



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

April 11, 2021

Re: Item 5e on 4/12/202: 1Discussion and Possible Action Including Acceptance of Presentation on Code Enforcement in Mendocino County (Sponsors: Supervisor Gjerde and Supervisor McGourty)

Honorable Supervisors,

The Mendocino Cannabis Alliance has reviewed the materials provided and has several thoughts regarding Code Enforcement priorities going forward for 2021. Our organization believes that dealing with illegal cannabis activities should always first and foremost be addressed using an administrative action through Code Enforcement whenever possible. We appreciate the techniques that Code Enforcement utilizes to ensure compliance, rather than taking a punitive approach. We also recognize that there are instances when law enforcement must step in, and strongly believe that this type of enforcement should always be reserved for the most egregious environmental, public safety, and violent situations. We appreciate that the Sheriff has continued to focus on those priorities.

It is important to note that in the presentation provided by PBS, only 15% of all complaints received are related to licensed cannabis Program Participants. More than double the complaints are coming in for cannabis activity outside of the program, which further illustrates that those within the program are NOT the source of the major concerns currently being levied against them. The presentation does NOT support the conclusion that cultivators in the Program are egregious violators.

On the current Planning and Building Department services website, PBS states that their current plan check process takes 6-8 weeks to complete. Applicants in Cal-Fire jurisdiction must first obtain a conditions of approval letter before being eligible to submit a Building or Ag-exempt permit application. Cal-Fire is taking approximately 2-3 weeks to issue these letters at this time. These prerequisites and delays can result in the appearance of a greater lack of compliance with building permit requirements.

MCA recommends that the County follow through with defining cannabis cultivation as an Agricultural Activity. Doing so would make compliance with Cal-Fire road standards more appropriate for cannabis agricultural activity. It could also make it possible to issue Agricultural Building permits over-the-counter, as has been proposed by Sonoma County's Agricultural Commissioner. Both of these things would dramatically increase the level of compliance and, and decrease the logjam of Cal-Fire pre-clearance and Building Permit processing.

In reviewing the presentation slides from the Sheriff, we share the same concerns for egregious environmental degradation and do not support these types of activities. We appreciate that he has been

focusing on these issues and applaud his commitment to continue to do so. It is not good for our communities and casts a dark shadow on the commercially licensed operators that are accountable for their growing practices through regulation and licensing requirements.. MCA believes it's important that Mendocino County reopen permitting programs, especially now that the Equity Program is finally being launched, so that currently unregulated cultivators that want to come into the system can. Without a pathway, many will continue to remain in the illicit market and we will be no closer to our goals of environmental protections and promoting land stewardship. Public outreach and education can be a powerful tool to help communities understand the importance of protecting watersheds, wildlife and land.

Respectfully,

Mendocino Cannabis Alliance