

Honorable Board of Supervisors,

Phase 3 is a chance to start clean for cultivators who have a difficulty with Phase 1, as well as the wider population both within Mendocino County and from further afield. The CCAO even reads,

"All cultivation of cannabis within the County of Mendocino, [...] shall comply with the provisions of the CCAO, as well as all applicable state and local laws, regardless of whether cannabis cultivation occurred on the parcel prior to the adoption of the CCAO."

Let's keep it a clean start, shall we?

The Draft Ordinance (Redlined per PC Comments) attempts to deny some Phase 1 applicants the ability to apply for Phase 3 because of weakness in their proof of legacy. Page 1 of the CCAO reads 'regardless of whether cannabis cultivation occurred on the parcel', but in 22.18,050, staff (through a very tired Planning Commission, after a very long day,) inserted language that blocks Phase 1 applicants if they:

- Had a 'Lack of proof of prior cultivation' or
- Were on a 'Legal parcel established after January 1, 2016'
- (amongst other reasons which I'll leave to other people)

Both of these exclusionary criteria are based exclusively on 10A.17's 'whether cannabis cultivation occurred on the parcel', NOT as the CCAO's first page requires, "*...regardless of whether cannabis cultivation occurred on the parcel.*" These exclusions are not consistent with CCAO's meaning nor purpose.

As a paperwork preparer who was frequently in the Cannabis planning department, I frequently saw other people's perfectly obvious proofs of prior denied by the department. Some were for fuzzy images as the technology was still new. Farmers recognized the fuzzy-imaged proof as an obvious garden, but the department refused. At least one farmer presented proof of growing under tree cover (with ground-based images of the garden as well), but was told they were lying and that nobody grows in shade. Ask any legacy farmer and they will tell you about farmers who not only chose to grow in the shade, but grew in the trees themselves. Departmental disbelief should not block farmers from applying to Phase 3.

Phase 3 is eligible even on subdivided land. Phase 1 was severely limited to only legacy farmers on pre-2016 subdivided land. If a land speculator bought up a parcel you farmed and subdivided it post 2016, you were suddenly ineligible. That is no longer the case. Phase 3 is open to all applicants regardless of legacy-status, and regardless of when land was subdivided. Let's make that obvious by allowing Phase 1 farmers the hope that they might continue farming post-2016 land by applying to Phase 3.

Let's hold to that new clean slate and remove the staff recommended language penalizing Phase 1 applicants who grew under the trees, or whose images were too fuzzy for staff's druthers, or who were on land a speculator made ineligible by subdivision.

Hold to that availability to all and remove the part of Section 22.18.050 that keeps some denied Phase 1 applicants from applying to Phase 3.

Thank you,

Heidi Wordhouse
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