



Solano County

Board of Supervisors

Minute Order

February 25, 2020

Director of Resource Management Bill Emlen introduced the item.

Agricultural Commissioner/Sealer of Weights and Measures Ed King provided an overview of federal and state laws relating to regulation of industrial hemp.

Chairwoman Hannigan commented on the issues of smell and that hemp looked like cannabis. She asked if the Board could limit the type of hemp plant grown so that it was only for fiber hemp.

Mr. King advised that there was no fiber hemp crops being grown in California yet.

Chairwoman Hannigan advised that there would still be criminal activities no matter where hemp was placed. She asked if there was a hemp plant that didn't smell like cannabis.

Mr. King advised that there was a plant that didn't smell like cannabis but advised that it was unlikely anyone would be willing to grow it.

Mr. Emlen advised that staff was trying to narrow down the regulations and needed direction from the Board. He noted that public outreach would also be needed and provided information on options for the Board's direction.

Supervisor Vasquez commented on using a conditional use permit to ensure that all those conditions would be put in place and that there was a public hearing so that public feedback could be provided.

Mr. Emlen noted that additional provisions could be developed related to hemp as well.

Chairwoman Hannigan invited members of the public to make comments on the matter and the following comments were received:

A) George Guynn, Jr., Suisun City, commented on the need to come up with a solution on how to deal with regulating industrial hemp without overregulating it.

B) Larry Nixon, Dixon, commented on the amount of traffic speeding on canal roads after stealing hemp or running from law enforcement, the costs associated with criminal activities, organized crime associated with hemp and advised that indoor growth would eliminate a lot of the issues.

C) Rosie Enriquez, Dixon, commented in support of formation of a citizen's task force to work on this issue and on quality of life concerns

D) Jane Haskins, Dixon, commented on impacts to residents living near hemp fields, the need to fix testing and security issues, cross-contamination of pollen and on rope hemp.

E) Jan Nixon, Dixon, commented that hemp wasn't needed in the county, on safety and

odor concerns and quality of life.

F) Jennifer House, representing the Solano County Farm Bureau, commented in support of a creation of a task force with the opportunity for the Farm Bureau to sit on the task force and advised that the Farm Bureau was not opposed to the growing of legal crops as long as it did not have extraordinary impacts on neighbors and public safety.

G) Timothy Pan, representing New Boy Farms, commented on the company's efforts to ensure public safety, noting that their site did not have any issues and advised that the company was facing economic issues due to the County's moratorium.

Supervisor Thomson commented that he still felt a task force was needed that would be made up of two board members, two hemp industry representatives, two members of the public, the Farm Bureau and law enforcement representation.

In response to a question from Supervisor Brown, Mr. King noted that there were three security plans previously submitted to the Sheriff and approved. He advised that there were no issues following the approval of the plans that he was aware of. He then noted that New Boy Farms were growing both indoors and outdoors and that a five mile radius seemed to be the most beneficial.

Supervisor Brown asked whether the New Boy Farms could be allowed to proceed.

Assistant County Counsel Carrie Scarlata advised that there was no legal way to pick cultivators that would or would not be allowed to grow hemp.

In response to a question from Supervisor Brown, Mr. King advised that the growing season for hemp was now, especially given that New Boy Farms was growing indoors.

County Administrator Birgitta Corsello advised that the growing season last year was July to November and that having multiple growing seasons or growing year-round indoors would be looked at differently. She noted that they could plant right now or they could still have time to plan and have a season if the Board gave staff time to come back with taskforce recommendations.

Supervisor Brown advised that she did not want to hamper hemp farmers from earning money given that hemp was a legal crop.

Supervisor Spering commented on concerns with having a task force because it was another way of saying that the issue would be mitigated and advised that he was in support of a total ban on hemp. He then noted that the County's residents were in the unincorporated part of the County and not in the cities and that crime would never be totally eliminated. He also noted that encroachment would not go away and that there was a need to have discussion about how to protect the food crops.

Chairwoman Hannigan noted that the conversation was in some ways parallel to discussions the Board had in the past on marijuana.

Supervisor Vasquez asked if the Board could select one of the mile radius options for separation of hemp from communities.

Mr. Emlen advised that staff had been looking at this already.

Supervisor Vasquez advised that he had visited the New Boy Farms operation and looked

at their security plan. He noted that hemp was a legal commodity and that he would be leery of banning it as it was an agricultural product. He commented in support of forming a taskforce.

Supervisor Thomson advised that it was not fair to assume a taskforce would mitigate the issue and commented on the need to learn about the industry, hear from the residents and make an informed decision.

Mr. Emlen advised that staff's approach was to establish some broad standards and to work on the use permits.

Chairwoman Hannigan asked if there was a way to limit the number of use permits.

Ms. Scarlata advised that it was up to the Board to include this.

Mr. Emlen advised that staff would like to have something done before the ordinance terminated in November.

In response to a question from Supervisor Vasquez, Ms. Scarlata advised that the Board could provide guidance to the taskforce on what radius to look at and to bring back recommendations.

Supervisor Vasquez commented that he was in support of looking at the five mile radius and on having a use permit.

Supervisor Sperring advised that a five mile radius could put a hemp operation in the middle of residences and noted that the taskforce should look at that.

Mr. Emlen advised that a separation requirement be looked at with the taskforce as well.