



Board of Supervisors  
501 Low Gap Road  
Ukiah, CA 95482

February 5th, 2023

RE: Public Expression - LJAGP Timeline Update

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Honorable Supervisors,

It is with great concern that MCA notes that the LJAGP grant is scheduled to open shortly, given that the BOS will be unable to even review the revised application guidelines, which have not yet been made available to licensees, until February 28th. This timeline illustrates how the County has, once again, failed to meet its promised administrative responsibilities, leaving applicants uncertain how to proceed. This critical funding was provided by the state to help many applicants struggling to complete necessary projects to meet the demands of local annual permitting and CEQA compliance required to transition to state annual licensure in accordance with timelines and benchmarks set forth in statute. We hope that the application window is still on track to open on February 17th, as was stated by the MCD Director at the 01-23-2023 GGC meeting.

**We urge the Board to direct that MCD host an interactive meeting for operators to ask questions and review the LJAGP application process in depth prior to the application window opening, and to proceed with accepting applications on February 17.** Given such a short opportunity to turn in an application, it is essential that all eligible applicants be well prepared.

We still have many concerns regarding MCD's ability to process all local applications in such a short time period and simultaneously continue to process renewals, portal applications, issue cannabis permits, review Direct Grant Leep budgets, as well as Appendix G submissions. Recent conversations regarding the program have not reduced these concerns.

At the GGC meeting on 01-23, the committee reviewed the LJAGP application guidelines that were being presented for the first time by MCD. When asked by Supervisor Haschak for a report on administrative expenditures of the grant funds to date, Director Nevedal stated that she was unable to provide that information during the meeting, but that it would be provided with the required mid-year report. **Given that the next grant report is due in February, MCA requests that this report be made public and posted on the County website as soon as it is available.**

When asked by Supervisor Mulheren what would happen if the grant money was not disbursed within the directed timeline, Director Nevedal stated that she is planning to bring forward a proposal to reduce the funding of direct grant applications.<sup>1</sup> Her reason for suggesting a reduction in the funds the state has awarded to the County is, as she stated, because she believes that the County cannot spend down the \$10.5M in 2 years due to the scope of the program, despite the fact that the Grant Manual can be revised.<sup>2</sup> And since the County has no 'general fund' resources for MCD, they may need some of the LJAGP grant money allocated to direct grants to operators for 'salaries and other department needs.'

During this discussion, Director Nevedal further stated that MCD doesn't have the 'staffing'<sup>3</sup> to commit to more than one window for the submission of LJAGP grant applications. She went on to say that if the Department committed to opening an additional grant window every two months, or at all, her whole job would be reviewing LJAGP grant applications. However, on 10-04-2022 when the Cannabis Ad Hoc recommended outside support (such as West Company) for administering the grant program and Supervisor McGourty asked if MCD had the capacity to manage the applications,<sup>4</sup> Director Nevedal said 'I do believe that,' and that if incomplete applications were submitted they would be returned to applicants who could then re-apply in a future round. **We request clarification on whether or not MCD still believes it has the capacity to manage the LJAGP program with internal resources.**

Also at the GGC meeting<sup>5</sup> Director Nevedal indicated that there would be a two week period during which applicants could submit questions regarding applications and that the answers would be posted for all applicants in advance of the application window opening. If that period has begun it has not been announced via Cannanotes, and reports from licensees indicate they have not received direct outreach with this information. Timeline info provided on 01-23-2023 in the Application Guidelines Document<sup>6</sup> on page 2 indicated that 'Application Guidelines and Forms' will be published on Feb 3 2023, but to date no documents have been published on the MCD website.<sup>7</sup>

The Director went on to say that 'we will hold a public meeting once we know that the application is set and not subject to changes at the request of the Board.'<sup>8</sup> Given the LJAGP issues are not on today's agenda and the next available opportunity for approval would be 2/28, there is no way, despite Director Nevedal's assertion at the most recent GGC meeting, that any of these timelines are being adhered to. **We request a specific update and what the new dates will be for posting application materials and a corresponding public meeting. We demand better communication to potential applicants regarding this vital lifeline for them to manage the burden of CEQA preparation, now that the County has once again revoked its assertion that it would complete those materials for the applicants.**

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<sup>1</sup> GGC Recording from 01-23 <https://www.youtube.com/live/qO2wbVHbdUc?feature=share&t=5948>

<sup>2</sup> On 12-06-2022 MCA provided a memo for item 3m requesting revisions to the LJAGP Manual that would expand allowable uses in line with State guidelines. [CLICK HERE to review the memo.](#)

<sup>3</sup> GGC Recording 01-23 <https://www.youtube.com/live/qO2wbVHbdUc?feature=share&t=8944>

<sup>4</sup> BoS Recording 10-04-2022 <https://www.youtube.com/live/Y0alaET7Cc4?feature=share&t=32983>

<sup>5</sup> GGC Recording 01-23 <https://www.youtube.com/live/qO2wbVHbdUc?feature=share&t=3638>

<sup>6</sup> Draft LJAGP Application Guidelines doc  
<https://mendocino.legistar.com/View.ashx?M=F&ID=11588262&GUID=F8151754-9590-4353-BA6F-4E6ACCEFC739>

<sup>7</sup> <https://www.mendocinocounty.org/government/cannabis-cultivation/forms-and-resources>

<sup>8</sup> GGC Recording 01-23 <https://www.youtube.com/live/qO2wbVHbdUc?feature=share&t=3659>

In addition to the requested clarification stated above with respect to timelines, and further and more substantive notification by MCD to applicants, **we strongly request that the Board direct MCD to ensure that any meeting, whether in person or online, be interactive and not simply in a one way Q & A webinar format.** Nuances and further clarification are often necessary in response to answers provided by MCD to written or verbal questions and to refuse to provide applicants with an ability to ask followup questions significantly diminishes the utility of the informational session.

Sincerely,

Mendocino Cannabis Alliance  
e: [info@mendocannabis.com](mailto:info@mendocannabis.com)