

Dear Honorable Supervisors-

As a small family farm who also cultivates cannabis under the phase 1 ordinance, we support the need for the phase 3 program. We appreciate that the BoS has listened to the concerns of existing cultivators, and appear to be willing to put in protections for phase 1 operators. We also support the recommendations made in the MCA memo on this item and ask that the BoS carefully consider these nuanced, detailed recommendations.

We also wanted to make a point that the county should not reduce the number of hoop houses below what is currently allowed, which is 14,000 ft² on parcels larger than 10 acres. Covered structures, such as hoop houses, are an extremely important part of cannabis cultivation - not just for mixed light operators and nurseries but for outdoor cultivators as well. Mixed light cannabis produces a higher value, niche crop which has proven to be essential for many small farms to survive. Just look at the statistics at the county level for permit types - mixed light has the most permits issued and applied for. An outright ban on mixed light cultivation under Phase 3 would be ruinous for the legal cannabis industry, as it would completely eliminate this important niche market for local cultivators.

All cultivators need space to propagate plants via seeds or clones, as well as over-wintering 'mother plants' and/or creating seeds with male cannabis plants. Cannabis is a highly specialized plant which requires a controlled environment for propagation. Many cultivators have spent years, if not decades breeding and creating unique cultivars, or 'strains' that are in high demand in the market. This is one of the aspects that makes Mendocino cannabis unique and desirable - we can offer products that no other county can. Many of our small farms, such as ours, can offer specialized products that no other farm in the state can. However in order to maintain and preserve these unique strains, propagation and nursery space is required. This has become especially critical under prop 64, due to the restrictions now placed on cultivators and nurseries which have severely limited the genetic diversity and strain selection in the legal market and needs to be carefully considered.

I am not sure if the Supervisors are aware of this fact, but cultivators cannot legally transfer plants or seeds to a nursery, or off their farm, period. Or in other words, if a farm has a unique strain they have developed, they cannot transfer it to a nursery, and then purchase the plants from said nursery at a later date. The state regulations explicitly prohibit this. In fact we cannot even transfer plants or seeds between our two licenses, despite being on the same property and under the same ownership, and must maintain two separate lines of mother plant and seeds - one for each garden. Therefore, us, along with all the other cultivators in Mendocino who breed their own strains, MUST do our own propagation 'in house.' We cannot use a nursery to maintain, propagate, or sell our own unique Mendocino strains, as it is illegal to do so. The state regulations have, in essence, banned both genetic diversity and the intellectual property rights of cultivators. This is an issue which must be addressed at the state level, but still greatly affects us at the county level and must be taken into consideration.

Thus, ALL permitted cannabis farms absolutely need propagation structures - they cannot solely rely on nurseries. Even for an outdoor garden, a single 1,000 ft² hoop house is far too small to work for anything other than a 'staging area' for incoming new plants from a nursery. With the proposed expansion of up to 10%, propagation space must be scaled accordingly, even for outdoor cultivation sites. For mixed light cultivation, a general rule of thumb is that you need about 25-35% of your total space to be dedicated to propagation. Hence, for a 10k ft² mixed light garden, you need 2500-3500 ft² of propagation space - plus more to maintain mother plants. In fact, this is how the county arrived at the 14k ft² cap on hoop houses originally - 10k for flowering space, 4k for propagation space. If cultivators are limited to only 10ft² of hoop houses in total for mixed light, then local cultivators will lose 25-35% of their flowering space and thus potential yield, putting us yet again at a huge disadvantage to other counties.

We recognize that there are issues with the proliferation of unregulated hoop houses and the problems that come with them, such as light pollution. However if the county wants a workable ordinance, there must be a compromise. Limiting people to a single hoop house or banning them outright will be extraordinarily detrimental to the entire legal cannabis market, and put our county at an even more severe disadvantage than we already are compared to the rest of the state. We request that the BoS maintain the current allowance of 14k of hoop houses. Or, even consider an expansion of up to 22k ft² for mixed light under phase 3 - a reasonable expansion in our opinion.

Much of the problems in regards to hoop houses have been a result of illegal grows and unpermitted structures, which are a separate issue and should be dealt with in a separate manner. Please do not penalize all legal cannabis cultivators due to the actions of bad actors operating in the illegal market. There are a lot of important, interconnected pieces for phase 3 to work and be successful. Two huge pieces are the ability to cultivate mixed light cannabis and the ability for farms to be able to do their own propagation. Ignoring these critical components will cripple local farms, and phase 3 along with it.

Sincerely,

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