taxes and seemingly not at any risk from local enforcement.

Regardless of Phase 1 or Phase 3, a line needs to be drawn in the pavement and enforcement needs to be a priority. The Board of Supervisors and Planning Commission needs to really take a serious look and serious line on the actual viability of Phase 3 before proceeding. Please do not move into a new phase that will be enforced with the same lackluster energy as Phase 1. I am in full support of our sheriff and his department while also being in support of legal cannabis operations as long as they are allowed to continue in ways that fit the place and use of the land.

Please take this letter into consideration for your meeting and decision.

With respect,

John March  
Langdon Day Farms  
Potter Valley



**Angie Lane - Oppose the expansion of cannabis cultivation up to 10% of acreage**

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**From:** Eric Peterman <ericlpeterman@gmail.com>  
**To:** <pbs@mendocinocounty.org>  
**Date:** 3/18/2021 2:34 PM  
**Subject:** Oppose the expansion of cannabis cultivation up to 10% of acreage

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Dear Planning Commissioners,

We are writing as life-long rural Mendocino County residents (50 years) *to voice our strong opposition* to the expansion of cannabis cultivation of up to 10% of rural AG, UR, and RL zoning, per the Commercial Cannabis Activity Land Use Ordinance.

We're deeply alarmed at what is already happening in Redwood Valley with growers building fortress-like fences which carve up the view, and they're placing a heavy burden on the water-table. The proposed Ordinance would put staggering loads of demand on water, law enforcement and county regulatory resources that are already well beyond stretched.

It just won't work. Please oppose the Ordinance.

Thank you,

Eric & Wilette Peterman  
9585 West Rd  
Redwood Valley

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March 18, 2021

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To whom it may concern,

As working members of the cannabis industry for many years we see the benefits of the proposed Phase 3 commercial cannabis development ordinance. The jobs it will provide to our community are a step in the right direction to keep our community thriving. Surrounding counties, and in fact the rest of the state, are moving forward, providing living wages for the community to survive on and stepping up the competition for the tax revenues. Following the economic toll of the pandemic we are in greater need of all the competitive advantages we can get. We need the phase three ordinance to come through quickly to save the legacy of the existing farms that have been jeopardized by phase one's mistakes. We need the expanded cultivation to arrive soon, so that we can prove our viability as a processing company in Mendocino county. We can not sit by and watch the industry move elsewhere, taking our jobs with it. We need to grow with and above everyone else because that's what Mendocino does best! With more legal jobs it will lessen the use of trimagrants, moving those jobs to locals working in local facilities, keeping profits and taxes local as well. Our community will grow, more jobs will be available and provide insurance and security to our families.

Our processing operation has the most amazing family of employees! We all rely on cannabis to support our families in a positive, healthy, safe, compliant, legal environment. And we have health insurance benefits! That may not sound like much to a lot of people, because they are used to paying migrant labor under the table and dismissing them when the season is over, but this is what we want to see more of. More people should have this opportunity. Moving cannabis closer to being real agriculture and onto the next phase is the future of Mendocino County and its citizens.

Thank You

-Shalee J.

I support Phase 3 commercial commercial cannabis ordinance to expand the industry. Cannabis supplies me with a job to support my family, it brings money into the community and provides legal jobs for the public.

-VJ

I vote Yes on Phase 3 to help the jobs and the community.

-Jami W.

I vote yes on Phase 3 for the benefits my community will get and the stability it brings my home.

-Chad T.

I vote yes on the CBA Mendocino Co petition because it will help keep me employed. Thank you

-Jeremy S.

I vote yes on Phase 3 expansion because it supports more jobs.

-Cheyenne W.

I am voting yes on Phase 3 commercial cannabis development ordinance because it supports our small community, burnishes, supports my family and provides many jobs for us.

-Megan S.

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I vote yes for phase three development ordinance. This will help workers like myself and others as well as a local business in the area.

-Ruben L.

In regards to the phase 3 proposal on cannabis business association I have a yes vote because I believe this is good for our Mendocino County economy as well as bring many jobs to our area.

-Dee K.

I agree 100% we need to expand to keep up with surrounding counties. Mendocino county's economy depends on this passing.

-Julia G.

To whom it may concern, I am writing in regulars to Phase three commercial cannabis development ordinance. I believe this will help the community greatly and provide more employment.

-Lisa M.

I strongly support Phase 3. We have the chance to secure the economy further in Mendocino for its legacy farmers and agrarian partners. Treating cannabis like other agriculture and by expanding will help with more jobs to Mendocino county.

-Patricia L.



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MAR 19 2021

Planning & Building Services

March 19, 2021

To the Members of the Mendocino County Planning Commission:

This letter is in support of the proposed Phase 3 Expansion of the Mendocino Cannabis Cultivation Ordinance, to allow RL and AG parcels (over 10 acres minimum) to be permitted to cultivate up to 10% of their parcel area, upon approval of each specific/individual project.

I graduated from Laytonville High School and have lived & worked in Mendocino County much of my life. I left the area to obtain a college education and returned to be close to family and enjoy our rural quality of life. I am a parent now myself, and care very much about building & maintaining strong local communities that support our youth and provide them abundant opportunities to flourish. I maintain an active California Real Estate Salesperson License and have represented many clients over the years in real estate transactions driven or impacted by cannabis cultivation.

Currently, I work within the legal cannabis industry, for a privately-owned company based in Mendocino County. I am very proud to work for an organization that provides consistent, stable employment in our community. Our employees earn living wages, which has helped them afford dependable vehicles and maintain secure housing for their families. We additionally provide our employees a generous direct reimbursement benefit for health care expenses. Throughout this Coronavirus Pandemic, as an Essential Business, we have kept our employees safely working, with very minimal disruption.

I believe the Phase 3 Expansion is crucial for Mendocino County to remain competitive in the rapidly evolving legal cannabis industry. If we choose not to allow landowners to cultivate to scale, many will be affected negatively in our community.

As a lifelong local, I have caught wind of the diversity of perspectives on this topic among those I know, who represent all walks of life. I hear and respect the concerns expressed by those who choose to oppose this expansion. Unfortunately, I think some of their concerns are misplaced, based upon lack of understanding or inaccurate information.

It is my opinion that the most important thing to remember, in evaluating whether to move forward with Phase 3 Expansion, is that **each** project will continue to be evaluated on the merits of its compliance with **all** regulations and the project's potential/projected contribution(s) and impact on the community, **prior** to any approval. I do not interpret the proposed expansion to simply allow any and every RL or AG parcel over 10 acres to be permitted to cultivate up to 10% of their parcel area. Simply put, NOT every permit applied for will be issued/granted.

Cannabis is an agricultural crop that we continue evolving our capacity to efficiently regulate and tax. Our communities benefit tremendously from its contributions to the local economy. It is in our collective best interests to empower landowners who have the capacity to scale their

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operations to remain competitive.

With all that, I would like to directly address a few key points consistently raised by those opposed to Phase 3 Expansion.

\*Water Use – I've heard some suggest cannabis is depleting our water tables rapidly and unsustainably. I believe this is not being viewed accurately by those who cite it as a primary rationale for their opposition. They're likely referring to operations they see or know of that have not been granted final approval or been fully evaluated for their environmental impact. The truth is, as with any agricultural crop, responsible farmers seek to conserve resources. Properly managed, cannabis as a crop requires less water to grow than grapes. Once again, with the proposed expansion, **each** project/permit will be **required** to thoroughly explain their water use and ensure its compliance with state and local regulations, prior to any final/long term approval.

\*Willits Valley – I've heard it suggested the treasured Willits Valley is being overrun by the legal cannabis industry. My understanding is that as we sort out regulations (which I hope will include Phase 3 Expansion), many if not most/all of the current projects operating in the Willits Valley will not have the capacity to obtain final permitting/continue operating, for multiple reasons. It is also my understanding it is unlikely (if not impossible?), due to the sensitive dynamics of preserving remaining wetlands in the valley, for any properties in the Willits Valley to be permitted for increased cultivation as part of the Phase 3 Expansion.

\*Existing projects claiming to be legal will continue – Many believe existing cultivation sites they see will be allowed to operate indefinitely. Due to Mendocino County's thus far limited (yet constantly evolving) capacity to evaluate/regulate existing projects efficiently, this has developed as an inaccurate perspective. As we continue to build capacity to adequately regulate Mendocino County legal cannabis operations, this will change. Crucial in the ongoing efforts to create a sustainable local legal cannabis industry is building paths that will allow *some* appropriately positioned cultivators to scale operations. Projects currently operating on provisional licenses will be required to show full compliance before they are able to obtain final licensing. For most cannabis farmers, CEQA compliance is a known issue and limitation. In Mendocino County, we have many cultivators currently operating on provisional licenses that will not be able to continue once their provisional licenses expire, due to their inability to achieve CEQA compliance.

With all these considerations, I urge those tasked with developing policies and creating regulatory structure for commercial cannabis cultivation in Mendocino County to approve the proposed Phase 3 Expansion for the Mendocino Cannabis Cultivation Ordinance. Doing so will generate significant tax revenue benefitting our communities and county and ensure that our responsible local cultivators can scale operations to remain competitive as farmers in the rapidly evolving legal cannabis industry. It is in all our best interests to empower our responsible local cultivators to shine and be at the forefront of developing best practices within the industry.

Sincerely,  
Melissa Gribi

**From:** Julie <golden@mcn.org>  
**To:** <bos@mendocinocounty.org>  
**Date:** 3/18/2021 6:29 PM  
**Subject:** Item 6B

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Planning & Building Services

To whom it may concern:

I am writing to you today because of my concern over the attempt by the county planning commission and board of supervisors to circumvent ordinances that were put in place to protect our land. By unilaterally deciding to change land use zoning to include marijuana cultivation in Ag, Upland Residential and Rangeland zones you are creating a potentially disastrous situation for the future of Mendocino County. Our water, forestland and open spaces are valuable assets and should be treated as such, not left vulnerable to the abuses of a poorly overseen industry. The oversight of the marijuana industry is currently deplorable and until it can be properly contained it would be foolhardy to expand in any way. I hope common sense will prevail and that Item 6B is removed from consideration.

Thank you for your time,  
Mel and Julie Goodwin

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