



MEDICAL CANNABIS

Mendocino County Department of Agriculture:

- » Potential State Program related work
- » Elements of a Local Cultivation Permitting and Compliance Program

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» Dept. of Agriculture work possibly/probably associated with the passage and implementation of MMRSA:

- ◆ Facilitate issuance of cultivation licenses for type 1,2, & 3 cultivation licenses and type 4 nursery license.
- ◆ Enforce regulations that are developed relative to the state licensure of cultivation sites.
- ◆ Ensure water use relative to cultivation sites does not disrupt in-stream flows or aquatic environment.
- ◆ Via wts. & meas., assure all weighing & measuring devices used in program are of commercial grade (quality) and accurate.
- ◆ Enforce State & local laws related to cultivation and: land conversion, grading, electrical usage, water usage, agricultural discharges, and “similar matters”.
- ◆ Implement/field check State’s unique ID system for cultivation. **Each plant** will be ID’d to get a State cultivation license. (Protect against use of fraudulent unique tags; limit the diversion of valid unique tags to un-licensed persons).
- ◆ General enforcement of all provisions related to CDFA portions of the program.



» Ag Dept./ MMRSA related work (cont.)

- ◆ Assure the following order: local cultivation permit issued, then State cultivation license, then *start* cultivation activities.
- ◆ Verify growers are packaging in correct tamper-evident packages w/proper label.
- ◆ Researching/confirming: licensee does not also have an alcohol license; licensee does not have an asset or ownership interest in any facet of another licensee; no licensee holds more than one other license.
- ◆ Performing records inspections (random, investigation or enforcement).
- ◆ Interface with State's "Track & Trace" program; field-check on product movement and other elements of the system. (copy of physical manifests, etc.)
- ◆ Conduct outreach/education about and subsequent enforcement of state laws relating to pesticide use.
- ◆ Conduct administration and inspections supporting an organic program for MC.
- ◆ Communication back to CDFA/BMMR regarding any local actions taken against a local permittee or any violations of MMRSA.



» Various Elements of a DRAFT* “Mendocino Commercial Cannabis Cultivation Compliance Program” or “MC4P”

- An initial, starting point document only at this time.

■ Purpose and Intent

- Similar to and expanded version of current 9.31. Additional disclaimers.

“ . . .to protect the public health, safety, and welfare of the residents of the County of Mendocino, and to reduce or eliminate any adverse environmental effects . . .”

■ Regulations

- Speaks to the county promulgating regulations to adopt and implement the MC4P

■ Definitions



» MC4P Elements (cont.)

■ **Permitting and Certification**

- Spells out the specific requirements for the MC4P.

(Application, fee, personal and grow site info, visual documentation (maps & photos), proper set-backs, cultivation and operational plans, legal water source and other water related info, NCRWQCB paperwork in order, proper 1600 permit from CDFW (if needed), consent to inspections, electrical source and appropriate infrastructure to support grows using artificial light, agreement to reduce the cultivation size if the county determines that environmental factors will not support the established size of grow without negative impacts to the watershed, permit issuance after application and pre-site complete, etc.)

The Ag Commissioner will offer a “Mendocino Cannabis Organic Equivalent” (MCOE) certification program for medical cannabis producers. The standards and requirements related to this program will be included in the cultivation and operation plan for any producer seeking this certification.

■ **Unique Identifier**

- Utilizes the Mendocino County Sheriff’s Office current “zip-tie” program.



» MC4P Elements (cont.)

■ Mendocino Grown

- Cultivators in compliance with all elements of the program will be issued a “Mendocino Grown” certification, protecting appellation and provenance.

■ Standard Conditions of Approval

- Expanded upon and additional elements similar to “Permitting and Certification” requirements listed above.

■ Inspections

- Non-compliance, notice, curative action, re-inspection, failure to comply, consequences, appeal process, etc.

■ Third Party Inspectors

- Role, application to and approval from Ag Commissioner to fulfill that role, application specifics, etc.



» MC4P Elements (cont.)

■ Fees

- County departments to implement fees for service to administer MC4P

■ Penalties and Enforcement

- Violations a public nuisance, unlawful and shall be subject to injunction, abatement or any other administrative, civil, or criminal remedy available to the County.

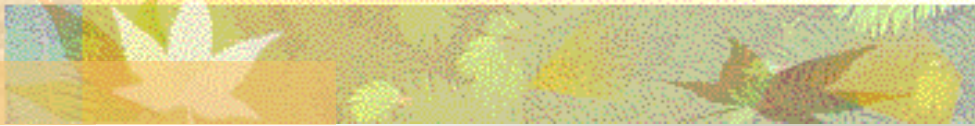
■ Severability

■ Release of Liability and Hold Harmless

■ General Provisions

- Cultivation in enumerated zoning, possible conditional use permit, ensure health and safety of employees, independent contractors, visitors, neighboring property owners and end users of medical marijuana, to protect the environment, ensure security and safeguard against the diversion of medical marijuana for non-medical purposes.

■ Effective Date



QUESTIONS ?