Mendocino County

Legislation Text

File #: 19-0828, **Version:** 3

To: Board of Supervisors

From: Supervisor Williams Supervisor Brown

Meeting Date: September 10, 2019

Department Contact:	Ted Williams	**Phone:**	463-4441
Department Contact:	Carre Brown	**Phone:**	463-4441

Item Type: Regular Agenda   **Time Allocated for Item**: 1 hour

Agenda Title:
Discussion and Possible Action Including Direction to Staff to Develop an Industrial Hemp Cultivation Registration Process, Limited to Feminized Seeds and Female Plants, and Any Additional Regulation Necessary to Protect Cannabis Cultivation (Sponsors: Supervisor Williams and Supervisor Brown)

Recommended Action/Motion:
Provide direction to staff to develop an industrial hemp cultivation registration process, limited to feminized seeds and female plants, and any additional regulation necessary to protect Cannabis cultivation.

Previous Board/Board Committee Actions:
On February 26, 2019, the Board adopted an urgency ordinance establishing a temporary moratorium on the cultivation of industrial hemp and directed staff to study the issue and to formulate recommendations for local regulations. On April 9, 2019, the Board extended the temporary moratorium on the cultivation of industrial hemp.

Summary of Request:
Industrial hemp is a strain of the Cannabis sativa plant species that is grown specifically for the industrial uses of its derived products. It is one of the fastest growing plants and was one of the first plants to be spun into usable fiber 10,000 years ago. It can be refined into a variety of commercial items, including paper, textiles, clothing, biodegradable plastics, paint, insulation, biofuel, food, and animal feed. Cannabis was cultivated in California for fiber and rope as early as 1795 when cultivation began at Mission San Jose. Hubert H. Bancroft's History of California details Joaquin Sanchez, sent to Mission San Jose by Spanish Governor de Borca to plant hemp, discovering hemp was already growing here and that the natives used it to make nets to catch sea otters. When cultivated, hemp captures carbon emissions from the atmosphere. Effective January 1, 2019 the Federal government through the Farm Bill legalizes industrial cultivation of hemp and allows farmers to grow and sell the crop as an agricultural commodity. Division 24 of the California Food and Agricultural Code provides for the cultivation of industrial hemp by registered growers and established agricultural research institutions. The California Department of Agriculture (CDFA) requires all industrial hemp producers to register with the county Agricultural Commissioner prior to cultivation. The state requirements/regulations for industrial hemp does not mirror the highly regulated cannabis industry and would not require the same level of local effort in staff time, ordinance development or significant overhead. The state considers it a row crop. Feminized seeds,

female plants, agricultural zoned land, setbacks and other rules should be considered locally to adequately protect Cannabis cultivation from problems of cross-pollination.

The California Association of Counties supports the ability to grow industry hemp as an agricultural product, while respecting local control/land use decisions. The Rural Counties Representatives of California does not directly call out hemp, but supports maintaining local control via county land-use authority for cannabis.

Alternative Action/Motion:
No action.

Supervisorial District: All

vote requirement: Majority

Supplemental Information Available Online At:
 <**https://www.cdfa.ca.gov/plant/industrialhemp/index.html**>

Fiscal Details:

source of funding: N/A	**budgeted in current f/y:** N/A
current f/y cost: N/A	**if no, please describe:**
annual recurring cost: N/A	**revenue agreement:** N/A
budget clarification: N/A	

 Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Janelle Rau, Deputy CEO
CEO Review: Yes
CEO Comments:

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Executed By: Lindsey Dunham, Deputy Clerk I

Final Status:**Direction Given to Staff**

Date: September 12, 2019