



Contra
Costa
County

To: Board of Supervisors
From: Matt Slattengren
Date: November 17, 2020

Subject: Urgency interim ordinance imposing a temporary moratorium on industrial hemp cultivation.

RECOMMENDATION(S):

CONSIDER adopting Ordinance No. 2020-28, an urgency interim ordinance imposing a temporary moratorium on industrial hemp cultivation.

FISCAL IMPACT:

The Agriculture Department will not be able to accept hemp registrations or monies from the CDFA Hemp contract totaling about \$2,000 for the duration of the moratorium.

BACKGROUND:

This urgency ordinance establishes a temporary moratorium on industrial hemp cultivation while the County considers developing reasonable regulations to mitigate the impacts and regulate the location of the cultivation of industrial hemp, which is generally defined as the Cannabis sativa L. plant with a tetrahydrocannabinol (THC) concentration of 0.3% or less. Under state law, industrial hemp is not subject to the same regulatory provisions as cannabis. Industrial hemp is exempt from regulation under the Medicinal and Adult-Use Cannabis Regulation and Safety Act. Accordingly, the County's cannabis regulation ordinance, Chapter 88-28 of the County Ordinance Code, does not regulate the cultivation of industrial hemp within the unincorporated areas of Contra

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **11/17/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 17, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Matt Slattengren

cc:

BACKGROUND: (CONT'D)

Costa County.

Under this ordinance, no person or entity, including any established agricultural research institution, may grow or process industrial hemp for any purpose within the unincorporated area of Contra Costa County. No County permit, registration, or approval of any type will be issued for industrial hemp cultivation or processing, and no County building permit or approval of any type will be issued for any structure used or intended to be used for industrial hemp cultivation or processing. The Contra Costa County Agricultural Commissioner will not issue a registration to any industrial hemp grower, and will not renew any existing registrations. If a grower has an active registration, the grower may continue to grow until the registration expires. A registration lasts for one year.

If adopted, this urgency ordinance continues in effect for 45 days. The Board of Supervisors may extend the ordinance for a period of 10 months and 15 days, and subsequently extend it for another year.

CONSEQUENCE OF NEGATIVE ACTION:

The failure to enact this emergency moratorium during the stated period may result in problems with enforcement of a program with insufficient regulations. Allowing more Industrial Hemp registration can create incompatibility issues with land use and licensed Cannabis crops.

CLERK'S ADDENDUM

Speakers: Susan Cisneros, Contra Costa; Jason Coorian, Contra Costa; John Cisneros, Contra Costa;

ATTACHMENTS

Ordinance No. 2020-28