

ALAB MEETING MINUTES

Monday, July 10, 2017

Members and Alternates Present: Jean-Pierre Wolff, Don Warden, Chuck Pritchard, Kaylee Ellis, Dan Rodrigues

Staff Present: Marc Lea, Lynda Auchinachie – San Luis Obispo County Department of Agriculture, Brandi Cummings – San Luis Obispo Department of Planning and Building

Absent Members: Greg France, Mark Pearce, Mark Battany, Claire Wineman, Dick Nock, Tom Ikeda, David Pruitt, Lisen Bonnier

Guests Present: Jutta Thoerner, Patricia Wilmore

1. Call to Order: 6:10 Chair Wolff

- **Open Comment:** Patricia Wilmore indicated there was a recent news story on wine and weed pairings in Sonoma County.

2. Announcements from ALAB Members & County Ag Department Staff Updates:

- Marc Lea introduced Jutta Thoerner as the new Direct Marketing/Organic Representative. Larry Kandarian will be Jutta's alternate. Marc also shared that Richard Hawley had resigned as the Environmental Representative and member recruitment for Richard's position as well as the other vacant positions is underway. Marc noted that Mark Battany would be replacing Mary Bianchi in the Ex-Officio Farm Advisor position.
- Chair Jean-Pierre Wolff indicated he provided a gentle reminder about the vacancies to individuals and agencies responsible for appointing ALAB members.
- Marc Lea indicated the permanent Oak Woodland ordinance passed unanimously. Marc summarized key ordinance components including: 1) applies only to oak trees, 2) removal of less than one acre of oak woodland is exempt, 3) clearcutting over 30 percent slopes is prohibited with few exceptions, 4) clearcutting more than an acre on slopes less than 30 percent requires a discretionary permit, and 5) a minor use permit is required for Heritage Oak tree removal.
- ALAB members were provided copies of San Luis Obispo County Department of Agriculture's 2016 Annual Crop Report. Highlights include total gross value of approximately \$915,000,000 with wine grapes and strawberries accounting for over one-half the value.
- Demand for distilleries with visitor serving uses in agricultural areas continues to grow. The Planning Department is in the initial stages of industry outreach to gain an understanding of how rules could be modified to accommodate demand.

3. Update/Discussion: Draft Ordinance for the regulation of Cannabis Cultivation and other Cannabis Activities in San Luis Obispo County – Brandi Cummings - San Luis Obispo Department of Planning and Building

- Brandi Cummings provided ALAB members with a general overview of the ever-changing landscape relative to cannabis regulations at both the state and county level. The most notable change has been state legislation that recently merged rules for medicinal and adult use/recreational cannabis. Merging rules into one set is intended to make

implementation and enforcement easier for all. Brandi indicated the Planning Commission would be having a study session on the state regulations July 27, 2017. The staff report for the hearing is now available and it provides a detailed breakdown of current regulations. Brandi indicated the Planning Commission will deliberate the proposed local ordinance at their August 10, 2017, hearing.

- Chair Jean-Pierre Wolff informed ALAB members that the State and Regional Water Quality Control Boards are working on establishing cannabis permitting requirements.
- Brandi Cummings indicated the Board of Supervisors (BOS) will be having a cannabis taxation and fee discussion at their July 25, 2017, hearing followed by an August 22, 2017 hearing to consider extending the Cannabis Urgency Ordinance that is currently in effect. A BOS hearing to deliberate the Planning Commission's recommended Cannabis Ordinance is tentatively scheduled for October 3, 2017.
- ALAB members raised concerns over limiting land use permits to a set number of applicants. ALAB members discussed the arbitrary nature of the limitations and challenges with selecting preferred applicants. Brandi indicated that the limitations will be deliberated at the Planning Commission hearing and that if limitations are adopted a third-party consultant would most likely handle the selection process. It was noted that 350 growers had successfully registered with the county and over 600 applicants are anticipated to apply once the ordinance is in effect. Land use permit approval may occur as soon as Spring 2018.
- Marc Lea shared that there are only 15 pesticides that can legally be used on cannabis, and those are all low-risk pesticide products that are exempt from pesticide tolerance requirements, such as sulfur, Bt, and neem oil. Since pesticide labels are a Federal document that must be approved by the EPA, it is unlikely that any additional pesticides will be approved for use on cannabis in the near future.
- Brandi Cummings indicated that discussions continue about limits to cannabis cultivation in the Carrizo Planning Area which includes California Valley. Chuck Pritchard shared his frustration with governmental overreach relative to endangered species on the Carrizo Plains.
- Brandi Cummings informed ALAB members that the proposed ordinance will establish a new land use category called Cannabis Activities. The intent of establishing a new land use category rather than defining it as Crop Production and Grazing is to ensure that other crops are not subject to new restrictions or regulations similar to what is being proposed for cannabis production. Additionally, all permits will be discretionary with environmental review. Brandi also highlighted that industrial hemp will not be subject to the cannabis ordinance.
- Kaylee Ellis voiced several concerns with regulating cannabis through the land use process because it could be a precedent for restricting other crops and the proposed regulation is duplicative. Kaylee suggested a subcommittee be considered to address the proposed cannabis regulations.

4. Future Agenda Items:

Update on cannabis ordinance development and potential formation of a cannabis subcommittee.

Next meeting – August 7, 2017

Respectfully submitted by Lynda Auchinachie, County Department of Agriculture