

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
9.1
(ID # 6649)

MEETING DATE:
Tuesday, March 27, 2018

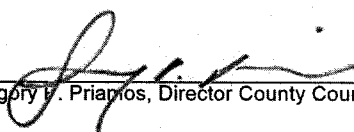
FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL AND AGRICULTURAL COMMISSIONER: Public Hearing On Ordinance No. 449.249, An Ordinance Of The County Of Riverside Extending Urgency Interim Ordinance No. 449.248 Declaring A Temporary Moratorium On The Cultivation Of Industrial Hemp By "Established Agricultural Research Institutions" Within The Unincorporated Areas Of The County Of Riverside - CEQA Exempt – All Districts [\$0] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find Ordinance No. 449.249 exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and
2. Adopt Ordinance No. 449.249 following the public hearing, thereby extending Urgency Interim Ordinance No. 449.248 for ten (10) months and fifteen (15) days. (4/5 Vote Required)
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk for posting.

ACTION: Policy



Gregory P. Priamos, Director County Counsel 3/15/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 449.249 is adopted with waiver of the reading.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: Perez
Date: March 27, 2018
xc: Co.Co., Agric. Comm., MC, COB, Recorder

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Departmental Budget			Budget Adjustment:	No
			For Fiscal Year:	17/18

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On February 27, 2018, in agenda item 3.12, the Board of Supervisors adopted Urgency Interim Ordinance No. 449.248 declaring a temporary moratorium on the cultivation of Industrial Hemp by "Established Agricultural Research Institutions" within the unincorporated areas of the County of Riverside for the reasons set forth in the ordinance. Per Government Code section 65858, Ordinance No. 449.248 is valid for a period of forty-five (45) days and shall be of no further force or effect on April 13, 2018, unless extended.

State law requires the Board of Supervisors to issue a written report ten days before the expiration of an interim ordinance describing the measures taken to alleviate the condition which led to the adoption of the ordinance. Because the Board is not meeting again until April 10, 2018, the report and extension must be made at this time. The report is set forth in Section 3. of Ordinance No. 449.249 which extends Ordinance No. 449.248 for ten months and 15 days as noted above.

Ordinance No. 449.249 is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) because the urgency interim ordinance merely preserves the status quo and temporarily prohibits a specific use, the cultivation of industrial hemp by "Established Agricultural Research Institutions." Therefore, it can be seen with certainty that the interim urgency ordinance will not have significant effect on the environment.

Impact on Residents and Businesses

As stated in Ordinance Nos. 449.248 and 449.249, the unpermitted permitted cultivation of industrial hemp may pose the same threats to the public health, safety or welfare as the unpermitted cultivation of cannabis. Such urgent and immediate threats include, but are not limited to: an increased likelihood of criminal activity; the attraction of crime and associated violence; a strain on County resources, and a detrimental impact on agriculture within the region resulting from exotic weeds, plant diseases, mites, and other insects that are prevalent in industrial hemp.

ATTACHMENTS (if any, in this order):

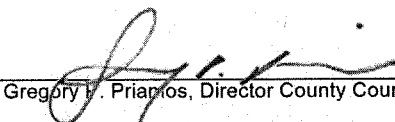
1. Ordinance No. 449.249
2. Notice of Exemption

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA


Ronald Bray, Assistant Agricultural Commissioner 3/15/2018


Melissa Noone, Associate Management Analyst 3/20/2018


Alex Gann 3/20/2018


Gregory L. Priamos, Director County Counsel 3/16/2018

1 b. Established Agricultural Research Institution. As defined under Food and
2 Agricultural Code Section 81000 as: “(1) A public or private institution or
3 organization that maintains land or facilities for agricultural research, including
4 colleges, universities, agricultural research centers, and conservation research
5 centers; or (2) An institution of higher education (as defined in Section 1001 of
6 the Higher Education Act of 1965 (20 U.S.C. 1001)) that grows, cultivates or
7 manufactures industrial hemp for purposes of research conducted under an
8 agricultural pilot program or other agricultural or academic research.”

9 c. Industrial hemp. As defined under Food and Agricultural Code Section 81000
10 and Health and Safety Code Section 11018.5 as “a fiber or oilseed crop, or
11 both, that is limited to types of the plant Cannabis sativa L. having no more
12 than three-tenths of 1 percent (.3%) tetrahydrocannabinol (THC) contained in
13 the dried flowering tops, whether growing or not; the seeds of the plant; the
14 resin extracted from any part of the plant; and every compound, manufacture,
15 salt, derivative, mixture, or preparation of the plant, its seeds or resin produced
16 therefrom.”

17 Section 2. EFFECTIVE DATE AND FINDINGS. Pursuant to Government Code
18 Section 65858 and Section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an urgency
19 measure and shall take effect upon its adoption. It shall be of no further force and effect ten (10) months
20 and fifteen (15) days from the date of expiration of Ordinance No. 449.248, unless extended pursuant to
21 law. In adopting this ordinance, the Board of Supervisors finds that cultivation of industrial hemp by
22 “Established Agricultural Research Institutions,” as defined by Food and Agricultural Code (hereinafter
23 “FAC”) Section 81000, prior to the adoption of reasonable regulations, creates an urgent and immediate
24 threat to the public health, safety or welfare of the citizens and existing agriculture in Riverside County
25 for the following reasons:

26 a. Section 5940 of Title 7 of the United States Code states, “Notwithstanding
27 the Controlled Substance Act (21 U.S.C. 801 et seq.), the Safe and Drug-
28 Free Schools and Communities Act (20 U.S.C. 7101 et seq.), Chapter 81 of

1 Title 41, United States Code, or any other Federal law, an institution of
2 higher education (as defined in Section 101 of the Higher Education Act of
3 1965 (20 U.S.C. 1001)) or a State department of agriculture may grow or
4 cultivate industrial hemp if: (1) the industrial hemp is grown or cultivated
5 for purposes of research conducted under an agricultural pilot program or
6 other agricultural or academic research; and (2) the growing or cultivating
7 of industrial hemp is allowed under the laws of the State in which such
8 institution of higher education or State department of agriculture is located
9 and such research occurs.”

- 10 b. Division 24. Industrial Hemp [81000-81010] of the FAC addresses the
11 growing and cultivation of industrial hemp in California.
- 12 c. On January 1, 2017, Division 24, Industrial Hemp [8100-81010] of the FAC
13 became operative.
- 14 d. FAC Division 24 does not provide for the California Department of Food
15 and Agriculture to establish a pilot program or to participate in, or promote,
16 research projects recognized under Section 5940 of Title 7 of the United
17 States Code.
- 18 e. FAC Section 81001 calls for the Industrial Hemp Advisory Board to advise
19 the California Secretary of Food and Agriculture and make
20 recommendations to the Secretary pertaining to the cultivation of industrial
21 hemp, including but not limited to, developing the requisite industrial hemp
22 seed law and regulations, enforcement mechanisms, and the setting of an
23 assessment rate.
- 24 f. The Industrial Hemp Advisory Board is expected to the implement requisite
25 regulations allowing the cultivation of industrial hemp for commercial
26 purposes in late 2018.
- 27 g. Under FAC Division 24, all commercial growers of industrial hemp must
28 register with the county agricultural commissioner prior to cultivation.

1 Registration is not yet available. The fees and process for registration will
2 be developed in conjunction with the Industrial Hemp Advisory Board.
3 Therefore, the cultivation of industrial hemp for commercial purposes as
4 defined under FAC Division 24 is prohibited within the State of California
5 and the County of Riverside until the Industrial Hemp Advisory Board has
6 developed and implemented the requisite industrial hemp seed law,
7 regulations, and enforcement mechanisms, including the registration
8 process and fees.

9 h. Despite the current prohibition on the cultivation of industrial hemp for
10 commercial purposes, FAC Division 24 exempts cultivation by an
11 "Established Agricultural Research Institution" from some of the regulatory
12 requirements enumerated therein.

13 i. Due to the fact that industrial hemp and cannabis are derivatives of the same
14 plant, *Cannabis sativa* L., the appearance of industrial hemp and cannabis
15 are indistinguishable. Absent a laboratory performed chemical analysis for
16 tetrahydrocannabinol (THC) content, the two plants cannot be
17 distinguished.

18 j. Division 24 of the FAC, allows an "Established Agricultural Research
19 Institution" to cultivate or possess industrial hemp with a greater than .3%
20 THC level, causing such plant to no longer conform to the legal definition
21 of industrial hemp, thereby resulting in such "research" plants constituting
22 cannabis.

23 k. The definition of "Established Agricultural Research Institution" as
24 provided in FAC Section 81000 is vague and neither the Legislature nor the
25 Industrial Hemp Advisory Board have provided guidelines on how the
26 County can establish whether a cultivator claiming to be an "Established
27 Agricultural Research Institution" is legitimate or that the cultivation
28 constitutes "agricultural or academic research." Without clear guidelines,

1 the ability and likelihood that cultivators exploit the “Establish Agricultural
2 Research Institution” exemption to grow industrial hemp with more than
3 .3% THC is great.

4 l. Except for personal cultivation, by an adult 21 years of age or older, of six
5 or fewer cannabis plants within a private residence or inside a detached
6 accessory structure on the grounds of a private residence that is fully
7 enclosed and secured and personal use of cannabis otherwise allowed under
8 the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Senate
9 Bill 94 (2017) (“MAUCRSA”), Section 3.4 of Ordinance No. 348 prohibits
10 Cannabis Activities and Cannabis Businesses, which include cultivation,
11 possession, manufacturing, processing, storing, testing, labeling,
12 distribution, selling, giving away, or providing medical or adult-use
13 cannabis and cannabis products, whether or not for profit.

14 m. Due to the fact that industrial hemp and cannabis are indistinguishable, the
15 cultivation of industrial hemp by an “Established Agricultural Research
16 Institution” prior to the adoption of reasonable regulations poses similar
17 threats to the public health, safety or welfare as the cultivation of cannabis.

18 n. The cultivation of industrial hemp by an “Established Agricultural Research
19 Institution” prior to the adoption of reasonable regulations will create an
20 increased likelihood of criminal activity.

21 o. The cultivation of industrial hemp by an “Established Agricultural Research
22 Institution” prior to the adoption of reasonable regulations will attract crime
23 and associated violence, including without limitation, theft, robberies,
24 illegal firearms, shootings and homicides.

25 p. The Sheriff will have to investigate each industrial hemp grow conducted
26 by an “Established Agricultural Research Institution” prior to the adoption
27 of reasonable regulations to ensure that the grow is not cannabis.
28

1 Investigations of industrial hemp grows are time consuming, labor
2 intensive, and potentially dangerous.

3 q. Currently the State of California has not yet identified, nor approved seed
4 sources for industrial hemp. Unregulated seed sources can be infested with
5 exotic weed seed or carry plant diseases. Once exotic weeds or plant
6 diseases are established they are difficult and costly to eradicate. Soil borne
7 diseases, once established can result in quarantines that restrict plant
8 movement as well as crop rotations.

9 r. Industrial hemp can serve as a host to mites and other insects. At this time,
10 there are no pesticides registered for hemp that specifically address such
11 mites or other insects. The pesticides that have been approved for hemp are
12 not always effective, which allows for such insects to move into other
13 nearby crops.

14 s. There are no requirements for pesticide use reporting or testing for
15 industrial hemp when cultivated by an "Established Agricultural Research
16 Institution" if pesticides on the Federal Insecticide, Fungicide and
17 Rodenticide Act (FIFRA) 25(b) list are used. In addition, "Established
18 Agricultural Research Institutions" may be using chemicals or pesticides
19 that are extremely toxic to people and wildlife and which may pollute soil,
20 ground water, and/or nearby water sources.

21 t. If cloned hemp plants are used for experimentation they are exempt from
22 nursery standards at this time and may not be inspected for plant cleanliness
23 standards leaving them susceptible to insect and disease infection.

24 u. Industrial hemp and cannabis are not compatible crops. Thus, if this Board
25 of Supervisors elects to pursue a particular option with respect to the
26 outdoor cultivation of cannabis, the existence of industrial hemp grows
27 maintained by "Established Agricultural Research Institutions" may
28

1 preclude the Board of Supervisors from considering certain projects or
2 development plans.

3 v. The cultivation of industrial hemp by an "Established Agricultural Research
4 Institutions" prior to the adoption of reasonable regulations is harmful to the
5 welfare of residents, creates a nuisance, and threatens the safety and land of
6 nearby property owners.

7 w. There is an urgent need for the Agricultural Commissioner, the Sheriff, and
8 County Counsel to assess the impacts of industrial hemp grown by
9 "Established Agricultural Research Institutions" and to explore reasonable
10 regulatory options relating thereto.

11 x. The allowance of cultivation of industrial hemp by "Established
12 Agricultural Research Institutions," as defined by FAC Section 81000, prior
13 to the adoption of reasonable regulations, creates an urgent and immediate
14 threat to the public health, safety or welfare of the citizens and existing
15 agriculture in Riverside County.

16 y. Riverside County has a compelling interest in protecting the public health,
17 safety, and welfare of its residents and businesses, in preventing the
18 establishment of nuisances, while also allowing the cultivation of industrial
19 hemp under FAC Division 24 by legitimate "Established Agricultural
20 Research Institutions" for legitimate research purposes.

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

24 Section 3. REPORT. In adopting this ordinance, the Board of Supervisors reports that

25 the following measures have been taken to alleviate the condition which lead to its adoption and the
26 adoption of Ordinance No. 449.248: the Planning Department is currently engaged in researching and
27 developing zoning regulations and development standards for cannabis cultivation, in consultation with
28 other County departments, including the Office of County Counsel and the Agricultural Commissioner,

1 for the Board of Supervisors' consideration. Cultivation of Industrial Hemp is being considered and
2 evaluated as part of that effort.

3 Section 4. FUTURE EXTENSION. The Clerk of the Board shall schedule a public
4 hearing before the Board of Supervisors to consider any extension of this ordinance which shall normally
5 be at its second regular meeting before expiration of the ten (10) month and fifteen (15) day period. The
6 Clerk of the Board shall publish notice ten (10) days before the hearing. At or before the public hearing
7 on any proposed extension of this ordinance, and at least (10) days prior to the expiration of this
8 ordinance, the Board, in consultation with the Planning Department, shall issue a written report describing
9 therein all measures taken to alleviate the condition which lead to the adoption of this ordinance and
10 Ordinance No. 449.248. A public hearing need not, however, be scheduled if any of the following occurs:
11 a regular ordinance addressing industrial hemp cultivation is adopted and effective before such expiration,
12 this ordinance is repealed, or the Board of Supervisors otherwise orders.

13 ///

14 ///

15 ///

16

17

18

19

20

21

22

23

24

25

26


27

28

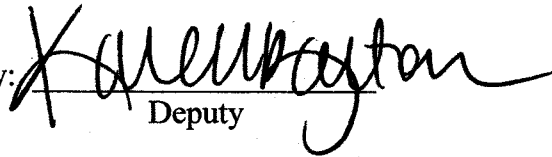
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA


By: 
Chairman, Board of Supervisors
Chuck Washington

ATTEST: Kecia Harper-Ithem
CLERK OF THE BOARD

By: 
Deputy

(SEAL)

APPROVED AS TO FORM
March 15, 2018

By: 
Tiffany N. North
Assistant County Counsel

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on March 27, 2018, the foregoing ordinance consisting of 5 Sections was adopted by the following vote:

AYES: Jeffries, Tavaglione, Washington and Ashley.
NAYS: None
ABSENT: Perez

DATE: March 27, 2018

KECIA HARPER-IHEM
Clerk of the Board

BY: *Karupgutan*
Deputy

SEAL



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 14, 2018

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

TEL: (951) 368-9229
E-MAIL: legals@pe.com

RE: Notice of Public Hearing for Ordinance No. 449.249 Extending Ordinance 449.248

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, March 17, 2018**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

9.1

Gil, Cecilia

From: GRSC-West-Legals mbx <GRSC-West-Legals@gannett.com>
Sent: Wednesday, March 14, 2018 1:35 PM
To: Gil, Cecilia
Subject: RE: 2795791 FOR PUBLICATION: Ord. No. 449.249
Attachments: 2795791.pdf

Good Afternoon,

This notice is scheduled to publish in the Desert Sun on March 17. The total cost is \$314.60 and a proof is attached. An affidavit will be sent after publication.

Thank you!

Brittany Grady
Admin Support Specialist-Legals

Desert Sun.

PART OF THE USA TODAY NETWORK

legals@thedesertsun.com

760-322-2222 option 3

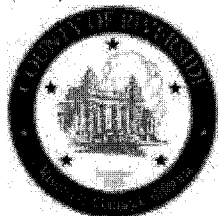
desertsun.com

From: Gil, Cecilia [mailto:CCGIL@RIVCO.ORG]
Sent: Wednesday, March 14, 2018 11:47 AM
To: Email, TDS-Legals <legals@thedesertsun.com>
Subject: 2795791 FOR PUBLICATION: Ord. No. 449.249

One more Notice of Public Hearing for publication on Saturday, March 17, 2018. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon St., 1st Floor, Room 127
Riverside, CA 92501
(951) 955-8464 Mail Stop# 1010



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain **information that is privileged, confidential and exempt from disclosure** under applicable law. If the reader of this communication is not the

NOTICE OF PUBLIC HEARING BEFORE THE RIVERSIDE COUNTY BOARD OF SUPERVISORS ON ORDINANCE NO. 449.249, AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING URGENCY INTERIM ORDINANCE NO. 449.248 DECLARING A TEMPORARY MORATORIUM ON THE CULTIVATION OF INDUSTRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS" WITHIN THE UNINCORPORATED AREAS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County in the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, California, 92501, on **Tuesday, March 27, 2018 at 9:00 a.m.**, or as soon as possible thereafter, to consider the ordinance shown below.

ORDINANCE NO. 449.249 - On February 27, 2018, the Board of Supervisors adopted Urgency Interim Ordinance No. 449.248 declaring a temporary moratorium on the cultivation of Industrial Hemp by "Established Agricultural Research Institutions" within the unincorporated areas of the County of Riverside. Ordinance No. 449.248 is valid for a period of forty-five (45) days and shall be of no further force or effect on April 13, 2018. Ordinance No. 449.249 extends Ordinance No. 449.248 for an additional 10 months and 15 days. During the term of Ordinance No. 449.249, including any extensions thereto, no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. Additionally, during the term of Ordinance No. 449.249, including any extensions, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, will similarly be prohibited from cultivating industrial hemp for agricultural or academic research purposes. Cultivation of industrial hemp in violation of the prohibition in Ordinance Nos. 449.248 and 449.249 constitutes a public nuisance.

Ordinance Nos. 449.248 and 449.249 may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Clerk of the Board of Supervisors at 4080 Lemon Street 1th Floor, Riverside, CA 92501.

Any person wishing to testify in support of or in opposition to Ordinance No. 449.249 may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors, and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on Ordinance No. 449.249.

If you challenge the above ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed ordinance.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to the hearing.

March 14, 2018

KECIA HARPER-IHEM
Clerk of the Board of Supervisors
By: Cecilia Gil, Board Assistant

NOTICE OF EXEMPTION

Original Negative Declaration/Notice of Determination was routed to County

To: _____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
To: X Office of the County Clerk & Recorder

From: County of Riverside
4080 Lemon Street
Riverside, CA 92501
Clerks for posting on.
Date: 3/29/18

Initial: cb

Project Title: Ordinance No. 449.249, An Ordinance of the County of Riverside Extending Urgency Interim Ordinance No. 449.248 Declaring A Temporary Moratorium On The Cultivation Of Industrial Hemp By "Established Agricultural Research Institutions" Within The Unincorporated Areas Of The County Of Riverside

Project Location: The unincorporated area of Riverside County.

Project Description:

On February 27, 2018, the Board of Supervisors adopted Urgency Interim Ordinance No. 449.248 declaring a temporary moratorium on the cultivation of Industrial Hemp by "Established Agricultural Research Institutions" within the unincorporated areas of the County of Riverside. Ordinance No. 449.248 is valid for a period of forty-five (45) days and shall be of no further force or effect on April 13, 2018. Ordinance No. 449.249 extends Ordinance No. 449.248 for an additional 10 months and 15 days. During the term of Ordinance No. 449.249, including any extension, no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. Additionally, during the term of Ordinance No. 449.249, including any extensions, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, will similarly be prohibited from cultivating industrial hemp for agricultural or academic research purposes. Cultivation of industrial hemp in violation of the prohibition in the ordinance constitutes a public nuisance. The purpose of the ordinance is to give the County the opportunity to study the issue and to formulate and adopt regular zoning regulations to mitigate or avoid negative effects of such grows.

Name of Public Agency Approving Project: County of Riverside

Project Sponsor: County of Riverside

Exempt Status: (check one)

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption:
- Statutory Exemption:
- Other: (State CEQA Guidelines Sec. 15061(b)(3))

Reasons Why Project is Exempt:

Ordinance No. 449.249 is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) because the urgency interim ordinance merely preserves the status quo and temporarily prohibits a specific use, the cultivation of industrial hemp by "Established Agricultural Research Institutions." Therefore, it can be seen with certainty that the interim urgency ordinance will not have significant effect on the environment.

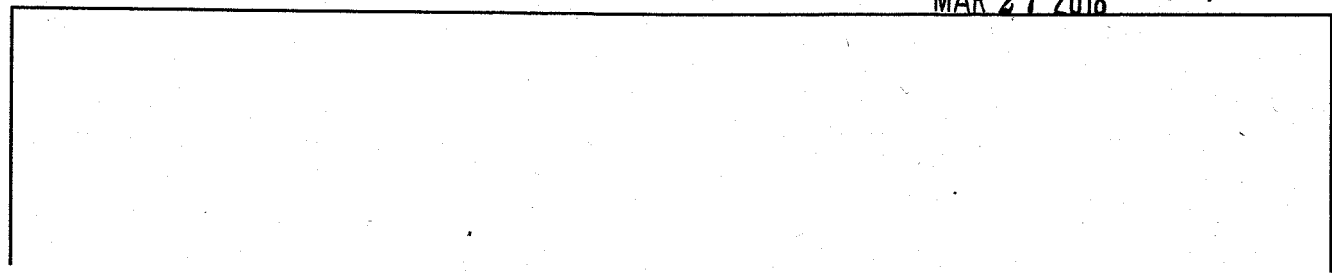
Tiffany North, Assistant County Counsel
County Contact Person

(951) 955-6300
Phone Number

Signature: [Handwritten Signature] Title: Board Assistant Date: 3/27/18

For County Clerk's Use Only

MAR 27 2018 9.1



THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PONumber	PRODUCT	SIZE	Amount
3/17/18	0011093390		PE Riverside	3 x 76 Li	296.40

Invoice text: Ord. No. 449.249

RECEIVED RIVERSIDE COUNTY
 CLERK/BOARD OF SUPERVISORS
 2018 MAR 27 PM 3:51

Co-Co.
 9.1 of 03/27/18

Placed by: Cecilia Gil

Legal Advertising Memo Invoice

BALANCE DUE
296.40

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION			
		BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229		03/17/2018	5209148	5209148	BOARD OF SUPERVISORS



THE PRESS-ENTERPRISE

Legal Advertising Memo Invoice

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
03/17/2018	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
296.40	0011093390	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 'PO BOX 1147'
 RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP
 Riverside Press-Enterprise
 PO BOX 54880
 LOS ANGELES CA 90054-0880

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ord. No. 449.249 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

03/17/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: March 17, 2018
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011093390-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE RIVERSIDE COUNTY BOARD OF SUPERVISORS ON ORDINANCE NO. 449.249, AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING URGENCY INTERIM ORDINANCE NO. 449.248 DECLARING A TEMPORARY MORATORIUM ON THE CULTIVATION OF INDUSTRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS" WITHIN THE UNINCORPORATED AREAS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County in the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, California, 92501, on **Tuesday, March 27, 2018 at 9:00 a.m.**, or as soon as possible thereafter, to consider the ordinance shown below.

ORDINANCE NO. 449.249 - On February 27, 2018, the Board of Supervisors adopted Urgency Interim Ordinance No. 449.248 declaring a temporary moratorium on the cultivation of Industrial Hemp by "Established Agricultural Research Institutions" within the unincorporated areas of the County of Riverside. Ordinance No. 449.248 is valid for a period of forty-five (45) days and shall be of no further force or effect on April 13, 2018. Ordinance No. 449.249 extends Ordinance No. 449.248 for an additional 10 months and 15 days. During the term of Ordinance No. 449.249, including any extensions thereto, no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. Additionally, during the term of Ordinance No. 449.249, including any extensions, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, will similarly be prohibited from cultivating industrial hemp for agricultural or academic research purposes. Cultivation of industrial hemp in violation of the prohibition in Ordinance Nos. 449.248 and 449.249 constitutes a public nuisance.

Ordinance Nos. 449.248 and 449.249 may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Clerk of the Board of Supervisors at 4080 Lemon Street 11th Floor, Riverside, CA 92501.

Any person wishing to testify in support of or in opposition to Ordinance No. 449.249 may do so in writing between the date of this notice and the public hearing, or, may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors, and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on Ordinance No. 449.249.

If you challenge the above ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed ordinance.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to the hearing.

March 14, 2018

KECIA HARPER-IHEM
Clerk of the Board of Supervisors
By: Cecilia Gil, Board Assistant

3/17



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 29, 2018

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

TEL: (951) 368-9229
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 449.249 Extending Ord. No. 449.248

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Tuesday, April 3, 2018**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Legals <legals@pe.com>
Sent: Thursday, March 29, 2018 8:20 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: Adoption of Ord. No. 449.249

Received for publication on 4/3. Proof with cost to follow.

Nick Eller

Legal Advertising Phone: **951-368-9222** / Fax: **951-368-9018** / E-mail: legals@pe.com
****Employees of The Press-Enterprise are not able to give legal advice of any kind****
Standard Deadlines are 10:30am, 3 business days prior to the day you would like to publish

The Press-Enterprise PE.com / La Prensa

On Thu, Mar 29, 2018 at 8:02 AM, Gil, Cecilia <CCGIL@rivco.org> wrote:

Adoption of Ordinance, for publication on Tuesday, April 3, 2018. Please confirm. THANK YOU!

Cecilia Gil

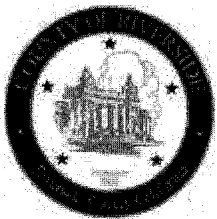
Board Assistant

Clerk of the Board of Supervisors

4080 Lemon St., 1st Floor, Room 127

Riverside, CA 92501

(951) 955-8464 Mail Stop# 1010



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain **information that is privileged, confidential and exempt from disclosure** under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 29, 2018

DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

TEL: (760) 322-2222
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 449.249 Extending Ordinance No. 449.248

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, April 1, 2018**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: GRSC-West-Legals mbx <GRSC-West-Legals@gannett.com>
Sent: Thursday, March 29, 2018 10:02 AM
To: Gil, Cecilia
Subject: RE: 2829120 FOR PUBLICATION: Adoption of Ord. No. 449.249
Attachments: 2829120.pdf

Good Morning,

I have the notice scheduled to publish in the Desert Sun on April 1 because that's what it says in the Word document, but if that isn't correct, please let me know. The total cost is \$1,256.20 and a proof is attached. An affidavit will be sent after publication.

Thank you!

Brittany Grady
Admin Support Specialist-Legals

Desert Sun.

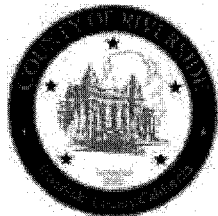
PART OF THE USA TODAY NETWORK

legals@thedesertsun.com
760-322-2222 option 3
desertsun.com

From: Gil, Cecilia [mailto:CCGIL@RIVCO.ORG]
Sent: Thursday, March 29, 2018 10:03 AM
To: Email, TDS-Legals <legals@thedesertsun.com>
Subject: 2829120 FOR PUBLICATION: Adoption of Ord. No. 449.249

Good morning! Adoption of Ordinance, for publication on Tuesday, April 3, 2018. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board of Supervisors
4080 Lemon St., 1st Floor, Room 127
Riverside, CA 92501
(951) 955-8464 Mail Stop# 1010



BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 449.249

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING URGENCY INTERIM
ORDINANCE NO. 449.248 DECLARING A TEMPORARY MORATORIUM ON THE CULTIVATION
OF INDUSTRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS"
WITHIN THE UNINCORPORATED AREAS OF THE COUNTY OF RIVERSIDE**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. EXTENSION OF ORDINANCE NO. 449.248. Pursuant to Government Code Section 65858 and Section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449.248 is hereby extended for ten (10) months and fifteen (15) days from the date of its expiration, during which time no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. As set forth below in Section 2 of this ordinance, the cultivation of industrial hemp for commercial purposes is currently prohibited by the State of California. Additionally, during the term of this ordinance, including any extension hereto, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, are similarly prohibited from cultivating industrial hemp for agricultural or academic research purposes within the unincorporated areas of Riverside County. Cultivation of industrial hemp in violation of the prohibition in this interim ordinance constitutes a public nuisance. As used in this ordinance, the following terms shall have the following meanings:

- a. **Cannabis.** As 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."
- b. **Established Agricultural Research Institution.** As defined under Food and Agricultural Code 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."
- c. **Industrial hemp.** As defined under Food and Agricultural Code Section 81000 and Health and Safety Code Section 11018.5 as "a fiber or oilseed crop, or both, that is limited to types of the plant *Cannabis sativa* L. having no more than three-tenths of 1 percent (.3%) 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."

Section 2. EFFECTIVE DATE AND FINDINGS. Pursuant to Government Code Section 65858 and Section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an urgency measure and shall take effect upon its adoption. It shall be of no further force and effect ten (10) months and fifteen (15) days from the date of expiration of Ordinance No. 449.248, unless extended pursuant to law. In adopting this ordinance, the Board of Supervisors finds that cultivation of industrial hemp by "Established Agricultural Research Institutions," as defined by Food and Agricultural Code (hereinafter "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 Riverside County for the following reasons:

- a. Section 5940 of Title 7 of the United States Code states, "Notwithstanding the Controlled Substance Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), Chapter 81 of Title 41, United States Code, or any other Federal law, an institution of higher education (as defined in Section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a State department of agriculture may grow or cultivate industrial hemp if: (1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and (2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education or State department of agriculture is located and such research occurs."
- b. Division 24. Industrial Hemp [81000-81010] of the FAC addresses the growing and cultivation of industrial hemp in California.
- c. On January 1, 2017, Division 24, Industrial Hemp [8100-81010] of the FAC became operative.
- d. FAC Division 24 does not provide for the California Department of Food and Agriculture to establish a pilot program or to participate in, or promote, research projects recognized under Section 5940 of Title 7 of the United States Code.
- e. FAC Section 81001 calls for the Industrial Hemp Advisory Board to advise the California Secretary of Food and Agriculture 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 mechanisms, and the setting of an assessment rate.
- f. The Industrial Hemp Advisory Board is expected to implement requisite regulations allowing the cultivation of industrial hemp for commercial purposes in late 2018.
- g. Under FAC Division 24, all commercial growers of industrial hemp must register with the county agricultural commissioner prior to cultivation. Registration is not yet available. The fees and process for registration will be developed in conjunction with the Industrial Hemp Advisory Board. Therefore, the cultivation of industrial hemp for commercial purposes as defined under FAC Division 24 is prohibited within the State of California and the County of Riverside until the Industrial Hemp Advisory Board has developed and implemented the requisite industrial hemp seed law, regulations, and enforcement mechanisms, including the registration process and fees.
- h. Despite the current prohibition on the cultivation of industrial hemp for commercial purposes, FAC Division 24 exempts cultivation by an "Established Agricultural Research Institution" from some of the regulatory requirements enumerated therein.
- i. Due to the fact that industrial hemp and cannabis are derivatives of the same plant, *Cannabis sativa* L., the appearance of industrial hemp and cannabis are indistinguishable. Absent a laboratory performed chemical analysis for tetrahydrocannabinol (THC) content, the two plants cannot be distinguished.
- j. Division 24 of the FAC, allows an "Established Agricultural Research Institution" to cultivate or possess industrial hemp with a greater than .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.
- k. 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 exploit the "Establish Agricultural Research Institution" exemption to grow industrial hemp with more than .3% THC is great.

- l. Except for personal cultivation, by an adult 21 years of age or older, of six or fewer cannabis plants within a private residence or inside a detached accessory structure on the grounds of a private residence that is fully enclosed and secured and personal use of cannabis otherwise allowed under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Senate Bill 94 (2017) ("MAUCRSA"), Section 3.4 of Ordinance No. 348 prohibits Cannabis Activities and Cannabis Businesses, which include cultivation, possession, manufacturing, processing, storing, testing, labeling, distribution, selling, giving away, or providing medical or adult-use cannabis and cannabis products, whether or not for profit.
- m. Due to the fact that industrial hemp and cannabis are indistinguishable, the cultivation of industrial hemp by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations poses similar threats to the public health, safety or welfare as the cultivation of cannabis.
- n. The cultivation of industrial hemp by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations will create an increased likelihood of criminal activity.
- o. The cultivation of industrial hemp by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations will attract crime and associated violence, including without limitation, theft, robberies, illegal firearms, shootings and homicides.
- p. The Sheriff will have to investigate each industrial hemp grow conducted by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations to ensure that the grow is not cannabis. Investigations of industrial hemp grows are time consuming, labor intensive, and potentially dangerous.
- q. Currently the State of California has not yet identified, nor approved seed sources for industrial hemp. Unregulated seed sources can be infested with exotic weed seed or carry plant diseases. Once exotic weeds or plant diseases are established they are difficult and costly to eradicate. Soil borne diseases, once established can result in quarantines that restrict plant movement as well as crop rotations.
- r. Industrial hemp can serve as a host to mites and other insects. At this time, there are no pesticides registered for hemp that specifically address such mites or other insects. The pesticides that have been approved for hemp are not always effective, which allows for such insects to move into other nearby crops.
- s. There are no requirements for pesticide use reporting or testing for industrial hemp when cultivated by an "Established Agricultural Research Institution" if pesticides on the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) 25(b) list are used. In addition, "Established Agricultural Research Institutions" may be using chemicals or pesticides that are extremely toxic to people and wildlife and which may pollute soil, ground water, and/or nearby water sources.
- t. If cloned hemp plants are used for experimentation they are exempt from nursery standards at this time and may not be inspected for plant cleanliness standards leaving them susceptible to insect and disease infection.
- u. Industrial hemp and cannabis are not compatible crops. Thus, if this Board of Supervisors elects to pursue a particular option with respect to the outdoor cultivation of cannabis, the existence of industrial hemp grows maintained by "Established Agricultural Research Institutions" may preclude the Board of Supervisors from considering certain projects or development plans.
- v. The cultivation of industrial hemp by an "Established Agricultural Research Institutions" prior to the adoption of reasonable regulations is harmful to the

- welfare of residents, creates a nuisance, and threatens the safety and land of nearby property owners.
- w. There is an urgent need for the Agricultural Commissioner, the Sheriff, and County Counsel to assess the impacts of industrial hemp grown by "Established Agricultural Research Institutions" and to explore reasonable regulatory options relating thereto.
 - x. The allowance of cultivation of industrial hemp 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 Riverside County.
 - y. Riverside County has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses, in preventing the establishment of nuisances, while also allowing the cultivation of industrial hemp under FAC Division 24 by legitimate "Established Agricultural Research Institutions" for legitimate research purposes.
 - z. 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.

Section 3. REPORT. In adopting this ordinance, the Board of Supervisors reports that the following measures have been taken to alleviate the condition which lead to its adoption and the adoption of Ordinance No. 449.248: the Planning Department is currently engaged in researching and developing zoning regulations and development standards for cannabis cultivation, in consultation with other County departments, including the Office of County Counsel and the Agricultural Commissioner, for the Board of Supervisors' consideration. Cultivation of Industrial Hemp is being considered and evaluated as part of that effort.

Section 4. FUTURE EXTENSION. The Clerk of the Board shall schedule a public hearing before the Board of Supervisors to consider any extension of this ordinance which shall normally be at its second regular meeting before expiration of the ten (10) month and fifteen (15) day period. The Clerk of the Board shall publish notice ten (10) days before the hearing. At or before the public hearing on any proposed extension of this ordinance, and at least (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Department, shall issue a written report describing therein all measures taken to alleviate the condition which lead to the adoption of this ordinance and Ordinance No. 449.248. A public hearing need not, however, be scheduled if any of the following occurs: a regular ordinance addressing industrial hemp cultivation is adopted and effective before such expiration, this ordinance is repealed, or the Board of Supervisors otherwise orders.

Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Chuck Washington, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **March 27, 2018**, the foregoing Ordinance consisting of five (5) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, and Ashley
NAYS: None
ABSENT: Perez

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant



CALL (951) 368-9222
EMAIL: legals@pe.com

THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PONumber	PRODUCT	SIZE	Amount
4/3/18	0011100197		PE Riverside	3 x 329 Li	1,283.10

Invoice text: Adoption of Ord. No. 449.249

RECEIVED RIVERSIDE COUNTY
 CLERK/BOARD OF SUPERVISORS
 2018 APR -3 AM 10:21

*Co.Co.
9.1 of 03/27/18*

Placed by: Cecilia Gil

Legal Advertising Memo Invoice

BALANCE DUE

1,283.10

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION			
		BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229		04/03/2018	5209148	5209148	BOARD OF SUPERVISORS

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE



THE PRESS-ENTERPRISE

Legal Advertising Memo Invoice

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
04/03/2018	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
1,283.10	0011100197	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 'PO BOX 1147'
 RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP
 Riverside Press-Enterprise
 PO BOX 54880
 LOS ANGELES CA 90054-0880

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 449.249 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

04/03/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: April 03, 2018
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011100197-01

P.O. Number:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

ORDINANCE NO. 449,249

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING
URGENCY INTERIM ORDINANCE NO. 449,248 DECLARING A
TEMPORARY MORATORIUM ON THE CULTIVATION OF INDUS-
TRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH
INSTITUTIONS" WITHIN THE UNINCORPORATED AREAS OF
THE COUNTY OF RIVERSIDE**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. EXTENSION OF ORDINANCE NO. 449,248. Pursuant to Government Code Section 65858 and Section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449,248 is hereby extended for ten (10) months and fifteen (15) days from the date of its expiration, during which time no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. As set forth below in Section 2 of this ordinance, the cultivation of industrial hemp for commercial purposes is currently prohibited by the State of California. Additionally, during the term of this ordinance, including any extension hereto, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, are similarly prohibited from cultivating industrial hemp for agricultural or academic research purposes within the unincorporated areas of Riverside County. Cultivation of industrial hemp in violation of the prohibition in this interim ordinance constitutes a public nuisance. As used in this ordinance, the following terms shall have the following meanings:

- a. Cannabis. As 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."
- b. Established Agricultural Research Institution. As defined under Food and Agricultural Code 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."
- c. Industrial hemp. As defined under Food and Agricultural Code Section 81000 and Health and Safety Code Section 11018.5 as "a fiber or oilseed crop, or both, that is limited to types of the plant *Cannabis sativa* L. having no more than three-tenths of 1 percent (.3%) 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."

Section 2. EFFECTIVE DATE AND FINDINGS. Pursuant to Government Code Section 65858 and Section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an urgency measure and shall take effect upon its adoption. It shall be of no further force and effect ten (10) months and fifteen (15) days from the date of expiration of Ordinance No. 449,248, unless extended pursuant to law. In adopting this ordinance, the Board of Supervisors finds that cultivation of industrial hemp by "Established Agricultural Research Institutions," as defined by Food and Agricultural Code (hereinafter "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 Riverside County for the following reasons:

- a. Section 5940 of Title 7 of the United States Code states, "Notwithstanding the Controlled Substance Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), Chapter 81 of Title 41, United States Code, or any other Federal law, an institution of higher education (as defined in Section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a State department of agriculture may grow or cultivate industrial hemp if: (1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and (2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education or State department of agriculture is located and such research occurs."
- b. Division 24, Industrial Hemp [81000-81010] of the FAC addresses the growing and cultivation of industrial hemp in California.
- c. On January 1, 2017, Division 24, Industrial Hemp [8100-81010] of the FAC became operative.
- d. FAC Division 24 does not provide for the California Department of Food and Agriculture to establish a pilot program or to participate in, or promote, research projects recognized

- under Section 5940 of Title 7 of the United States Code.
- e. FAC Section 81001 calls for the Industrial Hemp Advisory Board to advise the California Secretary of Food and Agriculture 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 mechanisms, and the setting of an assessment rate.
 - f. The Industrial Hemp Advisory Board is expected to implement requisite regulations allowing the cultivation of industrial hemp for commercial purposes in late 2018.
 - g. Under FAC Division 24, all commercial growers of industrial hemp must register with the county agricultural commissioner prior to cultivation. Registration is not yet available. The fees and process for registration will be developed in conjunction with the Industrial Hemp Advisory Board. Therefore, the cultivation of industrial hemp for commercial purposes as defined under FAC Division 24 is prohibited within the State of California and the County of Riverside until the Industrial Hemp Advisory Board has developed and implemented the requisite industrial hemp seed law, regulations, and enforcement mechanisms, including the registration process and fees.
 - h. Despite the current prohibition on the cultivation of industrial hemp for commercial purposes, FAC Division 24 exempts cultivation by an "Established Agricultural Research Institution" from some of the regulatory requirements enumerated therein.
 - i. Due to the fact that industrial hemp and cannabis are derivatives of the same plant, *Cannabis sativa* L., the appearance of industrial hemp and cannabis are indistinguishable. Absent a laboratory performed chemical analysis for tetrahydrocannabinol (THC) content, the two plants cannot be distinguished.
 - j. Division 24 of the FAC, allows an "Established Agricultural Research Institution" to cultivate or possess industrial hemp with a greater than .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.
 - k. 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 exploit the "Establish Agricultural Research Institution" exemption to grow industrial hemp with more than .3% THC is great.
 - l. Except for personal cultivation, by an adult 21 years of age or older, of six or fewer cannabis plants within a private residence or inside a detached accessory structure on the grounds of a private residence that is fully enclosed and secured and personal use of cannabis otherwise allowed under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Senate Bill 94 (2017)) ("MAUCRSA"), Section 3.4 of Ordinance No. 348 prohibits Cannabis Activities and Cannabis Businesses, which include cultivation, possession, manufacturing, processing, storing, testing, labeling, distribution, selling, giving away, or providing medical or adult-use cannabis and cannabis products, whether or not for profit.
 - m. Due to the fact that industrial hemp and cannabis are indistinguishable, the cultivation of industrial hemp by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations poses similar threats to the public health, safety or welfare as the cultivation of cannabis.
 - n. The cultivation of industrial hemp by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations will create an increased likelihood of criminal activity.
 - o. The cultivation of industrial hemp by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations will attract crime and associated violence, including without limitation, theft, robberies, illegal firearms, shootings and homicides.
 - p. The Sheriff will have to investigate each industrial hemp grow conducted by an "Established Agricultural Research Institution" prior to the adoption of reasonable regulations to ensure that the grow is not cannabis. Investigations of industrial hemp grows are time consuming, labor intensive, and potentially dangerous.
 - q. Currently the State of California has not yet identified, nor approved seed sources for industrial hemp. Unregulated seed sources can be infested with exotic weed seed or carry plant diseases. Once exotic weeds or plant diseases are established they are difficult and costly to eradicate. Soil borne diseases, once established can result in quarantines that restrict plant movement as well as crop rotations.
 - r. Industrial hemp can serve as a host to mites and other insects. At this time, there are no pesticides registered for hemp that specifically address such mites or other insects. The pesticides that have been approved for hemp are not always effective, which allows for such insects to move into other nearby crops.
 - s. There are no requirements for pesticide use reporting or testing for industrial hemp when cultivated by an "Estab-

- lished Agricultural Research Institution" if pesticides on the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) 25(b) list are used. In addition, "Established Agricultural Research Institutions" may be using chemicals or pesticides that are extremely toxic to people and wildlife and which may pollute soil, ground water, and/or nearby water sources.
- t. If cloned hemp plants are used for experimentation they are exempt from nursery standards at this time and may not be inspected for plant cleanliness standards leaving them susceptible to insect and disease infection.
 - u. Industrial hemp and cannabis are not compatible crops. Thus, if this Board of Supervisors elects to pursue a particular option with respect to the outdoor cultivation of cannabis, the existence of industrial hemp grows maintained by "Established Agricultural Research Institutions" may preclude the Board of Supervisors from considering certain projects or development plans.
 - v. The cultivation of industrial hemp by an "Established Agricultural Research Institutions" prior to the adoption of reasonable regulations is harmful to the welfare of residents, creates a nuisance, and threatens the safety and land of nearby property owners.
 - w. There is an urgent need for the Agricultural Commissioner, the Sheriff, and County Counsel to assess the impacts of industrial hemp grown by "Established Agricultural Research Institutions" and to explore reasonable regulatory options relating thereto.
 - x. The allowance of cultivation of industrial hemp 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 Riverside County.
 - y. Riverside County has a compelling interest in protecting the public health, safety, and welfare of its residents and businesses, in preventing the establishment of nuisances, while also allowing the cultivation of industrial hemp under FAC Division 24 by legitimate "Established Agricultural Research Institutions" for legitimate research purposes.
 - z. 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.

Section 3. REPORT. In adopting this ordinance, the Board of Supervisors reports that the following measures have been taken to alleviate the condition which lead to its adoption and the adoption of Ordinance No. 449.248: the Planning Department is currently engaged in researching and developing zoning regulations and development standards for cannabis cultivation, in consultation with other County departments, including the Office of County Counsel and the Agricultural Commissioner, for the Board of Supervisors' consideration. Cultivation of Industrial Hemp is being considered and evaluated as part of that effort.

Section 4. FUTURE EXTENSION. The Clerk of the Board shall schedule a public hearing before the Board of Supervisors to consider any extension of this ordinance which shall normally be at its second regular meeting before expiration of the ten (10) month and fifteen (15) day period. The Clerk of the Board shall publish notice ten (10) days before the hearing. At or before the public hearing on any proposed extension of this ordinance, and at least (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Department, shall issue a written report describing therein all measures taken to alleviate the condition which lead to the adoption of this ordinance and Ordinance No. 449.248. A public hearing need not, however, be scheduled if any of the following occurs: a regular ordinance addressing industrial hemp cultivation is adopted and effective before such expiration, this ordinance is repealed, or the Board of Supervisors otherwise orders.

Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Chuck Washington, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **March 27, 2018**, the foregoing Ordinance consisting of five (5) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, and Ashley
 NAYS: None
 ABSENT: Perez

Kecia Harper-Ihem, Clerk of the Board
 By: Cecilia Gil, Board Assistant



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

04/01/18

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 2nd of April 2018 in Palm Springs, California.

[Handwritten signature]

DECLARANT

Ad#:0002829120
P O : Ord 449.249
of Affidavits :1

9.1 of 03/27/18

Public Notices

Public Notices

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 449.249
AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING INTERIM ORDINANCE NO. 449.248 DECLARING A TEMPORARY MORATORIUM ON THE CULTIVATION OF INDUSTRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS" WITHIN THE UNINCORPORATED AREAS OF THE COUNTY OF RIVERSIDE

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. EXTENSION OF ORDINANCE NO. 449.248. Pursuant to Government Code Section 65858 and Section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449.248 is hereby extended for ten (10) months and fifteen (15) days from the date of its expiration, during which time no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. As set forth below in Section 2 of this ordinance, the cultivation of industrial hemp for commercial purposes is currently prohibited by the State of California. Additionally, during the term of this ordinance, including any extension hereto, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, are similarly prohibited from cultivating industrial hemp for agricultural or academic research purposes within the unincorporated areas of Riverside County. Cultivation of industrial hemp in violation of the prohibition in this interim ordinance constitutes a public nuisance. As used in this ordinance, the following terms shall have the following meanings:

- a. Cannabis. As 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."
b. Established Agricultural Research Institution. As defined under Food and Agricultural Code 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."
c. Industrial hemp. As defined under Food and Agricultural Code Section 81000 and Health and Safety Code Section 11018.5 as "a fiber or oilseed crop, or both, that is limited to types of the plant Cannabis sativa L. having no more than three-tenths of 1 percent (.3%) 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."

Section 2. EFFECTIVE DATE AND FINDINGS. Pursuant to Government Code Section 65858 and Section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an urgency measure and shall take effect upon its adoption. It shall be of no further force and effect ten (10) months and fifteen (15) days from the date of expiration of Ordinance No. 449.248, unless extended pursuant to law. In adopting this ordinance, the Board of Supervisors finds that cultivation of industrial hemp by "Established Agricultural Research Institutions," as defined by Food and Agricultural Code (hereinafter "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 Riverside County for the following reasons:

- a. Section 5940 of Title 7 of the United States Code states, "Notwithstanding the Controlled Substance Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), Chapter 81 of Title 41, United States Code, or any other Federal law, an institution of higher education (as defined in Section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a State department of agriculture may grow or cultivate industrial hemp if: (1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and (2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education or State department of agriculture is located and such research occurs."
b. Division 24, Industrial Hemp [81000-81010] of the FAC addresses the growing and cultivation of industrial hemp in California.
c. On January 1, 2017, Division 24, Industrial Hemp [8100-81010] of the FAC became operative.
d. FAC Division 24 does not provide for the California Department of Food and Agriculture to establish a pilot program or to participate in, or promote, research projects recognized under Section 5940 of Title 7 of the United States Code.
e. FAC Section 81001 calls for the Industrial Hemp Advisory Board to advise the California Secretary of Food and Agriculture 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 mechanisms, and the setting of an assessment rate.
f. The Industrial Hemp Advisory Board is expected to the implement requisite regulations allowing the cultivation of industrial hemp for commercial purposes in late 2018.
g. Under FAC Division 24, all commercial growers of industrial hemp must register with the county agricultural commissioner prior to cultivation. Registration is not yet available. The fees and process for registration will be developed in conjunction with the Industrial Hemp Advisory Board. Therefore, the cultivation of industrial hemp for commercial purposes as defined under FAC Division 24 is prohibited within the State of California and the County of Riverside until the Industrial Hemp Advisory Board has developed and implemented the requisite industrial hemp seed law, regulations, and enforcement mechanisms, including the registration process and fees.
h. Despite the current prohibition on the cultivation of industrial hemp for commercial purposes, FAC Division 24 exempts cultivation by an "Established Agricultural Research Institution" from some of the regulatory requirements enumerated therein.
i. Due to the fact that industrial hemp and cannabis are derivatives of the same plant, Cannabis sativa L., the appearance of industrial hemp and cannabis are indistinguishable. Absent a laboratory performed chemical analysis for tetrahydrocannabinol (THC) content, the two plants cannot be distinguished.
j. Division 24 of the FAC, allows an "Established Agricultural Research Institution" to cultivate or possess industrial hemp with a greater than .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.



2018 MAR 26 AM 11:13

PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/17/18

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 19th of March 2018 in Palm Springs, California.

DECLARANT

Ad#:0002795791
P O : Ord 449.249
of Affidavits :1

Public Notices

NOTICE OF PUBLIC HEARING BEFORE THE RIVERSIDE COUNTY BOARD OF SUPERVISORS ON ORDINANCE NO. 449.249, AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING URGENCY INTERIM ORDINANCE NO. 449.248 DECLARING A TEMPORARY MORATORIUM ON THE CULTIVATION OF INDUSTRIAL HEMP BY "ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS" WITHIN THE UNINCORPORATED AREAS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County in the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, California, 92501, on Tuesday, March 27, 2018 at 9:00 a.m., or as soon as possible thereafter, to consider the ordinance shown below.

ORDINANCE NO. 449.249 - On February 27, 2018, the Board of Supervisors adopted Urgency Interim Ordinance No. 449.248 declaring a temporary moratorium on the cultivation of Industrial Hemp by "Established Agricultural Research Institutions" within the unincorporated areas of the County of Riverside. Ordinance No. 449.248 is valid for a period of forty-five (45) days and shall be of no further force or effect on April 13, 2018. Ordinance No. 449.249 extends Ordinance No. 449.248 for an additional 10 months and 15 days. During the term of Ordinance No. 449.249, including any extensions thereto, no person or entity shall grow industrial hemp for any purposes within the unincorporated areas of Riverside County. Additionally, during the term of Ordinance No. 449.249, including any extensions, "Established Agricultural Research Institutions" as defined in Food and Agricultural Code Section 81000, will similarly be prohibited from cultivating industrial hemp for agricultural or academic research purposes. Cultivation of industrial hemp in violation of the prohibition in Ordinance Nos. 449.248 and 449.249 constitutes a public nuisance.

Ordinance Nos. 449.248 and 449.249 may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Clerk of the Board of Supervisors at 4080 Lemon Street 1th Floor, Riverside, CA 92501.

Any person wishing to testify in support of or in opposition to Ordinance No. 449.249 may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors, and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on Ordinance No. 449.249.

If you challenge the above ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed ordinance.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to the hearing.

March 14, 2018
KECIA HARPER-IHEM
Clerk of the Board of Supervisors
By: Cecilia Gil, Board Assistant

PUBLISHED: 3/17/18

9.1 of 03/27/18