



**SOLANO
COUNTY**

SUMMARY OF HEMP COMMUNITY MEETING

SEPTEMBER 16, 2020 @ 6:00 p.m.

ELMIRA FIRE STATION

STAFF PRESENT:

Bill Emlen, Assistant County Administrator
Ed King, Agricultural Commissioner
John Vasquez, Supervisor
Skip Thomson, Supervisor
Carrie Scarlata, Assistant County Counsel
Allan Calder, Planning Manager
Jamielynn Harrison, Administrative Secretary

Assistant County Administrator Bill Emlen opened the meeting to discuss the urgency order and draft ordinance regarding hemp grow sites in Solano County. A brief history was provided regarding the county actions of cannabis grown in the area and the recent laws changing the cultivation of hemp.

Agricultural Commissioner Ed King spoke regarding the recent state legislation and the qualifications for cultivating industrial hemp.

Staff explained that State regulations are still in the process of being developed. However, there are two enhancements which are being implemented:

- 1) Growers must clear a criminal background check. They cannot have a felony conviction or substance issues; and
- 2) Growers will be required to collect a certain number of samples from their harvest.

The meeting opened for public discussion.

Mr. Manuel Maciel asked about the required security plan and stated that there were problems with "thugs" that were hired as "security" at one location.

Ms. Rosie Enriquez suggested that the security plan be part of the ordinance. She also stated that she spoke with the “security” at that same location and commented that those were the type of people she took to jail.

Mr. Emlen indicated that ordinance includes a required security plan wherein the applicants work with the Sheriff’s Office to meet the requirement.

Lewis Derfuss stated that the fumes from the cannabis grow permeate the air and the lights from the nearby grow were on continuously. He also wanted to know who would be paying for law enforcement to monitor the sites.

Ms. Enriquez asked about the outside ban versus the ordinance. Mr. Maciel asked if the ordinance will include cannabis or hemp or both. It was clarified that the ordinance will only cover industrial hemp. The County has separate ordinances addressing Cannabis.

Mr. Derfuss wanted to know what is the difference between cannabis and hemp? There was discussion of the difference.

Mr. Maciel wanted the Ag Commissioner to address the hemp market issue.

The Commissioner indicated that the processing infrastructure was not ready for the massive harvest. Since the county implemented a moratorium, it has slowed the process overall.

Jason Coleman asked if law enforcement had provided an example of the security plan? The Commissioner replied that all three growers provided a security plan.

Carol Maciel asked if input was sought from law enforcement when drafting the ordinance?

County Counsel Carrie Scarlotta stated that an applicant is required to submit a security plan which must be approved by the Sheriff’s Office. There are certain minimum thresholds, but the applicants surpassed the thresholds.

Ms. Enriquez stated that she was a victim of “one of those robust plans with thugs from LA off of Craig’s List” as the security personnel.

County Counsel indicated that the team was in place before there was a security demand from the county. Ms. Enriquez indicated that it did not change from the day of inception to the day of harvest.

Mr. Emlen stated that at the time, the county did not have an ordinance in place. He noted that the draft ordinance includes a discretionary process with leverage to address issues that have been identified.

Ms. Fawl asked about fees and indicated that she did not see any fees that would be compensatory to the level of weight on the Sheriff’s Office. She lives in a rural residential area where high-speed chases end on her street. What is the impact to the community? She stated that there are six deputies, which at any given time, all the deputies could be at an incident and unable to respond to her call.

County Counsel stated that the draft ordinance provides for recovery of actual costs to regulating (unintelligible)

Ms. Enriquez inquired about the fees deducted for code enforcement and bond consideration. County Counsel indicated that the bond was relevant to size of the grow and estimated per permit at § 7, page 6.

Ms. Enriquez asked if there would be a cost analysis at the time of issuance in order to protect the citizens. She also said there were 1,177 calls to the sheriff last year regarding criminal activity.

Ms. Fawl stated that a full-time sheriff should be designated to this subject. Supervisor Vasquez said that the Sheriff will justify the need and/or impact. Mr. Derfuss said that there is no benefit to the county. Are the growers being taxed? Supervisor Vasquez stated no more than any other ag property. Ms. Enriquez inquired about the orchard tax

Mr. Emlen gave a brief history on the process of drafting the preliminary ordinance. He noted the defined geographic area shown on the display map where Hemp Cultivation Permits could be requested. There are also maps showing the sphere of influence to the cities within one mile, three miles and five miles. Also noted was a provision that the grow cannot be closer than 2500 ft. from an off-sight occupied residence. Supervisor Vasquez indicated that residence could still find this too close to the boundary and could be addressed through the discretionary process..

Mr. Emlen said that discretionary means it is a process similar to filing a use permit. It is also an appealable action to the Board of Supervisors. County Counsel talked about the process of taking action in regard to violations. There will be a certain time to act and if they do not comply, the permit can be revoked. Ms. Enriquez asked how much time? County Counsel indicated that it could take months.

Mr. Enriquez asked how many code compliance officers will be employed. Mr. Emlen indicated 2 ½. Ms. Enriquez asked if that was for the entire county? This was confirmed.

Mr. Derfuss stated that the signage would draw crime. County Counsel indicated the intent was to clearly indicate the crop was Hemp and not Cannabis.

Mr. Derfuss spoke about the cannabis in an enclosed structure and the regulations. County Counsel indicated that the grow house is not permitted as a green house. There was continued discussion of inside growing.

Greg House indicated that he is opposed to any relaxation of the permit process rules and asked how much authority is given to the Sheriff's Office. Mr. Emlen stated that it was a collaborative effort.

Supervisor Vasquez stated that background checks are solely for the applicant at this time. There was also discussion regarding background checks as part of the security plans for all participants who are hired.

There was concern regarding illegal growing and the possible language in the ordinance that would provide access to those properties if they are growing illegally. Jim Currie spoke about submitting samples and harvest inspections. The county sample process is pre-harvest.

There was discussion of lab integrity. It was noted that the DEA labs for testing the hemp samples are not in Northern California. The county has a list of labs available. It was asked that the testing process can be incorporated into the ordinance.

Ms. Enriquez mentioned that there has been a problem enforcing parking in the area. The code enforcement officers are unable to enforce the rules. There was continued discussion.

It was also mentioned that there should be a growing moratorium. It was asked why the urgency for the ordinance if there are no grow sites. It was explained that the county is being proactive so there is no lapse

Mr. House indicated that there was not sufficient notice to the community for the meeting and suggested more advance notice.

There was continued discussion regarding harvesting time; early June to Thanksgiving. After the harvest is complete, there are stems and hazardous materials left in the field. When it rains, the stench from the biproduct is prevalent and overwhelming. Also, the residual materials of honey oil are also a concern. It was suggested that there should be a destruction plan. County Counsel said the extraction is part of the processing along with a site restoration plan. The plan can also be more detailed as desired.

There was continued discussion of what the types of flowers are allowed, how the testing will work with flowering plants and the process of the sample testing.

Adjourned.