



County of Humboldt

Planning and Building Department

3015 H Street, Eureka, California 95501
FAX: (707) 445-7446 PHONE: (707) 445-7245

Cannabis Cultivation in 2018

We are halfway through 2018 and want to update you on some of the most important actions and considerations important to you at this current time.

I. The update of the Commercial Cannabis Land Use Ordinance has been adopted by the Board of Supervisors and is being implemented.

New applications can now be submitted. The Planning and Building Department will not accept incomplete applications and requires that prior to application acceptance the applicant participate in an application assistance meeting. You can schedule an Application Assistance meeting by calling the Planning and Building Department at (707) 445-7245.

II. It is vital to understand the context of the Ordinance has also changed.

On January 1, 2018 the industry regulation changed when State Licensing was implemented. Our Ordinances and policies are now implemented and enforced in that context. When implementing our original CMMLUO, there existed some latitude to allow pre-existing cultivation to continue while permit applications were being processed as the State developed its Cannabis Licensing program. This condition no longer exists. In today's regulatory scheme, cannabis cultivation requires a local permit and a state license to be deemed legal. All other cultivation is illegal.

III. Here are some key things to be aware of:

- While the evidence of a pre-existing cultivation site will still be evaluated as part of the 2.0 permit application process, there is currently NO compliant path to cultivating cannabis on these sites before the permit has been approved. Similar to NEW cultivation areas, there can be NO cannabis cultivation on pre-existing sites UNTIL BOTH the County Permit is approved AND the State License has been granted.
- There is no legal outlet for unpermitted cultivators to sell products, thus sales of unpermitted cannabis flower/extracts etc. are black market sales.
- There will NOT be affidavits or Interim Permits for pre-existing cultivation permits applied for under Cannabis Ordinance 2.0.

- All applications under Ordinance 1.0 will be processed to either decision or the limit which the submitted information allows before beginning evaluations on Cannabis Ordinance 2.0 projects.
- Any property with unpermitted cannabis cultivation enforcement actions resulting in Notices to Abate and/or Notices of Violations will not be eligible for 2.0 application submission until the Notices are cured by all corrective actions, including site restoration and fines/penalties paid.

IV. Interim Permit Update

If you were issued an Interim Permit under 1.0 with an expiration of June 30, 2018 the expiration date is being extended to September 30, 2018.

Part of regulating the cannabis industry is enforcing against those who operate in violation of the law. You will see increasing coordination between the Planning and Building Department, the Sheriff and California Department of Fish and Wildlife to enforce against sites that are in violation of the law. In addition the Planning and Building Department will be increasing the number of Notices to Abate and Notices of Violation for sites with unpermitted cannabis cultivation, grading and cultivation related structures in the coming days and weeks.

Thank you for your efforts to be in compliance, and for your patience as we work to make this program a success.

A handwritten signature in blue ink, appearing to read "John Ford".

John Ford, Director
Planning & Building Department
County of Humboldt