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County of El Dorado

Legislation Details (With Text)

File #:	20-1481 **Version:** 1		
Type:	Agenda Item	**Status:**	Approved
File created:	10/30/2020	**In control:**	Board of Supervisors
On agenda:	12/15/2020	**Final action:**	12/15/2020
Title:	HEARING - Agriculture Department, on behalf of the Hemp Advisory Committee, recommending the Board adopt an urgency Ordinance 5137 adopting an interim moratorium on the cultivation of industrial hemp for all purposes within the unincorporated areas of the County of El Dorado pending the study and development of reasonable regulations. FUNDING: N/A		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. A- HEMP ADHOC Blue Route Sheet.pdf, 2. B - Ordinance Urgency Moratorium.pdf, 3. C- Summary Ordinance for Publishing Final.pdf, 4. D- Summary Ordinance Published Pre.pdf, 5. Public Comment BOS Rcvd 12-14-2020, 6. Public Comment BOS Rcvd 12-15-2020, 7. Executed Ordinance 5137		

Date	Ver.	Action By	Action	Result
12/15/2020	1	Board of Supervisors	Approved	Pass

HEARING - Agriculture Department, on behalf of the Hemp Advisory Committee, recommending the Board adopt an urgency Ordinance **5137** adopting an interim moratorium on the cultivation of industrial hemp for all purposes within the unincorporated areas of the County of El Dorado pending the study and development of reasonable regulations.

FUNDING: N/A

DISCUSSION / BACKGROUND

Per the Board's direction of September 22, 2020, the Hemp Ad Hoc Committee held a Public Zoom Meeting on October 29, 2020 at 2:00pm. It was determined at this meeting that an Urgency Ordinance adopting an interim moratorium on the cultivation of industrial hemp for all purposes within the unincorporated areas of the county of El Dorado pending a study and development of reasonable regulations should be put in place to address the request of the Board of Supervisors. It is important to note that a registrant who was issued a registration in 2020 may finish cultivating industrial hemp consistent with the terms of that registration.

The Ad Hoc committee will continue to meet to develop the additional items addressed on September 22, 2020 including:

1) Developing recommendations regarding testing of industrial hemp;

2) Developing recommendations on issues such as zoning, parcel size, setbacks, registration limits, crop size limits, maximum acreage within the County, signage, track and trace harvested crops, or other restrictions;

3) Develop recommendations on new ordinances, or updating existing ordinances, addressing industrial hemp cultivation, industrial hemp plant breeders, industrial hemp nurseries and

processing/manufacturing; and

4) Develop recommendations to create an administrative process for industrial hemp and provide best practices for the program by obtaining other counties best management practices and ordinances.

ALTERNATIVES
The Board could choose not to create an ordinance under the direction of the ad hoc committee, or could direct other additions to the Hemp Ad Hoc Committee scope of study.

PRIOR BOARD ACTION
Per the Boards directions from the September 22, 2020 Board of Supervisors meeting the Ad Hoc Committee held a Zoom Meeting on October 29, 2020 at 2:00pm. This was the first meeting in a series of meetings the Ad Hoc Committee will be holding. The first item of discussion was to develop an Urgency Ordinance adopting an interim moratorium on the cultivation of industrial hemp for all purposes within the unincorporated areas of the county of El Dorado pending a study and development of reasonable regulations. The Agricultural Department is working on designing the web page of the department to include the committee minutes and a schedule of the upcoming public committee meetings per the Boards request..

The Ad Hoc Committee was established following a presentation on industrial hemp by the Agriculture Department on June 23, 2020, the Board requested the formation of an Ad Hoc Hemp Committee to include two members of the Board. The members of the Committee are District I Supervisor John Hidahl and District IV Supervisor Lori Parlin. The Ad Hoc Hemp Committee held a planning meeting via ZOOM on August 19, 2020. County staff participants were Sheriff John D'Agostini, Sheriff Lieutenant Mike Cook, Deputy County Counsel Daniel Vandekoolwyk, and Agricultural Commissioner Charlene Carveth. Agricultural Commission members, Bill Draper and David Bolster, also participated. The Ad Hoc Committee discussed the scope of study for the Committee, and is returning to the Board for further direction.

OTHER DEPARTMENT / AGENCY INVOLVEMENT
Sheriff's Office, County Counsel, Planning and Building

CAO RECOMMENDATION / COMMENTS
Approve as recommended.

FINANCIAL IMPACT
Currently the only funding for the Hemp program in the Agriculture Department is solely for registration and renewal issuance, training of county personnel, and enforcement activities covered under the California Department of Food and Agriculture (CDFA) contract and other billable cost as associated with the CDFA Hemp program.

CLERK OF THE BOARD FOLLOW UP ACTIONS
1) Obtain the Chair's signature on the urgency ordinance summary and publish in the newspaper no less than 5 days prior to Final Passage.
2) Publish the summary ordinance to include the final Board vote within 15 days after Final Passage.
3) Send the full ordinance to Municode for codification following Final Passage.

STRATEGIC PLAN COMPONENT
Public Safety and Healthy Communities

CONTACT

Charlene Carveth, Agricultural Commissioner, Sealer of Weights & Measures
Sheriff John D'Agostini