



Mendocino County Board of Supervisors
501 Low Gap Road
Ukiah, CA 9548

June 21, 2022

Re: Item 3W - Approval of the County of Mendocino Cannabis Department Update

Honorable Supervisors:

The Mendocino Cannabis Alliance would like to take this opportunity to thank the Cannabis Ad Hoc for hosting a stakeholder meeting regarding outstanding cannabis issues last week. We are grateful for the participation of Supervisor Haschak, Supervisor McGourty, Deputy CEO Steve Dunncliff, and our Cannabis Director Kristin Nevadal. We would also like to thank Darci Antle Interim CEO for her effort to attend in order to participate in the opening introductions, despite her scheduling conflict.

We look forward to future meetings to collaborate with the Ad Hoc, County Staff and Departments to work towards workable solutions that can be of benefit to our cannabis program and our community as a whole. In an effort to prioritize the troubleshooting efforts moving forward, in accordance with the suggestions by Deputy CEO Dunncliff and Supervisor Haschak, despite our list of eight priority items, we have selected only two topics for our next meeting. We hope this type of triaging will be beneficial and allow all of us to go deeper into practical solutions given MCD's limited resources and the very real and immediate existential threats to program participants.

MCA has reviewed the Mendocino Cannabis Department Update and offer some additional information regarding the following topics:

1. LOCAL AUTHORIZATION

On June 30th, 2022, the State will close the window for issuing new Provisional Licenses unless the applicant can meet one of the exceptions identified on page 10 of the MCD report. There are local permit applicants that were removed from a status that would allow them, under current State statutes, to receive a Provisional License. There will be several categories of people that are going to be locked out of State Provisional Licenses because they won't have the benefit of an "application complete" status from the County in time for the June 30th deadline. MCA is not asking for permit issuance for everyone. We respectfully request that the Board protects the following types of applicants' last chance to get a State Provisional License before the deadline:

1. Applicants who engaged in the corrections portal
2. Applicants that received vegetation modification letters
3. Applicants not required to go through the portal process

MCA has identified instances where applicants may have been issued portal corrections out of error. We understand the nuances of setting up a portal system with technical aspects that have caused delays and confusion for some trying to navigate through the uploading process. Many of these applicants have been in the program since 2017 and were always responsive to County requests for information and corrections. Not all new State License applicants are actually new applicants, but instead have changed or added a license type.

Our solution to resolve this time sensitive issue is the following recommendation:

MCA RECOMMENDATION:

“Direct Staff to clarify to the State that these specific applicants have substantially complied with permit application requirements and should be able to provide evidence in furtherance of those requirements and CEQA as needed, directly to the State.

We respectfully request that the Board take swift action, due to the immediate provisional deadline, so that applicants that have been doing everything possible to stay in compliance with County and State regulations can continue forward in receiving their much needed State Provisional License.

Hannah Nelson’s memo details more explicitly the reason why our limited request is supported by the circumstances at this time and is imperative to implement.

2. PUBLIC OUTREACH

MCA would like to thank the MCD for providing weekly meetings with the cannabis community and taking time to dive into various topics of concern. We appreciate the chart that is provided in the report that shows when various topics have been discussed. Unfortunately, the restricted format of how these meetings are set up, with a presentation, then a two minute per person time to ask a litany of questions, and the Director’s best attempt to try to answer them, without any interactive process, often results in only scratching the surface of certain topics. Due to time constraints many questions were not able to be addressed. We appreciate when MCD allocates time to go over questions that were not fully addressed in a previous meeting and we hope that effort will continue.

One thing we request be implemented to help program participants better understand the rules and processes, is the posting of all prior questions and answers that were written to MCD either by email or in meetings. We understand that low staffing and high workload have prevented this to date. Perhaps now that staffing levels have increased or through hiring of temp agency administrative staff, this important tool can be implemented. Having transparency is always helpful to reduce the amount of confusion and feelings that people aren’t being helped.

We support technical one-on-one meetings that will soon begin to take place throughout the County and appreciate the efforts to provide this much needed assistance to help cannabis operators.

3. ACCELA

In February of 2021, as part of the portal recommendations, MCA made a recommendation to the Board to use the Accela platform. We are delighted to see that a contract to use this efficient and effective platform will be coming before the Board in the future and want to again highlight that MCA has historically always tried to provide solutions to help the cannabis program be successful.

MCA has concern for how the purchase of this platform will impact the budget for the rest of the Local Jurisdiction Assistance Grant Program and are cognizant that a portion of the money may have to come from other funding sources to the extent it is used for Phase 3 applications, which would be prohibited under the LJAGP.

MCA requests that simultaneously, greater funding from the LJAGP be allocated directly to applicants to hire biologists and other qualified CEQA professionals to possibly provide SSHR analysis and to help meet the requirements of Appendix G, to clear the log jam at those two steps.

4. LEEP

While we understand the need for the County to ensure liability protections against unfortunate events where an equity applicant misuses grant funding, we are deeply disappointed that this process is causing further delays for applicants that have been waiting for their checks to be issued since as early as December of 2021. MCD has issued a statement concerning this matter to various applicants inquiring on the status of their direct grants but no timelines have been provided as to when County Counsel will finish this process. The community would greatly appreciate an estimated timeline for how much longer this process will take.

5. HIRING OF STAFF

It is great to see that 6 additional staff members have been hired for the MCD this year. It was brought to our attention that there is currently only 1 Staff member to handle incoming emails, answer phone calls and serve the public at the counter in person. That is a huge responsibility for 1 Staff member to take on and we want to offer our support for additional staffing, even through a temp agency if need be, to help with these important administrative tasks in an effort to foster better communication. Many people of the community often feel they go unheard, emails take many weeks to be responded to and it causes lots of frustration. We recognize that MCD is doing all they can and we hope more support can be provided to the Department.

Thank you for taking the time to review our comments, suggestions and concerns on these various topics. We look forward to continued collaboration towards a robust thriving

cannabis program. As always, MCA appreciates the opportunity to provide input.

Sincerely,

Mendocino Cannabis Alliance
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