

Laytonville County Water District

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April 7, 2021

To: The Mendocino County Board of Supervisors

Subject: Comments, Recommendations, And Request For Voter Election On Proposed Phase Three Cannabis Ordinance Provisions Regarding the 10% Rule and Opening Up Range Land To Cannabis Cultivation

Dear Honorable Supervisors,

Please be advised that the Board of Directors of the Laytonville County Water District (LCWD) met on April 7, 2021 and approved that the following comments, recommendations, and requests be made to the Board of Supervisors.

1. There are two provisions in the Proposed Phase Three Cannabis Ordinance that are of grave concern to most of the residents of Mendocino County.
2. Those two provisions are:
 - The so-called “10% Rule” whereby cannabis cultivation would be allowed on 10% of the total land of a parcel with a minimum size of 10 acres on lands zoned as Agriculture, Upland Residential, or Range Land.
 - Currently Range Land, with the exception of a limited number of cultivators granted so-called “Grandfather Rights” under the Phase One Cannabis Ordinance, is off-limits to cannabis cultivation. However, the Proposed Phase Three Ordinance would allow cannabis cultivation to occur on Range Land.
3. As the Board is well aware, these two proposed rules are opposed by what appears to be an overwhelming majority of Mendocino County residents.
4. Therefore the LCWD Board of Directors hereby requests that the Mendocino County Board of Supervisors, on its own motion and without a voter petition, submit the above-referenced proposed provisions regarding the “10% Rule” and the opening up of range land to cannabis cultivation found in the proposed Phase Three Cannabis Ordinance, to the voters for final determination.
5. The District has other concerns regarding the proposed Phase Three Ordinance, including:
 - Planning staff is already overburdened and unable to keep up with the workload required to manage the permitting process for those who have already applied. Expanding cultivation prior to getting caught up with issuing the permits to current applicants would only add to their burden and seems inappropriate at this time.
 - Law enforcement is already unable to keep up with the increased number of cannabis violations. By encouraging big grows this inhibits easy accountability to those who are in the system and those who are not.
 - Water resources are already negatively impacted by the existing cultivation from lack of best practices and drought. The existing water crisis would be exacerbated if cultivation were allowed to increase by such proportions.
 - We have wildlife and contiguous habitat concerns. We are a county rich with wildlife. It is not in the best interest to move forward with huge grows that may not leave any room for wildlife corridors, fence them off from fleeing from fires, and sucking up the water table. We are fragile and this impact will severely hurt or possibly even kill some sensitive ecosystems.
 - It’s important to also note Mendocino County’s goal of protecting small legacy cultivators. Large corporate grows are the antithesis of this. Although it is much more challenging to permit and oversee a multitude of small growers, as opposed to a few large corporate players, this is what the county promised with the original ordinance creating the cannabis program. The intent of honoring and protecting small legacy cultivators should be upheld.
 - As you can discern with the issues above, expansion of cannabis cultivation is not in the best interests of the residents of Mendocino County. Therefore, the Laytonville County Water District opposes the proposal to allow expansion of cannabis cultivation to up to 10% of parcel size.

Thank you for your consideration of this most important matter.

Sincerely,
s/Michael Davis
Chair
LCWD Board of Directors