



# MARIPOSA COUNTY

Agricultural Commissioner



## ORDINANCE 2019-1141

MEETING: March 26, 2019  
TO: The Board of Supervisors  
FROM: David Robinson, Ag Commissioner  
RE: Interim Urgency Ordinance Imposing Temporary Prohibition on Industrial Hemp

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**RECOMMENDED ACTION AND JUSTIFICATION:** Adopt an Interim Urgency Ordinance Imposing a Temporary Prohibition (Moratorium) on the Cultivation of Industrial Hemp, and the Cultivation of Industrial Hemp by "Established Agricultural Research Institutions", Within the County of Mariposa.

See Memorandum for background information and justification.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** None known, related to industrial hemp

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Alternatives: Amend text of draft Urgency Ordinance

Negative Action: Do not adopt Urgency Ordinance. Industrial hemp will be legal to grow in Mariposa County in early April, following a registration with the County Agricultural Commissioner.

**ATTACHMENTS:**

190326 Memorandum on Hemp Moratorium (DOCX)

190326 Urgency Ordinance Temporarily Prohibiting Hemp (DOCX)

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Marshall Long, District III Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Menetrey

**MARIPOSA COUNTY ORDINANCE NO. 1141**

**AN INTERIM URGENCY ORDINANCE IMPOSING A TEMPORARY PROHIBITION (MORATORIUM) ON THE CULTIVATION OF INDUSTRIAL HEMP, AND THE CULTIVATION OF INDUSTRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS", WITHIN THE COUNTY OF MARIPOSA**

**WHEREAS**, Section 65858 of the California Government Code empowers the Board to adopt an Interim Urgency Ordinance to protect the public safety, health and welfare of the citizens of Mariposa County; and

**WHEREAS**, this interim urgency ordinance is adopted pursuant to California Constitution Article 11, Section 7, Government Code sections 65800, et seq., particularly section 65858, and other applicable law; and

**WHEREAS**, the purpose of this ordinance is to establish a temporary prohibition (moratorium) on the cultivation of industrial hemp for commercial purposes or by “Established Agricultural Research Institutions,” as defined by California Food and Agricultural Code Section 81000(c); and

**WHEREAS**, during this interim urgency period, County Staff is directed to:

1. determine the impacts of such locally unregulated cultivation and whether reasonable regulations to mitigate such impacts are desirable or feasible;
2. monitor the development of regulations for sampling and testing methods for hemp;
3. monitor the development of a state definition for an “Established Agricultural Research Institution”;
4. monitor the development of guidelines for establishing whether a cultivator claiming to be an “Established Agricultural Research Institution” is legitimate and for determining that the cultivation constitutes “agricultural or academic research”;
5. monitor the development of federal regulations and whether or not California’s program will need to be modified to comply;
6. monitor the development of adequate signage requirements for a hemp cultivation or seed breeding operations; and
7. bring their findings back to the Board of Supervisors for further consideration and direction.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA**

**COUNTY**, a political subdivision of the State of California, does ordain as follows:

**Section I:** During the dates this Interim Urgency Ordinance and any extension thereof is effective, approvals, registrations, and/or establishment of hemp is prohibited within the jurisdiction of Mariposa County; hemp is defined in H.R.2, the Agriculture Improvement Act of 2018 to include all parts of the plant, including seeds, derivatives, extracts, and cannabinoids.

**Section II:** The purpose of this Interim Urgency Ordinance is to protect the public safety, health and welfare of the citizens of Mariposa County and is based upon the following findings:

A. Until December 20, 2018, Section 5490 of Title 7 of the United States Code prohibited the cultivation of industrial hemp except by certain institutes of higher education, State departments of agriculture, and agricultural research institutions.

B. On December 20, 2018, President Trump signed H.R. 2, the Agriculture Improvement Act of 2018 (hereafter “the 2018 Farm Bill”) into law allowing hemp cultivation far more broadly than the previously allowed pilot programs for studying market interest in hemp-derived products. The 2018 Farm Bill also redefines hemp to include all parts of the plant, including seeds, derivatives, extracts, and cannabinoids, and allows the transfer of hemp-derived products across state lines for commercial or other purposes. It also puts no restrictions on the sale, transport, or possession of hemp-derived products, so long as those items are produced in a manner consistent with the law. The 2018 Farm Bill requires states wishing to be the primary regulators of hemp cultivation to submit their proposed regulatory programs for federal compliance approval and directs the United States Department of Agriculture to develop federal regulations for hemp farming, which will override state regulatory programs containing less stringent requirements. These federal regulations are still pending, and federal compliance review of California’s hemp program is still pending.

C. Division 24, Industrial Hemp [Section 81000 – Section 81010] of the Food and Agricultural Code (hereafter referred to as “FAC”), which was enacted on January 1, 2017, prior to the 2018 Farm Bill, addresses the growing and cultivation of industrial hemp in California. It remains unknown whether California will amend the FAC in the wake of federal review of its program under the 2018 Farm Bill.

D. On September 30, 2017, FAC Division 24, Industrial Hemp [Section 81000 – Section 81010], also prior to the federal adoption of the 2018 Farm Bill, was amended to remove restrictions on hemp farming methods and to specifically authorize the tending of individual hemp plants, as opposed to requiring densely planted rows, making it far more difficult for an observer to distinguish between a hemp farm and a cannabis farm either on the ground or from the air. Neither the state nor federal government currently provides any restrictions on the amount of acreage that can be used for, or the total canopy size of, an industrial hemp cultivation site.

E. FAC Section 81001 creates and calls for the Industrial Hemp Advisory Board to advise the California Secretary of Food and Agriculture (Secretary) and make recommendations to the Secretary pertaining to the cultivation of industrial hemp, including but not limited to, developing the requisite industrial hemp seed law and regulations, enforcement, and the setting of an assessment rate. The Industrial Hemp Advisory Board and California Department of Food and Agriculture are expected to implement the requisite regulations allowing the cultivation of industrial hemp for commercial purposes in early 2019. Like the adoption and amendment of FAC Section 81000 et seq., these regulations are being developed and adopted by the state without first vetting them through the federal government as part of its compliance review of California's regulatory program under the 2018 Farm Bill, and it is unclear whether the regulations, once adopted, will need to be further amended to meet federal compliance requirements.

F. Under FAC Division 24, all commercial growers of industrial hemp (not including cultivation by "Established Agricultural Research Institutions") must register with the county agricultural commissioner prior to beginning cultivation. Proposed registration regulations were submitted by the California Department of Food and Agriculture to the Office of Administrative Law on February 19, 2019 and are still pending.

G. Per the California Department of Food and Agriculture's Industrial Hemp Frequently Asked Questions website, registration with the agricultural commissioner will become available upon the state's adoption of final regulations but may be subject to further local restrictions.

H. An "Established Agricultural Research Institution" is defined under FAC Section 81000 as: "(1) A public or private institution or organization that maintains land or facilities for agricultural research, including colleges, universities, agricultural research centers, and conservation research centers; or (2) An institution of higher education (as defined in Section 1001 of the Higher Education Act of 1965 [20 U.S.C. 1001]) that grows, cultivates or manufactures industrial hemp for purposes of research conducted under an agricultural pilot program or other agricultural or academic research."

I. "Industrial hemp" is defined under FAC Section 81000 and Health and Safety Code Section 11018.5 as "a crop that is limited to types of the plant *Cannabis sativa* L. having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained in the dried flowering tops, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom."

J. FAC Section 81000 expressly exempts industrial hemp from regulation under Division 10 (commencing with Section 26000) of the Business and Professions Code (the Medicinal and Adult-Use Cannabis Regulation and Safety Act), so industrial hemp is not subject to the same regulatory provisions as cannabis.

K. "Cannabis" is defined under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) codified at Business and Professions Code Section 26001 as "all parts

of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin... ‘cannabis’ does not mean ‘industrial hemp’ as defined by Section 11018.5 of the Health and Safety Code.”

L. Mariposa County currently bans commercial cannabis cultivation through County Code, Title 17, Zoning, Section 17.108.200 (Uses Prohibited In All Zones).

M. Industrial hemp and cannabis are differentiated by definition in state law, with a major difference being industrial hemp may not contain more than 0.3% tetrahydrocannabinol (THC). However, industrial hemp and cannabis are derivatives of the same plant, *Cannabis sativa* L., and the appearance of industrial hemp and cannabis are virtually indistinguishable. Absent a laboratory performed chemical analysis for THC content, the two plants cannot be distinguished. This would make it impossible for law enforcement or county code enforcement to independently distinguish between a “hemp” plant and a “cannabis” plant without obtaining samples for testing and having those samples tested, thereby hampering civil and criminal enforcement of the county’s current cannabis cultivation ban. A grower might be incentivized by the similarity between the plants and the comparatively liberal hemp laws to cultivate illegal cannabis disguised as industrial hemp, thereby increasing the likelihood of criminal activity, nuisances and danger to health, safety, and the environment.

N. Industrial hemp cultivation creates a pungent seasonal odor that is similar in type and intensity to the pungent seasonal odor created by cannabis cultivation. Failure to prohibit industrial hemp or to regulate the location and size of industrial hemp cultivation sites is likely to result in nuisance odors impacting neighbors and neighborhoods.

O. Division 24 of the FAC, allows an “Established Agricultural Research Institution” to cultivate or possess industrial hemp with a greater than 0.3% THC level, causing such plant to no longer conform to the legal definition of industrial hemp, thereby resulting in such “research” plants constituting “cannabis” under MAUCRSA. Unlike regular commercial hemp growers, research hemp growers are exempt under FAC Section 81003 from having to register with the county agricultural commissioner or otherwise notify the county of their status as “Established Agricultural Research Institutions” or their intentions to cultivate hemp within the county. Per Division 24 of the FAC, an “Established Agricultural Research Institution” is required only to provide its Global Positioning System coordinates to the county agricultural commissioner. An “Established Agricultural Research Institution” is also not subject to the restrictions imposed on commercial hemp cultivation sites under Division 24 of the FAC, including restrictions on type of seed cultivars used or the requirement of limiting cultivation sites to areas of at least 1/10 of an acre. Without local restrictions in place, a qualifying research institution could cultivate industrial hemp within the county and could do so without any limit on acreage of the cultivation site, location of the cultivation site, or total canopy size.

P. The definition of “Established Agricultural Research Institution” as provided in FAC Section 81000 is vague and neither the Legislature nor the Industrial Hemp Advisory Board have

provided guidelines on how the County can establish whether a cultivator claiming to be an “Established Agricultural Research Institution” is legitimate or that the cultivation constitutes “agricultural or academic research.” Without clear guidelines, the ability and likelihood that cultivators would exploit the “Established Agricultural Research Institution” exemption to grow industrial hemp or cannabis with more than 0.3% THC is great.

Q. Allowing the cultivation of industrial hemp, particularly prior to the adoption of reasonable regulations, if any, may result in violations of the County's current cannabis regulations, interference with the County's ability to effectively regulate land use, and may be harmful to the welfare of the County and its residents, create a public nuisance, and threaten existing agricultural and other land uses and nearby property owners. Such uses, without County review of location and operational standards, also have the potential to adversely affect neighborhoods and sensitive natural resource areas, resulting in a clear and immediate danger to public health, safety, and welfare.

R. There is an urgent need for County staff to assess the potential local impacts of industrial hemp grown commercially or by “Established Agricultural Research Institutions” and to explore the feasibility of developing reasonable regulatory options relating thereto. Allowing the cultivation of commercial hemp or cultivation of hemp by “Established Agricultural Research Institutions” prior to studying whether or not its nuisance potential can be mitigated through reasonable regulations creates an urgent and immediate threat to the public health, safety and/or welfare of the citizens of Mariposa County.

S. The county agricultural commissioner has received requests to register both commercial and “research” hemp cultivation sites and the county planning department has received inquiries regarding hemp cultivations. There is currently no guidance in the Mariposa County Code concerning industrial hemp cultivation. As such, there is a current and immediate threat to the public health, safety, and welfare in that the establishment of industrial hemp cultivation in rural areas of Mariposa County will result in land uses and land developments that may conflict with amendments to the Mariposa County Code that may be adopted as a result of the study that is to be undertaken.

T. The allowance of cultivation of industrial hemp by commercial cultivators or by “Established Agricultural Research Institutions,” as defined by FAC Section 81000, prior to the adoption of reasonable regulations, creates an urgent and immediate threat to the public health, safety or welfare of the citizens and existing agriculture in Mariposa County.

U. Mariposa County has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses, and in preventing the establishment of nuisances through the cultivation of industrial hemp.

V. In order to ensure the effective implementation of the County of Mariposa’s land use objectives and policies, a temporary prohibition (moratorium) on the establishment and/or approval of industrial hemp cultivation is necessary.

W. There is no feasible alternative to enactment of this prohibition (moratorium) ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.

X. This temporary prohibition (moratorium) is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). It is exempt pursuant to CEQA Guidelines Section 15308 because it is a regulatory action taken by the County pursuant to its police power and in accordance with Government Code Section 65858 to assure maintenance and protection of the environment pending the evaluation and adoption of contemplated local legislation, regulation, and policies; and it consists of a temporary prohibition on industrial hemp cultivation within the County, which is currently unregulated at the local level. As an interim ordinance preserving the status quo and prohibiting a new land use that might impact the environment, the ordinance is also exempt under CEQA Guidelines Section 15061(b)(3). There are no unusual circumstances under CEQA Guidelines Section 15300.2(c) that would render either of these exemptions inappropriate. Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

Y. This ordinance complies with State law and imposes reasonable regulations that the Board of Supervisors concludes are necessary to protect the public safety, health and welfare of residents and business within the County.

Z. The Board of Supervisors hereby further finds and declares that establishment of any hemp farm or operation, while the County is evaluating the adequacy of State of California and Federal standards and protocols to protect Mariposa County resources will conflict with the County General Plan Guiding Principles (General Plan Chapter 3):

1. Clear approval standards have not been developed;
2. A nexus between the impacts of any project and project conditions and mitigation measures cannot be determined;
3. Potential impacts on agricultural uses and activities have not been evaluated;
4. The effect on the desirability of neighborhoods located in Rural Residential and Mountain Home Districts has not been determined;
5. The need for infrastructure to accommodate hemp uses and activities has not been determined.

**Section III:** Failure to adopt this ordinance may result in significant irreversible changes to rural neighborhoods and the historical and rural community character of Mariposa County.


**Section IV:** Based on the foregoing, the Board of Supervisors does hereby declare this urgency ordinance is necessary to protect the public health, safety, and welfare while considering any local regulations and standards that may apply to activities licensed pursuant to Division 24

of the Food and Agricultural Code.

**Section V:** This Interim Urgency Ordinance is adopted under the authority of California Government Code Section 65858 and shall become effective immediately upon adoption and shall be in effect for forty-five (45) days unless extended by the Board of Supervisors pursuant to California Government Code § 65858.

**PASSED AND ADOPTED** on this 26<sup>th</sup> day of March, 2019 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY  
NOES NONE  
ABSTAINED: NONE  
EXCUSED: NONE

  
\_\_\_\_\_  
**MILES MENETREY, Chair**  
Mariposa County Board of Supervisors

**ATTEST:**

  
\_\_\_\_\_  
**RENE LaROCHE**  
Clerk of the Board

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**STEVEN W. DAHLEM**  
County Counsel



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**TO: Mariposa County Board of Supervisors**

**FROM: David A. Robinson, Mariposa County Agricultural Commissioner**

**DATE: March 26, 2019**

**RE: Interim Urgency Ordinance to Temporarily Prohibit Industrial Hemp**

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**RECOMMENDATION:**

Adopt an interim urgency ordinance with findings, imposing a temporary countywide moratorium per Government Code §65858, prohibiting the cultivation of industrial hemp until the impacts of such cultivation and the feasibility of reasonable regulations and fees can be assessed; find ordinance exempt from the California Environmental Quality Act.

The interim urgency ordinance, once adopted, will be in effect for forty-five (45) days. During that time period, the interim urgency ordinance may be extended for an additional ten (10) months and fifteen (15) days in accordance with Government Code §65858(b).

**DISCUSSION/SUMMARY:**

Mariposa County's current cannabis ordinance does not contemplate industrial hemp. A temporary moratorium on the cultivation of industrial hemp is recommended until issues associated with industrial hemp can be fully evaluated, and a hemp regulatory ordinance is fully in place. Without the moratorium, there is a risk of unlicensed cannabis being grown and disguised as hemp. **In early April, hemp will be legal to grow in California via a registration with the County Agricultural Commissioner that requires no background check or other conduct-based vetting.**

The physical appearance of cannabis and industrial hemp are virtually the same and the only way to distinguish them is to test for the tetrahydrocannabinol (THC) content. Industrial hemp may not contain more than 0.3% THC. Absent a laboratory-performed chemical analysis for THC content, the two plants cannot be distinguished under their legal definitions. Furthermore, cultivation of individual hemp plants, similar to the way cannabis is grown, is now permitted since the passage of Senate Bill 1409 which

authorized industrial hemp to be produced by clonal propagation, and deleted the prohibitions on ornamental cultivation, pruning and tending of individual hemp plants. **Specific regulations have yet to be developed for the testing criteria for hemp to ensure that it does not exceed maximum THC thresholds.** The difficulty of distinguishing between a hemp farm and a cannabis farm, and between a hemp plant and a cannabis plant, will make it difficult for law enforcement to determine if a cultivation site is legal or illegal. Laboratory testing of a plant sample is the only way to determine whether the plant is legal cannabis, illegal cannabis, legal commercial hemp, or illegal personal hemp (hemp is not permitted to be cultivated for personal use). **Allowing local growers to register hemp cultivation sites will make it significantly more difficult for law enforcement staff and code compliance staff to enforce the current commercial cannabis ban.**

In Mariposa County, agriculture is allowed in rural zones. The problems that have already been experienced with illegal cannabis grows would be compounded with the registration and cultivation of hemp because there is no acreage limit for hemp in federal, state or county law. Industrial hemp cultivation creates a pungent seasonal odor that is similar in type and intensity to the pungent seasonal odor created by cannabis cultivation. Failure to regulate the location and size of industrial hemp cultivation sites is likely to result in nuisance odors impacting neighbors and neighborhoods. Neighborhood concerns about significant grading needed to prepare ground for a cultivation, as well as potential significant ground water use to cultivate plans, are also likely.

The state recognizes two types of hemp cultivation—regular commercial hemp cultivation, which requires registration with the Mariposa County Agricultural Commissioner and random testing of hemp to ensure that the THC level does not exceed the 0.3% limit; and hemp cultivation by “established agricultural research institutions”, which does not require registration and which allows for plants with THC levels exceeding 0.3% THC.

The California Hemp Program is overseen by the California Department of Agriculture which will have to submit their “pilot program” to the United States Department of Agriculture for review and approval. **The current program is in effect within the state prior to that review and is subject to change to conform with federal law. It is anticipated that modifications to state law, including the current state definition of an Established Agricultural Research Institution, will be necessary.** The definition of “Established Agricultural Research Institution” as provided in California’s FAC §81000 is vague and **neither the Legislature nor the Industrial Hemp Advisory Board have provided guidelines on how the County can establish whether a cultivator claiming to be an “Established Agricultural Research Institution” is legitimate or that the cultivation constitutes “agricultural or academic research.”** Without clear guidelines, the ability and likelihood that cultivators would exploit the “Establish Agricultural Research Institution” exemption to grow industrial hemp or cannabis with more than 0.3% THC is great.

State and federal law concerning industrial hemp remains in flux. Formerly prohibited as a controlled substance (except for agricultural research institutions), hemp cultivation was decriminalized this past December with the passage of the 2018 Farm Bill. The federal legislature has mandated that federal

agencies develop federal regulations for industrial hemp cultivation and that state agencies wishing to maintain their own regulatory programs submit them to the USDA for vetting. Submission of the state program to the USDA for federal vetting is estimated to be at least one year away. State programs deemed at least as restrictive as the federal hemp laws will not be pre-empted by federal law. **It remains to be seen what the federal regulations will be and whether or not California's program will need to be modified to comply.**

The CDFA hemp regulations are currently under review by the Office of Administrative Law (OAL), but are due to be released no later than April 3<sup>rd</sup> and potentially sooner.

Allowing the cultivation of industrial hemp, particularly prior to the adoption of reasonable regulations, if any, may result in violations of the County's current cannabis regulations, interference with the County's ability to effectively regulate land use, and may be harmful to the welfare of the County and its residents, create a public nuisance, and threaten existing agricultural and other land uses and nearby property owners. This ordinance would be adopted pursuant to CA Government Code §65858(b), which requires the item to return to the Board for further consideration within forty-five (45) days.

The following are the aspects of the state's legislation that have yet to be adopted:

- **No sampling procedures have been formally established.**
- Samples taken would need to be tested at a lab approved by the State's Food and Agriculture Department using the State's Food and Agriculture Department's approved testing method. **Neither labs nor any testing methods have been approved by the Food and Agriculture Department.**
- **The definition of what constitutes adequate signage for a hemp cultivation or seed breeding operation has yet to be established.**
- **No exact fees for registration have been established.**
- **The CDFA is currently drafting regulations to govern cultivation by established agricultural research institutions.**

In summary, local law enforcement staff as well as county code enforcement staff would be challenged in the field to distinguish between illegal cannabis and industrial hemp. With hemp, water usage and other environmental impacts can be expected to be similar to cannabis cultivations; however, without acreage restrictions, the impacts are likely to be more problematic than those associated with illegal cannabis cultivations. As with cannabis regulations, it is anticipated that there will be individuals attempting to take advantage of the hemp program.

Other California Counties have already acted on temporarily restricting hemp cultivation, including:

- Shasta (ordinance expires 6/20)
- Tehama (ordinance expires 6/19)
- Glenn

- San Joaquin (banned research institutions only)
- Riverside
- Lassen (urgency ordinance)
- Siskiyou
- Yolo County has a moratorium (expires 2020)
- Sacramento County (banned the commercial growing of industrial hemp until such time as the State has all regulations in place)
- Calaveras (has a temporary moratorium)
- Monterey County (defined hemp as cannabis and will impose the same state cannabis requirements on hemp)
- Inyo County (requires a Use Permit for industrial hemp)

This proposed temporary moratorium is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15308 (actions taken as authorized by local ordinance to assure protection of the environment) and §15061(b)(3) (no possibility the activity in question may have a significant effect on the environment). The action is a regulatory action taken by the County pursuant to its police power and in accordance with CA Government Code §65858 to assure maintenance and protection of the environment pending the evaluation and adoption of contemplated local legislation, regulation, and policies; it consists of a temporary prohibition on industrial hemp cultivation within the County, which is currently unregulated at the local level. The ordinance is also exempt as a temporary moratorium preserving the status quo and prohibiting a new land use that might impact the environment. There are no unusual circumstances under CEQA Guidelines §15300.2(c) that would render either of these exemptions inappropriate. Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

**FINANCING:** The recommended action would result in an as yet undetermined impact on the General Fund related to staff time and resources from the various departments involved in assessing the effects of unregulated cultivation of industrial hemp and the development of reasonable regulations to mitigate any identified adverse effects.

**ALTERNATIVES:**

Without a temporary moratorium on hemp cultivation and hemp research, the agricultural commissioner would be required to register hemp cultivators and hemp seed breeders if individuals submit the information required by the state for registration. Additionally, research hemp could be grown without vetting by the agricultural commissioner, and all of the above mentioned hemp operations would be permitted to cultivate hemp within the county on any parcel that allows agriculture operations. There would be no restrictions on total canopy size, acreage, or buffers between properties.

**OTHER COUNTY DEPARTMENT INVOLVEMENT:**

Sheriff, District Attorney, Sheriff, Planning, Building, Environmental Health, Code Compliance