

County of Mendocino Cannabis Department Update Meeting

HOSTED BY: COUNTY OF MENDOCINO CANNABIS DEPARTMENT,
DECEMBER 2, 2022

Meeting Agenda

- ▶ Important Dates
- ▶ MCD Staffing
- ▶ RFQ – Cannabis Planning Services
- ▶ CDFW – SSHR Contract
- ▶ Application Review Update
- ▶ State Licensing Timeline
- ▶ Following
- ▶ Discussion

How to participate in today's meeting

- ▶ Q&A Chat – located in the tool bar if using the Zoom app. Generally, either at the top or bottom of screen. Click the Q&A icon to open the chat box. Only panelists will see the question or comment.
- ▶ Raise Hand – located in the tool bar if using the Zoom app. Generally, either at the top or bottom of screen, or use *9 if calling into the meeting.
- ▶ Mute / Unmute – located in lower left and/or upper right-hand side of screen, or use *6 if calling into the meeting.
- ▶ Please contact MCDPOD@mendocinocounty.org if you have questions

Notable Dates

- ▶ December 1 – 31, 2022, Notice of Fallowing submission period for the 2023 cultivation season
- ▶ December 2, 2022, from 8:30 – 10:00 am PT, MCD Update Meeting
- ▶ December 9, 2022, from 8:30 – 10:00 am PT, LJAGP Application Review Meeting
- ▶ December 12, 2022, at 1:30 pm PT, General Government Committee
- ▶ December 21, 2022, from 3:30 – 5:00 pm PT, LEEP Monthly Meeting
- ▶ December 23 – January 6, 2023, MCD Counter Closed due to Holidays and staff / contractor training
- ▶ January 16, 2023 – February 10, 2023, Local Jurisdiction Assistance Grant Program Direct Grant Application submission timeline

The MCD Has Moved to Willits

New location!	Willits Justice Center (WJC) 125 East Commercial Street, 2 nd Floor Willits, California 95490
Same phone number!	707-234-6680
Same email addresses!	MCDPOD@mendocinocounty.org For application, permitting, and cannabis planning related questions and communications. CannabisProgram@mendocinocounty.org For general inquiries and grant related questions and communications.
New MCD counter hours effective as of December 6, 2022!	
Monday	By appointment only.
Tuesday	9:00 am – noon & 1:00 pm – 4:00 pm
Wednesday	9:00 am – noon & 1:00 pm – 4:00 pm
Thursday	9:00 am – noon & 1:00 pm – 4:00 pm
Friday	By appointment only.
The MCD counter will be closed December 23, 2022 – January 6, 2023, in observation of the Christmas and New Year Holidays, and for staff training.	

Year	Month	Staff Person	Position
2018	July	1. Nicholas Duncan	Planner II
2019	February	2. Gabriella Eaton	Planner II
2021	March	3. Kristin Nevedal	Director
	November	4. William Riley	Program Administrator
	December	5. Diana De Los Santos	Planner I
2022	February	6. Audrey Gardner	Department Analyst
	April	7. Angelina Lane	Planner Tech II
	May	8. Tarah Rhine	Planner Cartographer
		9. Kasie Miller	Planner Tech I
		10. David Strock	Planner Tech I
	July	11. Gregory Withrow	Planner II
	September	12. Heidi Cremelle	Administrative Assistant
		13. Elora Babbini	Chief Planner
November	14. Trish Tracy	Staff Assistant III	
Actively Recruiting		15. Vacant	Program Manager
		16. Vacant	Senior Planner
		17. Vacant	Office Services Supervisor
		18. Vacant	Department Analyst (underfill Planner II)
		19. Vacant	Planner I/II
		20. Vacant	Planner I/II
		21. Vacant	Administrative Assistant
		22. Vacant	Staff Assistant III

MCD Staffing

RFQ – Cannabis Planning Services

- ▶ On June 17, 2022, the County opened RFQ number MCP-22-001, requesting submissions for Cannabis Planning Services.
- ▶ The RFQ closed on July 22, 2022.
- ▶ In September, the review panel completed the review of the five submissions received and MCD staff began working on contract negotiations.
- ▶ Currently MCD staff is working with County Counsel to address any potential conflict of interest issues that may restrict and to wrap up contract negotiations.
- ▶ We hope to bring contracts to the board in the early part of 2023.

CDFW – SSHR Contract

- ▶ February of 2022, the County began working with California Department of Fish and Wildlife staff to negotiate a contract for sensitive species habitat reviews.
- ▶ July 12, 2022, CDFW staff notified the department that they were “pausing” all sensitive species habitat reviews until such time as the contract was finalized and executed.
- ▶ The original contract presented by CDFW to the County was a boiler plate contract that treats the County as the contracted entity with amendments to the payment schedule that show the County paying CDFW for sensitive species habitat reviews. This led County Counsel to request amendments that would bring the contract into more of a standard framework and refer to the County as the entity contracting CDFW
- ▶ September 26, 2022, County staff received the final contract from CDFW
- ▶ October 18, 2022, the agreement was placed on the Board of Supervisors consent agenda and approved.
- ▶ October 27, 2022, the contract was executed by all parties.
- ▶ November 22, 2022, CDFW resumes work on sensitive specie habitat review

De-prioritization Information

On May 17, 2022, the County of Mendocino Board of Supervisors directed staff to prioritize the processing of applications that have active Department of Cannabis Control licenses and have paid any associated local cannabis business tax.

- ▶ Immediately following the directive, the MCD received tax rolls from the TTC and started reconciling the lists with AG_Numbers
- ▶ In June 2022, de-prioritization letters were sent to those with delinquent taxes and/or DCC compliance deficiencies, who had submitted to the 2022 Corrections portal
- ▶ In July 2022, de-prioritization letters were sent to those with delinquent taxes and/or DCC compliance deficiencies, with a status of In Good Standing
- ▶ In October 2022, de-prioritization letters were sent to all applicants and permit holders with delinquent taxes and/or DCC compliance deficiencies

MCD De-Prioritization Update

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Description	Subtotals	Delinquent Taxes	DCC License Compliance	Total De-Prioritized
Active Applications & Permits (10/28/2022)	863	428	412	590
Active Applications & Permits (11/7/2022)	863	365	348	512
Active Applications & Permits (11/17/2022)	850	338	295	481
Active Applications & Permits (12/1/2022)	815	320	272	421
Issued Permits (10/28/2022)	262	114	153	171
Issued Permits (11/7/2022)	262	72	93	120
Issued Permits (11/17/2022)	243	65	79	104
Issued Permits (12/1/2022)	243	56	69	92
Applications (10/28/2022)	601	314	259	416
Applications (11/7/2022)	600	294	256	393
Applications (11/17/2022)	587	273	216	346
Applications (12/1/2022)	572	264	202	329

In Good Standing (IGS) Portal

- ▶ On November 1, 2022, in partnership with Informational Services (IS), MCD staff launched the In Good Standing (IGS) Application Portal
- ▶ The IGS Portal will remain open until 11:59 PM on January 31, 2022. More information about the IGS Portal can be found on the MCD's [Cannabis Application Portal System](#) webpage.

In Good Standing Applications	122
De-prioritized In Good Standing Applications	55
• Delinquent taxes	38
• DCC Compliance issues	50
In Good Standing Portal Submissions (November 14, 2022)	6

Where will I find access to the IGS Portal?

- ▶ The link to the portal is available on the MCD's website
- ▶ Cannabis Application Portal System page
<https://www.mendocinocounty.org/government/cannabis-cultivation/cannabis-application-portal-system>
- ▶ County of Mendocino California Portal registration / login page
<https://mcportal.mendocinocounty.org/portal/>
 - ▶ If you have not created a portal account, you can do so at anytime
 - ▶ If you have created a portal account, you can use the same account and simply add a new In Good Standing permit application

Who Should Use the IGS Portal?

ALL applicants with an In Good Standing (IGS) status should submit complete applications through the Portal

- ▶ See the Cannabis Application Portal System page for updated IGS list
- ▶ Including those that have received a de-prioritization notice due to delinquent taxes and/or DCC licensing compliance issues are eligible for, and should submit a complete application, to the IGS Portal
- ▶ Deprioritized submissions to the IGS Portal will NOT be reviewed until the applicant has resolved all reasons associated with the de-prioritization

Who is not eligible for the IGS Portal?

- ▶ New applications may NOT be submitted through the In Good Standing (IGS) Portal
- ▶ Applicants who already completed the portal in 2021 / 2022
- ▶ Renewal applications may NOT be submitted through the portal
- ▶ Applicants with a status, other than In Good Standing, may NOT submit through the portal
- ▶ ONLY applicants with an In Good Standing status may submit through the portal

How does the application review process work?

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- ▶ November 1, 2022, the In Good Standing Portal opens
- ▶ November 14, 2022, submitted applications will be sent to MCD staff for review
- ▶ December 5, 2022, applications submitted between November 14 and December 5, 2022, will be sent to MCD staff for review **AND** reviewed applications submitted between November 1, and November 14, 2022, that need corrections will be unlocked
- ▶ December 19, 2022, applications submitted between December 5, and December 19, 2022, will be sent to MCD staff for **AND** reviewed applications submitted between November 14, and December 5, 2022, that need corrections will be unlocked
- ▶ January 2, 2023, applications submitted between December 19, and January 2, 2023, will be sent to MCD staff for review **AND** reviewed applications submitted between December 5, and December 19, 2022, that need corrections will be unlocked
- ▶ January 16, 2023, applications submitted between January 2, and January 16, 2023, will be sent to MCD staff for review **AND** reviewed applications submitted between December 19, 2022, and **January 2, 2023**, that need corrections will be unlocked
- ▶ January 31, 2023, at 11:59 pm PT, the **In Good Standing Portal closes**

Issued Permits & Renewal Application Update

Renewal Applications	
Renewal Applications Received	153
Renewal Applications Under Review	104
Modification Applications	
Modification Applications Received	29
Modification Applications Under Review	14
California Environmental Quality Act (CEQA) – Appendix G Checklist	
Appendix G Checklists Received	34
Appendix G Checklists Under Review	0

Provisional License Renewals, on or after, July 1, 2023

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If CEQA is not complete, a determination from the DCC that:

- ▶ The lead agency has certified [...] that it has conducted a reasonably comprehensive site-specific review and has reviewed, prepared, and deemed complete [...] a **checklist** which demonstrates consistency with a previously circulated and adopted negative declaration, mitigated negative declaration, or environmental impact report

California Department of Fish and Wildlife, for cultivation activities, any of the following documents:

- ▶ A final streambed alteration agreement (LSAA); or
- ▶ A draft LSAA signed and returned to the Department of Fish and Wildlife (DFW); or
- ▶ Written verification by the DFW that a LSAA is not needed.

A provisional license shall not be renewed if the DCC is notified of either or both of the following:

- ▶ That the provisional licensee is not in compliance with (a) or (b) of Section 26060.1 or the principles, guidelines, and requirements established pursuant to 13149 of the State Water Resource Control Board, Water Code.
- ▶ That the provisional licensee is not in compliance with any DFW final streambed alteration agreement, any conditions set forth in a signed draft streambed alteration agreement, or a condition established pursuant to subdivision (a) or paragraphs (1) and (2) of subdivision (b) of Business and Professions Code Section 26060.1

Plan for Priority Review

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1. Review applications with provisional licenses that will be subject to renewal in July 2023
2. Review applications with provisional licenses that will be subject to renewal in August 2023
3. Review applications with provisional licenses that will be subject to renewal in September 2023
4. Review applications with provisional licenses that will be subject to renewal in October 2023
5. Review applications with provisional licenses that will be subject to renewal in November 2023
6. So on and so forth

Fallowing

- ▶ Notice of Fallowing for the 2023 cultivation season will be accepted from December 1, 2022, to 11:59 pm PT on December 31.
- ▶ The above is the ONLY time a Notice of Fallowing may be accepted for the 2023 cultivation season
- ▶ 2022 Fallowing Affidavit must be submitted between January 1, 2023 and February 1, 2023.
- ▶ If a 2022 Notice of Fallowing was submitted, and a completed affidavit is NOT submitted between January 1, 2023, and February 1, 2023, the applicant / permit holder will accrue 2022 tax liability

Discussion, Q & A

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