

Attachment H

This page intentionally left blank.



20805 Cachagua Road
Carmel Valley, CA, 93924

P 831 659 2615

F 866 809 9089

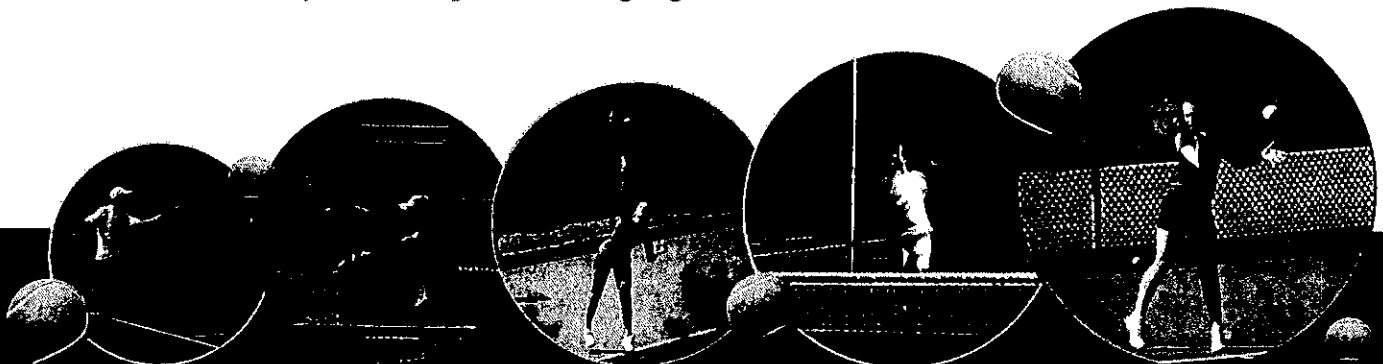
Monterey County Resource Management Agency
Planning Services
Craig Spencer – Acting Planning Manager
1441 Schilling Place
Salinas, CA 93901

Dear Craig,

We've written previously about our concerns regarding the proposed outdoor cannabis cultivation pilot program. With the most recent draft ordinance and staff report, we feel compelled to provide input once again, and yet from another perspective.

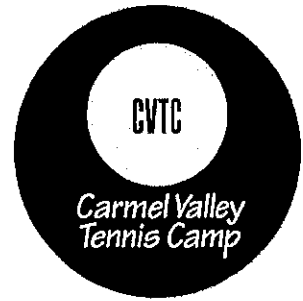
From the staff report we quote "Staff believes that, due to current challenges with illegal grows and managing the current cannabis program, allowing outdoor grows will necessitate additional enforcement/program staff..... Without adequately taxing this use, costs will exceed revenue thereby impacting the General Fund..... The Cannabis Committee has directed staff to make the program revenue neutral, meaning that if adopted, the pilot program will require setting a tax sufficient to cover the costs of the program based on projected canopy under the pilot program. The County Administrative Office (CAO) is developing financial estimates and projections addressing this issue. Reductions in funding to County Departments may result in less efficient permitting and enforcement."

As we understand, one of the jobs of government officials is to be fiscally responsible. Please note that the CAO is only "developing financial estimates and projections addressing this issue." As we read this it appears that anyone interested in applying for the program does not have any idea of what it will cost them. As we stated in an earlier letter, this does not make business sense because the only way to make the program "revenue neutral" is to require high taxation of anyone wanting to be a part of the program. And if the fees for the participants in the pilot program are high, the cost of their product will also be high, and that will ensure that illegal grows will be much more cost effective. We don't think the County wants to promote illegal grows, but we do believe one of the unintended



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com



20805 Cachagua Road
Carmel Valley, CA, 93924
P 831 659 2615
F 866 809 9089

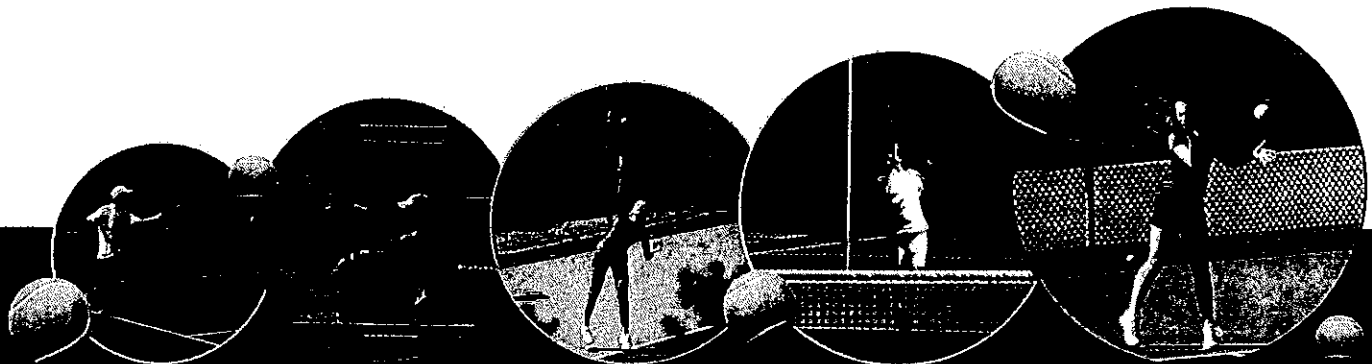
consequences of the pilot program will be a failure for the participants and an increase in illegal grows.

Finally, we view these ordinances as being done in a "rush" so that they can be created before June 30, 2019 when a particular state law will sunset. We believe that the thinking is flawed. It appears that this is being done "quickly" to avoid state oversight. So if the proposed program is fiscally irresponsible, and is being rushed forward, does this open the Planning Commissioners, the Board of Supervisors, and the County up to potential liabilities?

We ask that copies of this letter be provided to the Planning Commissioners prior to the May 29, 2019 meeting. We would attend the meeting and speak but we are in the midst of preparing for the opening of our summer camp season with staff arriving.

Sincerely,

Aimee Reeder Susan Reeder Steve Proulx
Aimee Reeder Susan Reeder Steve Proulx



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com

Spencer, Craig x5233

Subject: RE: Cannabis growing in the Cachagua area

-----Original Message-----

From: Janis Lou Dickinson [mailto:jld84@cornell.edu]
Sent: Friday, May 10, 2019 7:48 AM
To: Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>
Subject: Cannabis growing in the Cachagua area

Dear Mr. Spencer and planning board members:

I'm very concerned about the lack of investigation into the impacts of outdoor cannabis growing proposed for the Cachagua/Jamesburg area. This is a residential area with about 900-1000 people. The water supply is already challenged. Many have wells pumping just 3 gallons a minute. Further, I see no evidence of analysis of environmental impacts of this land use change. Growing cannabis involves water, disposal of waste, possible use of pesticides, potential for use of poisons to control rodents (these also kill wildlife, including Yellow-billed Magpies, which are already challenged by west nile virus, other birds, bobcats, mountain lions, and more) in addition to getting into the water supply. With the odor will come declines in tourism and declining property values. The character of the area will change and fires will become more likely. People who grow cannabis will not live on site and this means fires ignited by equipment, cigarettes, or vehicles will not be detected until they are out of control. An EIR would also include projected changes in car traffic. The road we take to town (yes, just one) is winding and dangerous and increasing the numbers of trucks cars will certainly increase road mortality.

What is particularly disturbing is to hear the planning board's description of our area in the newspaper - as if it is all open space and no one lives here. It's a gorgeous area to live and despoiling it with odors, overuse of water, poisonous chemicals, and nonresident land use will potentially ruin the quality of life we have worked so hard to attain. Putting something like this through without an EIR is irresponsible and a disservice to the community that will be affected by these changes.

Janis Dickinson
Professor Emerita of Natural Resource, Cornell University Owner and resident, 37503 Tassajara Road



Wildlife Emergency Services Box 65 Moss Landing, California 1-866-WILD-911 admin@wildlifeservices.org

5-9-19

Monterey Board of Supervisors: Chairman Alejo, Supervisor Adams, Supervisor Lopez, Supervisor Parker and Supervisor Phillips,

CC: California Coastal Commission, Agricultural Advisory Committee, County Planning Commission

RE: Outdoor Commercial Cannabis Cultivation in Monterey County

Dear Supervisors,

Just this morning we became aware of the proposed Outdoor Cannabis Cultivation Program that would allow commercial marijuana grows in certain portions of Monterey County, and we'd like to share our concerns.

Our initial concern is there has not been enough notification to the greater Monterey County area, informing them of this proposed program and allowing for their input. It is not just the selected areas that will be impacted. Additional time is needed to hear from more of the public and experts.

According to the Staff Report (5/9/19), it does not appear the California Department of Fish and Wildlife, specifically their Cannabis Program, have been involved - and we feel it imperative they weigh in on this, since the program is sure to complicate if not hinder their efforts in the community.

Additionally, there are California Species of Special Concern and Federally Endangered species in the areas listed for increased development. One species in particular, that is sure to be heavily impacted, is the dusky-footed woodrat. The California condor and steelhead would also be impacted. Again, there is need for input from California Department of Fish and Wildlife and the US Fish and Wildlife Service, as well as local environmental experts who can explain the unique impacts this program might have.

The potential environmental impacts would be thoroughly investigated through an environmental review (ER) required by the California Environmental Quality Act (CEQA). However, for some reason this project is being rushed through due to some sort of exemption? This is not acceptable! This program may have a significant effect on the environment and therefore requires a formal review. Approval of this program without an ER would be remiss, irresponsible, and, as one opponent already stated, challengeable.

Additionally, as for the language of the ordinance, we believe any project with the potential to increase conflicts between humans and wildlife - like this one, must include preventive requirements to reduce the clashes between humans and wildlife, because, in the end, wild animals and the environment tend to lose such battles. We have seen this play out, firsthand, and the consequences are brutal.

I am sure you're aware of the environmental damage caused by illegal marijuana grows, but residential and commercial agriculture practices also have devastating impacts on wildlife and ecosystems - specifically the use of pesticides and rodenticides.

Anticoagulant rodenticides used to control mice, rats, gophers and ground squirrels are killing predator species. When a rodent consumes the poison, they become poison. Anything that consumes them - a hawk, an owl, bobcat, coyote - even a dog or cat, will get a dose of the poison, and that's what is happen to predators throughout California. It's likened to DDT. Slowly pervasively working into the food chain until species collapse. There is legislation in the works (AB 1788) aimed at reducing use of certain poisons due to their environmentally devastating impacts.

In general, conventional cultivation of a crop means increased use of synthetic chemicals and pesticides. That is essentially what is being invited into some of the most environmentally sensitive areas of Monterey County. Without language in the the ordinance explicitly requiring preventive measures so to reduce conflicts and limit use of environmentally harmful chemicals, the surrounding ecosystem will suffer. From bees to owls, eagles, bobcats and steelhead - they will all be at risk of impact if nothing is put in place to prevent it.

We have extensive knowledge and experience reducing wildlife conflicts - *from mice to mountain lions*TM, and would like to help come up with language for the ordinance that would reduce conflicts with wildlife. We would also like an opportunity to expand on the unique impacts this project might have on the local wildlife.

Thank you,



Rebecca Dmytryk
President and CEO
Wildlife Emergency Services

Sylvia J Zoellin
PO Box 1617
Carmel Valley, CA 93924
(831) 238-5136

May 6, 2019

Monterey County Planning Commission
1441 Schilling Place
Salinas, CA 93901

Re: REF1250048 – Outdoor Cannabis Cultivation Pilot Program
Meeting – Wednesday, May 8, 2019

Dear Commissioners:

I am opposed to the Outdoor Cannabis Cultivation Pilot Program in Cachagua/Carmel Valley for the following reasons:

- Water Usage

The Cachagua Valley does not have enough water to sustain more water usage. Our tributaries to the Carmel River dry up earlier and earlier each year stranding and killing the Steelhead. Steelhead are a threatened species.

“One 10,000-square foot grow requires approximately ¼ acre foot of water per year.”¹

To put this into perspective, a ¼ acre foot is 81,462.75 gallons. During a dry year several years ago I used only 10,000 gallons all year. So, one 10,000 sf commercial grow uses 8 years worth of water for me. I find it appalling.

I believe that the vineyards and residential growth have caused this dilemma, and adding cannabis grows will only further exacerbate the problem. On one 5.5 miles stretch of Cachagua Road there are 9 vineyards that I am aware of. Those vineyards must have hundreds of acres of grapes that require water during the same summer months that cannabis will.

As a little background, I have lived on the Carmel River for about 47 years and have witnessed the frightening decline of a river once teeming with fish to a river in ruin.

- Safety

It has long been known that Cachagua, Carmel Valley and Big Sur have not had adequate Sheriff's presence. For the most part they only come to Cachagua when called. The wait time can be hours.

The Cachagua area is a rugged and remote area that will be difficult to patrol. It can be a 2 hour round trip from Salinas just to get there and back.

To have an industry that is fraught with crime in such a remote area is dangerous and will be difficult to protect for both the growers and the nearby residents. There have been 2 armed cannabis robberies in the Salinas area within the last year. One on 7/16/18, and most recently 03/21/19ⁱⁱ

There are areas in Cachagua without cellular service, and GPS can send someone up to 5 miles from the address they are looking for.

As further example of safety issues, the California Highway Patrol (CHP) could not find my house without detailed directions, and during the Basin Fire, the Sheriff's office was going door to door with evacuation orders. They never made it to my house to tell me to evacuate.

The Sheriff's office at a minimum needs to have a full time dedicated Deputy with a 4X4 to even begin to adequately patrol these areas. With \$300,290 for overtime, service and trainingⁱⁱⁱ it is not nearly enough.

- Environmental Concerns

Fertilizers, Pesticides, Herbicides, Rodenticides can all play a part in the destruction of our Bald Eagles^{iv}, Condors, Steelhead, honey bees, etc. We cannot afford to lose our precious wildlife again.

These are all toxins and are killers. Even a product that is labeled natural or organic can still be poisonous.

Again, cannabis comes on the heels of the vineyards and residential development to further add to the problem.

- County of Monterey Budget

It is unconscionable that the County of Monterey facing a \$14,000,000.00 budget shortfall for 19/20 fiscal year and a forecasted \$36,000,000.00 deficit the following year with a potential loss of 70 full time positions^v could consider implementing a brand new program that "It is anticipated that the outdoor grow pilot tax revenue will be less than augmentation costs."^{vi}

- Program Notification

Unfortunately, this program has not been well publicized. It wasn't until March of this year that I knew it even existed, and most I've spoken with have not known about it either. Residents should be notified by US Mail about the potential impact facing their neighborhoods. It feels like this program has been on a fast track and is being rushed to completion.

Selection Criteria of Participants

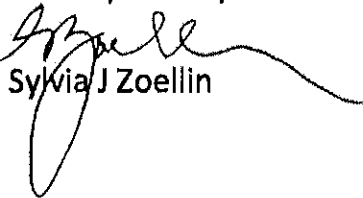
This program is only allowing a select few to participate. As a pilot program, it should be open to all. It feels out of balance. It will be easy administratively because the legacy growers have already been through a similar permitting process, but the monitoring in such a remote area will prove extremely difficult.

A pilot program should encompass all types of potential growers and all areas of the County in real life scenarios for it to be a true experiment. It should be short term and small of scale. 5 years is too long.

In conclusion, please do not rush the decision to allow the Outdoor Cannabis Program without substantial changes. It is too important to the environment and residents to be hasty. There needs to be further environmental studies, proper notification to the affected public, selection criteria changes, budgetary considerations, safety and sanitation issues.

With 2.4 million square feet in cultivation,^{vii} the residents of Cachagua and the County of Monterey really do not need additional commercial grows to monitor especially in such an environmentally sensitive with largely inaccessible areas.

Thank you for your time and consideration.


Sylvia J Zoellin

ⁱ Page 7 Meeting Agenda Cannabis Standing Committee April 11, 2019

ⁱⁱ

<https://www.kion546.com/news/employees...up...marijuana...robbery.../769053265>

<https://www.kion546.com/news/salinas-pot-farm-robbed-at-gunpoint.../1061389192>

ⁱⁱⁱ Page 17 Meeting Agenda Cannabis Standing Committee April 11, 2019

^{iv} <http://pineconearchive.com/190301PCfp.pdf>

^v The Californian April 12, 2019

^{vi} Page 17 Meeting Agenda Cannabis Standing Committee April 11, 2019

^{vii} Page 8 Monterey County Weekly April 11-17, 2019

Cc Monterey County Board of Supervisors

Spencer, Craig x5233

Subject: RE: Outdoor cannabis pilot program

From: john Defloria <john@bigsurcannabotanicals.com>

Date: May 7, 2019 at 10:59:11 AM PDT

To: Egonzalezsr56@gmail.com, Richcoffelt@msn.com, Getzelmanpc@co.monterey.ca.us, Amydroberts@ymail.com, Kvandevere@gmail.com, Mvdiehl@mindspring.com, Monsalvee@co.monterey.ca.us, Mduflock@gmail.com, Mendozafl@co.monterey.ca.us, Ambrizanal@gmail.com

Subject: Outdoor cannabis pilot program

Dear Planning Commission,

I am writing you today with my concerns about the new ordinance for Outdoor cannabis cultivation.

I support this ordinance as written, but my concern is that because it is so limited, that the County will not have enough qualified applicants to make it a successful program.

The county could very well lose money, when it has the opportunity to revive a once thriving industry and generate significant tax dollars.

The ordinance is limited to pre-existing farmers, which makes the pool of possible applicants very small. It then layers on additional restrictions that decrease the numbers of possible applicants to a very small group.

The two most limiting restrictions are: 1) Lot Size . 2) Setback

Lot Size: The ordinance currently restricts the lot size to 10 acres or more. However, many pre-existing farms are much smaller than this. A better regulation would be that a property could grow 2.5% of lot size with a maximum of 10,000 square feet. This is what Mendocino County has done.

Setback: The current proposed setback is 1000ft. Other counties use 100 to 200ft. The 1000 ft. Setback is extremely restrictive based on the unique topography of the Santa Lucia mountains and will greatly decrease possible participation. A better regulation would be 200ft setback, and that a neighbor could waive the setback in writing as done in other agricultural contexts.

Other Issues include:

Canopy Definition: The definition of how canopy is measured will greatly affect the farmer's ability to pay taxes and be able to create a viable business for the duration of the pilot plan/ future.

I am suggesting a definition that includes being Non contiguous and measures the soil surface square footage

Max Canopy 10,000 sq/ft: The County could generate more tax revenue by increasing the maximum square footage for certain qualified large properties.

Permitted structures: Farmers would like the opportunity to do what is necessary to get their homes permitted and up to code. We would like there to be a grace period s they have done in other counties. Some of our farmers lost their homes during the Soberanes Fire and have not been able to re-build, either county hold-ups or just can't afford it.

Transfer Program: Some operators that were cultivating legally prior to, and up until, the moratorium enacted in 2016, have lost their properties and gardens for a variety of reasons including but not limited to:

Fires, loss of lease, sale of property etc. In some cases loss of leases and property sales were a direct result of compliance with the county moratorium on outdoor grows. 3 years of not being able to legally cultivate and the loss of income is the result of this compliance. I would like to see further definition of what property exchanges might be acceptable in these instances so the operators who were respectful of the moratorium could relocate to another location and start cultivating legally again.

In our instance, our business model was based on offering cannabis from our Carmel valley garden as well as from our neighbors in Big Sur. . It may be difficult to find another property to move to that had a previously existing legal garden but other properties might be acceptable for other reasons including but not limited to cultivation of other crops or similar uses.

I welcome the opportunity to dicuss this matter further with anyone from the county or who might have an interest.

Thank you for your time and consideration in reading these comments. We believe that this program, if properly designed can:

- Serve the local economy
- Create an additional tax base
- Protect legacy farms who were legally compliant
- Preserve a certain market sector for the county in this new industry
- Protect the natural environment
- Honor the heritage and tradition of a local community

Kind Regards,

John DeFloria

Co-owner Big Sur Cannabotanicals
Dispensary.
831 915-7164



20805 Cachagua Road
Carmel Valley, CA, 93924
P 831 659 2615
F 866 809 9089

May 7, 2019
Monterey County Planning Commissioners
Re: Pilot Program for Outdoor Cannabis Cultivation

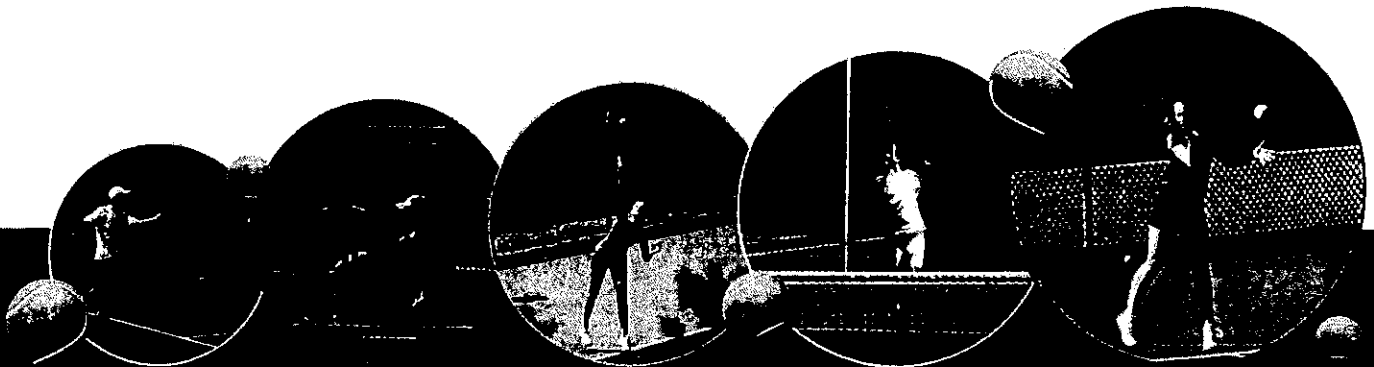
Having had the opportunity to attend the April 11 Board of Supervisors Subcommittee hearing on the proposed ordinance for a pilot program for outdoor cannabis cultivation, and then having the chance to read through the draft ordinance provided to us by Acting RMA Planning Manager Craig Spencer, we wanted to express some of our thoughts on the proposed pilot program. We recognize that recreational cannabis use is now legal in California while still being illegal on the federal level.

We have concerns because we own and operate Carmel Valley Tennis Camp, a sleep away summer camp for 53 children each session ages 10-18 with a staff of 15-20 between the ages of 19 and 25. We work with young people and the presence of cannabis cultivation in our area will be a detriment to our business.

Following are our three most pressing concerns:

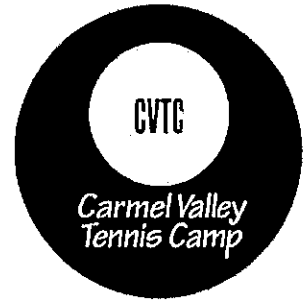
1) We believe that a pilot program allowing outdoor cannabis cultivation needs to go hand in hand with an eradication of illegal grows. The only way regulated, and therefore much more costly grows, can succeed, is if the illegal and much less costly grows, are eliminated. At the April 11 meeting County staff stated that there is no money budgeted for additional law enforcement personnel.

2) We also believe strongly that a pilot program allowing outdoor cannabis cultivation in the Cachagua area would need to go hand in hand with a much greater law enforcement presence than what exists currently. Again, at the April 11 meeting County staff stated that \$300,000 is budgeted for the Sheriff's Department in the first year of the program, but it is



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com



20805 Cachagua Road
Carmel Valley, CA, 93924

P 831 659 2615

F 866 809 9089

only for code enforcement and would not include additional law enforcement presence in the cultivation areas. Does this mean that law enforcement will only be monitoring the pilot program plots while driving past illegal plots? We believe a Sheriff in residence would be a necessity. Does the County have the funds to support such a program?

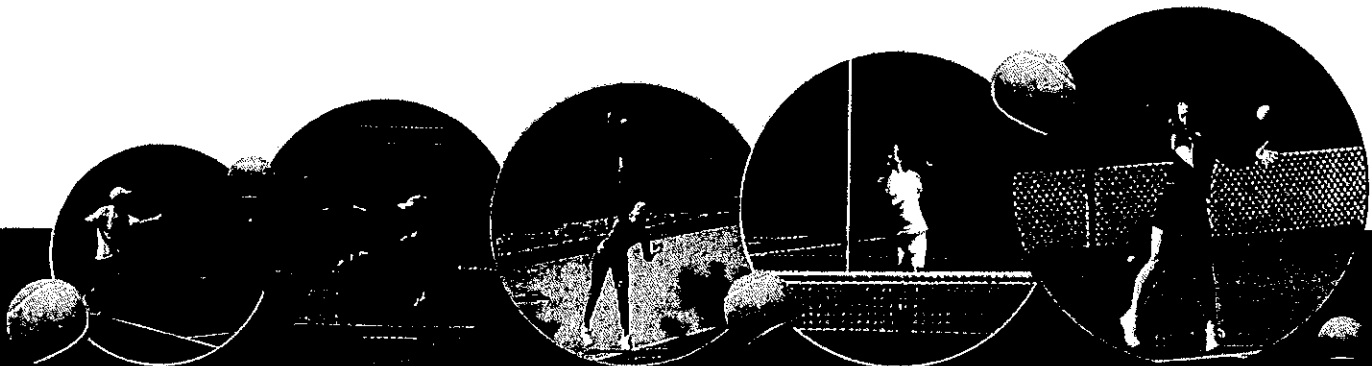
3) From a bigger picture view, we believe the County needs to make the purpose for allowing outdoor cannabis cultivation much clearer. The draft ordinance states "The purpose of the pilot program is to analyze the impacts of outdoor commercial cannabis cultivation." We assume that the purpose behind this stated purpose is the development of significant tax revenue for the County. If that assumption is correct, then this program will not achieve the desired result. It will, however, be costly to the County, and have an unintended negative impact on the unincorporated portions of the County to which it is proposed. In addition, County staff at the April 11 meeting stated that the proposed program is expected to run a substantial deficit (\$300,000?) in the first year. Why would the County embark upon a program that is expected to lose money?

We would appreciate our concerns being addressed by the County.

Sincerely,

Aimee Reeder Susan Reeder Steve Proulx

Aimee Reeder Susan Reeder Steve Proulx



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com

George R. Walker, Esq. (1928-2018)
Hansen P. Reed, Esq.
Ashlee E. Gustafson, Esq.
John N. Staples, III, Esq.



Via Email, and
U.S. Mail

May 7, 2019

Carl Holm, AICP, RMA Director
Monterey County RMA
1441 Schilling Place, South 2nd Floor
Salinas, CA 93901

Author's Email Address:
HReed@walkerandreed.com

**Re: Monterey County Planning Commission Meeting May 8, 2019
Item 5: REF150048 – Outdoor Cannabis Cultivation Pilot Program**

Dear Mr. Holm:

Since 2017, I have sent several letters and appeared in front of the Board of Supervisors and the Planning Department on behalf of several row crop farming families in the Salinas Valley who have concerns about the cannabis zoning. In reviewing the May 8, 2018 Monterey County Planning Commission Agenda, my clients learned that the Planning Commission is considering making a recommendation to the Board of Supervisors on draft ordinances amendment Monterey County Code to create a pilot program for limited outdoor commercial cultivation of cannabis in certain unincorporated areas Monterey County.

My clients and many others in the unincorporated areas of Monterey County oppose the drafting of outdoor cannabis regulations and the pursuit of outdoor commercial cannabis cultivation in Monterey County. The County lacks the resources to address outdoor growing effectively, it is too early to expand the scope of cannabis cultivation, there could be substantial increases in environmental harm, it will be difficult for outdoor cultivators to meet safety and security requirements, and increased land, development and labor pressures will negatively affect the agricultural industry.

County resources for preparing and monitoring outdoor cultivation are limited and should not be used on a new project while the current resources are not enough to regulate indoor cultivation. There are still many other issues to be considered. If resources are pulled away from other necessary regulatory work and the enforcement of current regulations it will result in harm to the residents of Monterey County - including cannabis licensees - as important problems go unaddressed. **My clients do not want the County to be in a position where they have to rob designated funds from other worthwhile government resources and programs in order to subsidize the costs of implementing outdoor grow permitting and regulation.**

WALKER+REED
ATTORNEYS AT LAW P.C.

Adult-Use Cannabis cultivation and sale has only been legal since January 1, 2018. We should see how operations run for several years before exploring or expanding to open grow. As noted in prior Board of Supervisors' Board Reports, there is already about 8 million square feet of potential growing capacity within existing indoor and mixed light facilities. There is little or no data, and no one knows how this capacity will affect the market for commercial cannabis in the County. Allowing for increased cultivation, without having any information on the current needs of the California market could lead to an oversupply of cannabis, putting smaller operations out of business and harming the nascent industry. While many other crops, excess capacity can be exported to other states or countries; that is not an option here.

Not only will the outdoor cultivation proposal take away resources from current licensees, many other industry groups would benefit from County attention, resources, and services, which this proposal could displace. The County should work to ensure the system currently in place is effective and worthwhile for its residents, operators, and industry of before prioritizing a new set of regulations that will disrupt the market.

Outdoor growing could have significant environmental impacts that may not be present with indoor cultivation, such as additional harm to the waters of our County. It has been well-documented in Humboldt, Mendocino, and Trinity Counties that outdoor cannabis cultivation has caused environmental degradation. The California Water Resources Control Board has identified several concerns associated with outdoor cannabis cultivation. In particular, there is an increased risk of (1) illegal diversions of streams that harms beneficial uses and/or senior water rights holders, (2) poorly maintained and constructed roads and excavation/development of cultivation areas that causes sediment pollution from soil erosion which negatively impacts local wildlife, (3) potting soil, mulch, amendments, fertilizers, and pesticides being stored improperly or improperly applied, mobilized by runoff and discharged into surface waters, (4) the generation and improper storage and disposal of hazardous waste, and (5) deforestation and increased erosion due to cannabis cultivators doing their own clearcutting to develop an open space for their grow-sites without considering the environmental impacts.

The County already faces a substantial water shortage. It would be irresponsible for the Board to open up our precious lands and waters to an immature industry with little or no experience in properly preserving and protecting the environment. The largest industry in this county consists of our well established and regulated agricultural industry, a \$4.4 billion dollar industry. Increasing the risk to our land and water, and by extension, one of the key industries in our County is reckless. The short-term pursuit of increased tax revenue should not endanger the future health and sustainability of the County as a whole.

My clients are also very concerned by security issues with allowing outdoor cultivation. If farmland allows cannabis cultivation, it increases the risk of crime and harm to farm owners, their workers, and the community at large. An outdoor growing area, will likely be more expansive, will be more open to the public, and could result in increased crime and diversion of cannabis to the illegal market. Securing an open field is difficult and will likely require increased fencing - which causes its own set of problems and environmental harms. In comparison, providing security for an indoor cultivation site is relatively easy. It is much easier to control the security and flow of

May 7, 2019

Page 3

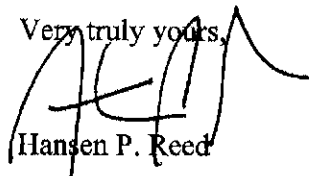
cannabis goods from a building than from an open field. With so much cultivation space already available, it would again, be an irresponsible increase in risk to allow outdoor growing.

Further, like most new laws that are proposed, they tend to start off more restrictive and over time expand. My clients anticipate that within a short time, if outdoor grow is allowed in the proposed areas, that it will expand into the Salinas Valley and other parts of the unincorporated areas of Monterey County. Opening up the market to outdoor cannabis cultivation will have a negative impact on the agricultural industry due to increased land values, development pressure, and labor costs which will negatively the County as whole. We have already seen a negative impact to the flower and floral industry due to indoor cultivation. The cost of leasing greenhouse space has drastically increased over the past two years. Many greenhouses that were once used to grow roses, orchids, carnations and other flowers are now allocated to cannabis cultivation, putting florists out of business or forcing them to move to less desirable locations - or to other states/counties. Our clients fear the same would happen to farmers because of outdoor cannabis cultivation. The land rush that will ensue if outdoor cultivation is allowed will result in substantial harm to smaller scale (and even some larger) operations in our area.

Finally, allowing a cash crop like cannabis to be grown outdoors could result in many farm owners trying to shift their operations in that direction or new actors entering the market, reducing the supply of usable land for crops and increasing costs and expenses for all farmers. For example, there is already a shortage of reliable and experienced labor in Monterey County. Allowing another avenue to divert labor - in particular to a crop that remains classified as a Schedule 1 Controlled Substance - will directly harm Monterey County Agriculture.

Please feel free to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Hansen P. Reed', is written over the typed name. The signature is stylized and cursive.

Hansen P. Reed

HPR/bhs

CC: Clients

Subject: RE: Correspondence: Letter from Oliver Bates- FW: Outdoor Pilot Program!

-----Original Message-----

From: ollie baba <bigsurfarms@gmail.com>

Sent: Monday, May 6, 2019 12:22 PM

To: egonzalezrsr56@gmail.com; ambrizana1@gmail.com; richcoffelt@msn.com; Mendoza, Francisco Javier <MendozaF1@co.monterey.ca.us>; Getzelman, Paul C. <GetzelmanPC@co.monterey.ca.us>; mduflock@gmail.com; amyroberts@ymail.com; Monsalve-Campos, Etna <MonsalveE@co.monterey.ca.us>; ClerkoftheBoard <cob@co.monterey.ca.us>; kvandevere@gmail.com; mvdiehl@mindspring.com

Subject: Outdoor Pilot Program!

Dear Monterey County Planning Commission,

My name is Oliver Bates and I am president of the Big Sur Farmers Association. We are a non profit policy and advocacy group representing local Big Sur and Carmel Valley Farmers. I am a second of three Generations of Cannabis farmers currently on the coast of Big Sur and the third of four generations of my family from Carmel. And I am concerned about the outdoor cannabis pilot program draft and the way it stands now.

Two rather harmless seeming issues, around the 1,000 foot set back and minimum acreage of 10, could effect more than 50 percent of our association farmers, which we estimate to be about half of all the participants in this pilot program.

To state openly and honestly, I am terrified of what the Cannabis Standing Committee and RMA have presented as they have proven time and time again that they hold only the weight of the outside investment that lobbied for Industrial frame works provided from other states and law enforcement. There is no concern for our environment and best practices that keep it safe. Only the bare minimum to pass CEQA with no regard to the people that have created this industry and stewarded this land to the gold standard of environmentalism that it is today. This is the way of life we have created as a community. This is not coastal development , this is coastal preservation.

Please make no mistake, our communities are fighting for there lives with no support for small business, agrarian rights, craft products, or cannabis. I ask you plainly, how have you enjoyed our communities for the past 50 years? Do you appreciate the coast the way it is, or do you approve of the billionaires squeezing out the millionaires to build a bigger house and fence off more public access. We are turning into a gated adult community, a dead village if you ask me, without the sounds of music and children laughing. This is because of the policy that the county government knows better than our coastal community on how best to deal with this very unique region.

Most farmers in our region are very small scale and should not have to be subject to these expensive and terribly misinformed regulations. There is about 80% of our members that are far under 2,000 square feet and are applying the smallest possible licenses types available. I would like to remind all of you that these are not commercial farms, they are homesteads. This is not a new way of life for us. In fact we are some of the most famous and distributed cannabis farmers in history. Many of our community farmers and cultivars are currently appreciated on a international scale. Our for fathers created this industry on the belief that this is plant medicine that can cure the world, not a drug.

Please understand that we are the greatest source of community driven research you can find for your county. By limiting us from having these small farms, you are destroying your own reputation. The whole of the cannabis industry understands that this, outdoor issue of the little people taking on industrial agriculture to protect there rights and livelihoods, is a David and Goliath battle. And when I am telling our story, to national and international press, I have been so proud to say we have been working with our county to find common ground and create this pilot program for our local community together. I ask you, do you stand by your community?

With all respect and optimism, there would be a path forward by following your local farmers to get them exactly what they need to smoothly go into business. These are homesteads built by hand and free of outside investment and devolvement. We have been burned, flooded, and overwhelmed by tourism that benefits only a few miles of our Coast. The only appropriate mixed use of our lands is Agriculture. The only Agriculture historically in Big Sur is Logging, cattle, and marijuana. Unfortunately the cattle is only on a couple wealthy ranches and we can not log any more. What does that leave us with if you over regulated these small and peaceful homesteads to the point of non participation?

All of these issues expressed are just scratching the surface of them. There is a judged disconnect between powers to be and the people that created this for you. So in the spirit of how the coastal commission started, we have started as well. We have started by speaking out a path of higher ground as there has been very little support to do this in a timely manner. Instead they have bankrupted most of us for three years and are still nervous of our high quality products that will contrast there market mule mediocrity. We are now working with The California Department of Food and Agriculture on a Appellations working group. We are aiming to protect our heritage, best practices, and the legacy we leave behind (see attached pdf of CalCannabis Appellation working group participants). We will be just a part of a bigger picture that has united the most distinguished California cannabis growers and producers.

Please look to your community for the answers and please know we are grateful for the opportunity to lay to rest the war on drugs. Although we are still being criminalized, we are showing up with open arms and we are inviting you in anyway!

Oliver Bates
President of the Big Sur Farmers Association bigsurfarms@gmail.com

CalCannabis Appellations Working Group - Organizations Invited to Participate

(All information was provided by the representative or published on the organization's website)

Antelope Valley Cannabis Association

AVCA was founded in 2017 with the mission to work with members of the cannabis industry in Antelope Valley and Mono County, members of the community, and the county and state to develop common sense regulations that allow communities and businesses to grow while supporting the responsible and ethical use of cannabis and cannabis business practices. AVCA has agreed to represent cannabis businesses and cultivators in the Antelope Valley region to the CalCannabis Appellations Working Group.

Big Sur Farmers Association

BSFA is a non-profit organization formed to represent cannabis farmers of the Santa Lucia Region and to identify and promote the region while preserving the legacy farming of Unincorporated Monterey County. BSFA leads by example with responsible land stewardship, promoting sustainable farming practices, educating the community, law enforcement and policy makers, helping protect the rights of farmers, support commercial businesses, empower both legacy and new cannabis farms, and set the standards for high quality cannabis farming. BSFA has agreed to represent cannabis businesses and cultivators in the Santa Lucia region to the CalCannabis Appellations Working Group.

Calaveras Cannabis Alliance

CCA is a trade organization dedicated to the protection, preservation, and sustainable development of the cannabis industry in Calaveras County. CCA advocates for the development of reasonable cannabis policy in Calaveras, and supports members with education designed to grant members security in both the local regulatory scheme and the statewide market. CCA has agreed to represent cannabis businesses and cultivators in Calaveras County to the CalCannabis Appellations Working Group.

California Agricultural Commissioners and Sealers Association

CACASA is a voluntary organization comprised of County Agricultural Commissioners and County Sealers of Weights and Measures from California's 58 counties. CACASA provides the venue for collaborative opportunities to address matters of statewide significance that effect California's agricultural production, its natural resources, marketing, food safety, equity, and public health as it relates to our environment. CACASA has agreed to represent California Agricultural Commissioners to the CalCannabis Appellations Working Group.

California Cannabis Industry Association

CCIA's mission is to promote the growth of a responsible and legitimate cannabis industry and work for a favorable social, economic, and legal environment for the industry in the state of California. CCIA's Retail & Delivery Committee addresses all issues related to streamlining business practices to public safety and health. This committee has been directly involved with educating the industry on the evolution of regulations related to packaging and labeling regulations, and continues to provide strategic comment on evolving regulations. CCIA has agreed to represent California retail and delivery cannabis businesses to the CalCannabis Appellations Working Group.

California Cannabis Manufacturers Association

CCMA represents professional cannabis product manufacturers, and works to improve and protect a strong business climate for California cannabis manufacturers and cannabis producers. CCMA has agreed to represent California cannabis manufacturers to the CalCannabis Appellations Working Group.

California State Association of Counties

The primary purpose of CSAC is to represent county government before the California Legislature, administrative agencies and the federal government. CSAC places a strong emphasis on educating the public about the value and need for county programs and services.

CalCannabis Appellations Working Group - Organizations Invited to Participate

(All information was provided by the representative or published on the organization's website)

Cannabis Association for Responsible Producers

Since the passage of AUMA, CARP Growers have been involved in shaping Santa Barbara County regulations in an effort to ensure best practices in Carpinteria Valley. The mission of CARP Growers is to foster a positive relationship with the community of Carpinteria by promoting best practices among cannabis growers. CARP Growers has agreed to represent cannabis businesses and cultivators in the Carpinteria Valley region to the CalCannabis Appellations Working Group.

Cannabis Distribution Association

CDA represents a diverse group of licensed cannabis distributors throughout California with the shared goal of establishing best practices and standards for commercial cannabis distribution. CDA has agreed to represent California cannabis distributors to the CalCannabis Appellations Working Group.

Cannabis Marketing Association

CMA was established to bring the cannabis marketing community together so that best practices could be shared through collective knowledge. Today, CMA seeks to formally establish these best practices and further elevate the discussion about the modern brand of legal cannabis. CMA has agreed to represent California cannabis marketing professionals to the CalCannabis Appellations Working Group.

City of Weed Appellation Development Committee

Council Members of the City of Weed have adopted a resolution to organize a standing Committee for appellation designation criteria development for the City of Weed. The City of Weed Appellation Development Committee has agreed to represent the City of Weed to the CalCannabis Appellations Working Group.

Coachella Valley Cannabis Alliance Network

CVCAN is an organization that provides a responsible and productive voice for the cannabis industry in Coachella Valley through innovative and effective programs in development, operations, regulations and outreach. CVCAN has agreed to represent cannabis businesses and cultivators in the Coachella Valley region to the CalCannabis Appellations Working Group.

Consumer Federation of California

CFC is a nonprofit advocacy organization. Since 1960, CFC has been a powerful voice for consumer rights, campaigning for state and federal laws that place consumer protection ahead of corporate profit, and appearing before state agencies in support of consumer regulations. CFC has agreed to represent consumers to the CalCannabis Appellations Working Group.

Humboldt County Growers Alliance

HCGA is the trade association advancing the interests of the legal and responsible cannabis businesses in Humboldt County. Built on a foundation of fifty years of innovation, HCGA members are statewide leaders for environmentally and ethically produced cannabis, supporting thousands of local jobs and millions in tax revenue and driving the majority of economic activity in Humboldt County. HCGA works to preserve, protect and enhance Humboldt County's world-renowned cannabis industry. HCGA has agreed to represent cannabis businesses and cultivators in Humboldt County to the CalCannabis Appellations Working Group.

International Cannabis Farmers Association

ICFA's mission is to empower the traditional cannabis farmer through research, education, and advocacy. ICFA is a group of farmers, scientists and stakeholders working together to promote the unique quality and ecological superiority of sun grown Cannabis products while preserving the heritage of traditional farming communities. For more information please check out ICFA.farm. ICFA has agreed to represent cannabis cultivators and the perspective of legacy cultivation activities to the CalCannabis Appellations Working Group.

League of California Cities

The League of California Cities is an association of California city officials who work together to enhance their knowledge and skills, exchange information, and combine resources so that they may influence policy decisions that affect cities.

CalCannabis Appellations Working Group - Organizations Invited to Participate

(All information was provided by the representative or published on the organization's website)

Lompoc Valley Cannabis Association

LVCA is comprised of cannabis business owners and ancillary business owners in Lompoc, CA and Santa Barbara County. LVCA strives to unite the Cannabis Industry within the city of Lompoc, CA along with Santa Barbara County to help educate on the positive effects of cannabis, advocate for those who use it or do business by it, and bring the community together through leadership and positive example. LVCA has agreed to represent cannabis businesses and cultivators in the Lompoc Valley region to the CalCannabis Appellations Working Group.

Napa Valley Cannabis Association

NVCA's mission is to protect their agricultural heritage, promote Napa Valley Cannabis as the best in the world and enhance Napa Valley's global reputation as a premier agricultural region and visitor destination. NVCA has agreed to represent global cannabis businesses and cultivators in the Napa Valley region to the CalCannabis Appellations Working Group.

Nevada County Cannabis Alliance

NCCA is a policy and trade association who's mission is to Advocate, Educate, and Connect. NCCA advocates for reasonable local policies and a fair county ordinance. NCCA believes in empowering community success through education, and connecting stakeholders with opportunities to participate and collaborate. NCCA has agreed to represent cannabis businesses and cultivators in Nevada County to the CalCannabis Appellations Working Group.

Oakland Cannabis Business Council

OCBC is a membership organization made up of cannabis business who have or are seeking a permit from the City of Oakland. The purpose of the OCBC is to protect and promote Oakland Cannabis through advocacy, community organizing, and market development. OCBC has agreed to represent cannabis businesses and cultivators in the City of Oakland to the CalCannabis Appellations Working Group.

Origins Council

Origins Council is a nonprofit education, research and policy advocacy organization that is dedicated to sustainable rural economic development within cannabis producing regions, and to establishing nationally and internationally recognized, legally defensible, standards-based, geographical indication systems for cannabis. The Mendocino Appellations Project is a fiscally sponsored project of Origins Council. Origins Council has agreed to represent cannabis businesses and cultivators in Mendocino County and the perspectives gained by consensus-building outreach throughout California to the CalCannabis Appellations Working Group.

Rural County Representatives of California

RCRC is an association of the state's 36 rural/low-population counties, representing the elected county supervisors of those counties. Many of the RCRC member counties are very engaged in cannabis policy, for example Humboldt, Calaveras, and Nevada Counties. RCRC has agreed to represent rural county municipalities to the CalCannabis Appellations Working Group.

Sierra County Growers Association

SCGA is a non-partisan, community-based group that organized to educate, connect and advocate for patient, cultivator and community rights and responsibilities in Sierra County. SCGA works cooperatively with all individuals, businesses, and regulatory bodies to promote reasonable environmental, social and economic standards, helping cultivators within the community to participate and thrive responsibly.

Silicon Valley Cannabis Alliance

SVCA was founded out of the need for regional collaboration at the local level. A vibrant cannabis industry in the Silicon Valley can be a force to be reckoned with. As the industry's only Silicon Valley trade organization, SVCA works every day to ensure their business sector is represented in a professional and coordinated way. SVCA is focused on growing the regional legal cannabis industry, including businesses in Santa Clara, San Benito and San Mateo Counties. SVCA has agreed to represent cannabis businesses and cultivators in the Silicon Valley region to the CalCannabis Appellations Working Group.

CalCannabis Appellations Working Group - Organizations Invited to Participate

(All information was provided by the representative or published on the organization's website)

Sonoma Valley Cannabis Enthusiasts

SVCE exists to promote Sonoma Valley's distinctive and unique cannabis to residents of California and beyond. SVCE's goal is to highlight their local cannabis' remarkable terroir and to spotlight how Valley cannabis, properly grown, adds value to both the environment and the community. SVCE has agreed to represent cannabis businesses and cultivators in the Sonoma Valley region to the CalCannabis Appellations Working Group.

Southern California Coalition

SCC is a non profit advocacy group representing over 200 members from all license categories of the industry. SCC's mission is to ensure that local, state and federal legislation is inclusive, fair, and implemented in a responsible manner. SCC was instrumental in persuading the City of Los Angeles to abandon its policy of limited immunity and begin licensing cannabis businesses, has moved aggressively to protect the rights of the city's oldest non-retail cannabis businesses, and has played a major role in shaping cannabis policy in Los Angeles. SCC has agreed to represent cannabis businesses and cultivators in Los Angeles and the surrounding region to the CalCannabis Appellations Working Group.

Urban Counties of California

UCC was formed in 1991 to address the needs of California's high-population counties, which have over three fourths of the State's population and the overwhelming majority of the caseloads in the health, welfare, and justice areas. UCC enables the urban counties to pool and coordinate their efforts to pursue legislative action that reflects the needs of the State's most populous areas.

CalCannabis Appellations Working Group - Individuals Invited to Participate

Richard Mendelson

Richard Mendelson is a wine lawyer at Dickenson, Peatman & Fogarty in Napa. He also directs the Wine Law and Policy Program at UC Berkeley Law School and is a grapegrower and winemaker with a small family brand, Mendelson. He is the author of several books on wine: *From Demon to Darling: A Legal History of Wine in America* (2009), *Wine in America: Law and Policy* (2011), and *Appellation Napa Valley: Building and Protecting an American Treasure* (2016). He has a particular interest and expertise in geographical indications, including appellations of origin, for wine and other products in the U.S. and abroad. Richard has agreed to provide his subject matter expertise to the CalCannabis Appellations Working Group.

Ryan Stoa

Ryan Stoa is an Associate Professor of Law at Concordia University School of Law in Boise, Idaho. He is the author of *Craft Weed: Family Farming and the Future of the Marijuana Industry* (MIT Press, 2018), as well as numerous scholarly articles addressing cannabis agriculture. Professor Stoa's popular writing has appeared in *The Wall Street Journal*, *The New Republic*, *Salon*, *The Daily Beast*, *The Dow Jones MarketWatch*, and *The Conversation*, and his research has been featured in *Rolling Stone*, *Wired*, *The Verge*, and *Gizmodo*, among others. He can be contacted at www.ryanstoa.com. Ryan has agreed to provide his subject matter expertise to the CalCannabis Appellations Working Group.

Luke Zimmerman

Luke Zimmerman, Esq. LL.M is the founding and principal of The Law Office of Luke S. Zimmerman APC. His interest in international trade and investment law led him to study the effect of bi-lateral trade agreements on the harmonization of intellectual property standards. He assists entrepreneurs in the emerging cannabis industry and helps them to protect their intellectual property. Luke currently splits his time working with clients in California as well as nationally on trademark issues. Luke is also certified by Oaksterdam University, in both beginner and advanced courses, and has served as Professor of the Oaksterdam University course *Intellectual Property, Copyright Law, and Trademarking*. Luke has agreed to provide his subject matter expertise to the CalCannabis Appellations Working Group, and has also agreed to represent the National Cannabis Bar Association.

Spencer, Craig x5233

Subject: RE: Carmel Valley outdoor cannabis

From: Tor McPartland [mailto:orangeguard@sbcglobal.net]
Sent: Tuesday, April 30, 2019 4:35 PM
To: Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>
Subject: Carmel Valley outdoor cannabis

Dear Craig

We spoke at the Cachagua Advisory committee meeting awhile ago.

I previously sent you some wording for contiguous properties with the same owner.

I wanted today to run an idea about canopy charges. When we spoke you said canopy in advance charges were voted in so couldn't be changed without another vote.

So what I suggest is to base canopy charges for outdoor not by the fence enclosure size but by the plant container size.

I heard it would cost \$500,000 to comply for 10,000 sq ft area to get started. I promise you none of the starving farmers can do that and so you continue to only support the money and exclude the people who care.

Also PG&E being a requirement again excludes the people the county damaged when they illegalized cannabis. Possibly the county should pay restitution to the damaged farmers so they can afford to start up again.

I know you have a heart, please try to give one to the county.

Sincerely

Tor McPartland

Trampa Canyon (Tularcitos Ridge)

831-915-9151

Spencer, Craig x5233

Subject: RE: outdoor program

From: ondine gorton [mailto:ondine22@att.net]

Sent: Monday, April 29, 2019 10:53 AM

To: Swanson, Brandon xx5334 <SwansonB@co.monterey.ca.us>; Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>

Subject: outdoor program

Hi guys, Thanks so much for all your work on this.

There are still a few big things that will make or break this program. If there is still time I would like to have a meeting with RMA. I might be able to bring you to a previous grow site so RMA can get idea of how we grow on the different types of land we live on.

The set backs for sure need to be different. Please consider what Mendocino County offers as setbacks. It is much more realistic. See below:

The cultivation of cannabis in Mendocino County, in any amount or quantity by any entity, shall not be allowed in the following areas:

(1)

Within one thousand (1,000) feet of a youth-oriented facility, a school, or a park as defined herein that is in existence at the time a Permit is initially applied for.

(2)

Outdoors or using mixed light within one hundred (100) feet of any occupied legal residential structure located on a separate legal parcel; provided, however, that on January 1, 2020, this setback shall be increased to two hundred (200) feet for all Permit applications but shall not apply to renewals of Permits originally issued before that date.

(3)

Outdoors or using mixed light in a mobile home park as defined in Health and Safety Code Section 18214.1 within one hundred (100) feet of an occupied mobile home that is under separate ownership.

(4)

In any location where the cannabis plants are visible from the public right of way or publicly traveled private roads.

(5)

Outdoors or using mixed light within fifty (50) feet from any adjoining legal parcel under separate ownership or access easement (whichever is most restrictive); provided, however, that on January 1, 2020, this setback shall be increased to one hundred (100) feet for all Permit applications but shall not apply to renewals of Permits originally issued before that date.

We believe limiting the size of the canopy to 10,000 sq/ft will be hard for farmers to really create a viable business. There are many larger properties that can sustain a larger grow. It should be option for them.

Regarding Illegal dwellings: Mendocino County has been lenient and willing to work with property owners to get their structures properly permitted and up to date. And many of our farmers lost there homes in the Soberanes Fire and have not been able to rebuild. They should not be punished for this.

Thank you and please let me know what else we can do.



Item V. C. Outdoor Cannabis Cultivation Pilot Program - Correspondence
Agricultural Advisory Committee
April 25, 2019

FARM BUREAU
MONTEREY

1140 Abbott Street, Suite C, Salinas, CA 93901 • PO BOX 1449, Salinas, CA 93902

office (831) 751-3100 • www.montereycfb.com

April 22, 2019

Monterey County Cannabis Standing Committee
Att: Supervisor Luis Alejo
Supervisor John Phillips
168 W. Alisal St.
Salinas, CA 93901

RE: Cannabis Outdoor Grow Pilot Policy

Dear Supervisors Alejo & Phillips:

Monterey County Farm Bureau represents family farmers and ranchers in the interest of protecting and promoting agriculture throughout our County. Since 1917, Farm Bureau strives to improve the ability of those engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of our local resources.

Our Farm Bureau has been active in supporting the local cannabis producers as they ramp up growing operations and processing facilities. Our policy, adopted by our Board of Directors in 2015, is that cannabis should be treated as an agricultural crop; be afforded no additional benefits or restrictions than any other agricultural crop; encourage reuse of existing facilities (greenhouses); water use for growing cannabis should be treated like any other crop; and, there should be no specific crop tax on cannabis production, distribution, or sale.

We support the Cannabis Outdoor Grow Pilot Policy for the Big Sur area, as it makes sense to bring these growers 'into the daylight' to follow existing water quality and environmental regulations, as well as workplace labor laws. We expect that the costs of this pilot program will be covered by the revenue received from these outside growers themselves; revenues from the current indoor grow program (or from the County's general funds) should not be used to support or subsidize this outdoor pilot program.

However, we express serious concern over extending this pilot program beyond the Big Sur area until the five-year cycle of the program has run its course and a determination has been made that outdoor grows of cannabis can be managed in a manner that does not impact the environment or other private property rights.

The Salinas Valley is a valuable resource when it comes to agricultural production. Limiting cannabis grows in this area to indoor facilities has provided for robust increases in production (and tax revenues) while maintaining mitigation of the detracting factors of cannabis production, such as odor. We fully appreciate

Keeping Farmers Growing for over 100 years



**FARM BUREAU
MONTEREY**

1140 Abbott Street, Suite C, Salinas, CA 93901 • PO BOX 1449, Salinas, CA 93902

office (831) 751-3100 • www.montereycfb.com

that our cannabis growers have been good neighbors to those farming in the Salinas Valley, particularly to those who farm immediately next door to the greenhouse operations south of the City of Salinas.

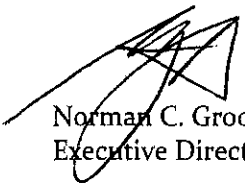
But we don't think that the Salinas Valley is ready for outdoor cannabis grows just yet. There is already a recognized overproduction of cannabis statewide, which has caused market price fluctuations not anticipated by local growers. There are also concerns surrounding security of outdoor grows, particularly in an area that is as wide open as the Salinas Valley, easily accessible and visible. There are also larger concerns about the odor issue when it comes to outdoor grows, and that it will permeate the Salinas Valley's air quality more permanently, possibly impacting food crops in manners not yet understood.

The cannabis sector is experiencing the same growing pains that the grape sector felt back in the 1970s and 1980s when overproduction led to market pricing influences, additional regulatory requirements, and plenty of land use policy decisions related to conversion to vineyards. There are many similar parallels to the cannabis sector, only these growers may be experiencing a heightened amount of attention due to statewide permitting and regulatory requirements, taxation, and labor negotiations with unions (as required by state law). This has placed an increased burden on cannabis growers and their ability to financially find stability; in short, the cannabis financial boom expected has yet to materialize for many of our local growers. Frustrations with the 'system' are the overwhelming discussion within cannabis grower meetings.

We need to find our stability when it comes to cannabis production in Monterey County. Outdoor grows in the Big Sur area may make sense at this time, but bigger decisions about additional outdoor grows, particularly for the Salinas Valley area, need to be carefully studied and validated with stakeholders. These decisions will alter the landscape of our County forever and any further expansion of outdoor grows needs to be tempered with thoughtfulness and consideration to existing private property owners. Additionally, the Big Sur pilot program should have time to run its five-year course to fully determine the impacts that outdoor production may have on the environment, water supplies, and local residents.

We urge caution with any additional decisions related to outdoor cannabis grows. Since Farm Bureau is actively involved with cannabis growers, our participation in any discussions moving forward would be greatly appreciated.

Sincerely,



Norman C. Groot
Executive Director

cc: Ag Advisory Committee; Bill Lipe, Chair

April 16, 2019

Concerns found in the Outdoor Cannabis Pilot Program Draft Ordinance

20.69.010 Definitions

G. "Supportive Nursery" means all activities associated with producing clones, immature plants, seed, and other agricultural products used specifically for the propagation and cultivation of outdoor cannabis cultivation onsite. Artificial lighting is permissible only to maintain immature plants in a supportive nursery.

Concern: From the meetings we were told **no outdoor lighting** can be used. Yet, with this definition I am led to believe that some permits might be open to carry out this ancillary use. This outdoor cultivation ancillary use mentioned throughout the ordinance shows intent to allow the practice of having lighting available for immature growth and propagation and other activities mentioned in the definition. No outside lighting. When allowing this we get a concentrated amount of light in an area which ruins our night sky views. Under 20.69.050 part A the practice of using lighting indoor or mix-light cultivation is excluded from the pilot program but again having "ancillary uses" mentioned throughout the ordinance again lead us to believe this practice has an open window to be established over time.

20.69.050 Regulations

C. Outdoor cultivation and outdoor cultivation ancillary uses shall conform to all of the following minimum setback...

1-3. 1000 feet should be from my property period not from an outside shed, etc. We may have a garden shed near out vegetable and herbs gardens and we don't want the Cannabis to be carried to our gardens or any chemical use to be used near our gardens.

Also 1000 feet is no where near enough to any areas that have children participating in an after school program at the local community park area as well as the Youth Tennis Camp that also house camp goers. Any pesticides used in growing Cannabis should not be allowed within 1/4 mile of these facilities. A precedent has already been established with this ruling with DPR Regulation 16-004, regulation below:

https://www.cdpr.ca.gov/docs/legbills/rulepkgs/16-004/16-004_final_text.pdf

We hear some of the growers say they would be organic well we would want proof and just because you use organic pesticides and herbicides does not mean they are safe and they have to be used more often.

D. Odor Impact...

The above precedent should also apply to the odor issue...preventing odor will be difficult no matter what is done with the size of plots being allowed, the 10,000 square feet. The only way to minimize odor is to decrease the size and set up only as "Small Cottage Businesses" especially in the RC zones because of the homes that will be affected, the community area, the tennis camp...The RC zone is just to populated to allow anything bigger than a Cottage size business.

I. No visual indications that cannabis activities occur...

Here again no lighting, Lighting will be seen!!!!

M. Lighting inside and outside of all structures shall be unobtrusive...

Again talking about lighting and we were told no outside lighting allowed,

O. Adequate onsite water supply...We have concerns about water being brought in by outside supply to fuel water tanks. This again puts more traffic, heavy trucks on private access roads. No new wells drilled for this commercial business...strain on our under ground water sources.

P. All necessary waste water facilities...shall be provided. This could be a huge environmental impact to the area. These facilities must be permitted for this use. This is why we have pushed for a EIR for the whole RC Zone area in Cachagua!!!

Q. 5 A cannabis waste management plan... Managing cannabis waste should be done off site at a appropriate facility that is permitted for that specific waste. This is to prevent contamination of the environment. Removing the waste will also mitigate some odor concerns.

Additional comments:

We want to see more details in the ordinance regarding law enforcement. We want to know more as to law enforcement presence in this area with this high value/cash crop with a criminal element. We want an in-resident officer just like Big Sur. It is not acceptable to have to wait an hour to hour and fifteen minutes to get an officer to respond to any incident in our area.

Another concern we have is how the county is trying to treat all these three areas the same and we are not the same. The Cachagua area does have housing areas, communities and allowing the whole area to be considered is wrong. The county should consider limited use in this area and keep it a small cottage business. Too many homes, small neighborhoods, community areas, community park, youth tennis camp and a local church. So, we ask that again limited use and an increase in law enforcement presence in the area. Preferably an in resident officer.

Dennis and Kathie Lane
Cachagua RC Zone Resident

Outdoor Cannabis Cultivation Pilot Program

Concerns to consider before final regulation and laws are put in place

The concerns we have are as follows and reiterate some of the RMC's noted issues made in their own documents in reference to this ordinance put in place to prohibit anyone going forward in the cultivation of Cannabis until the county can implement regulations in the industry. We want to start out with a statement first before we list our concerns. The statement is...Why in the world would you even consider adding this industry in the middle of a neighbor/community???

Concerns:

1. **Crime** The industry of growing cannabis legal or illegal has always had an element of crime associated with it. This is a high value crop which entices that criminal element. Hence the need for higher security, fences, etc to protect the crop. In our community since we are far out 'unincorporated' getting law enforcement out here even now is an issue. Can take them an hour to arrive when we need help. So, the county will need to ready to appropriate funds to increase law enforcement in our area along with an in-resident sheriff. We have had our share of drug related issues in the past and we don't need to add to that issue. Our community has worked hard to make this area safer. We want our county to step up here and protect us!!!
2. **Water** This is a BIG issue in this area. We have a lot of wineries and grazing already in the area that requires a large amount of water. We don't need additional industry that would require even more water putting an impact on our watershed. We all get really nervous during the drought times and fire seasons. The possibly of having even less water to go to fighting off the fires is enough on its own not to introduce another industry in our community. Please help by not allowing this depletion of our natural resource. Will the county be ready in the future to put in pipes that will pump water from somewhere else to each of the homes and industries in our community? You could be faced with a situation like this by adding industry that could speed up the depletion of our resources.
3. **Odor** This is a BIG issue too! No amount of odor mitigation will work. The setbacks want help because of the wonderful winds that flow through our valley, these winds will bring the odor throughout our community. We moved out here to enjoy the

Wednesday, February 27, 2019

breezes, views, the night sky, the quietness, and be able to sit out on our decks to enjoy what our location provides.

4. **Light Pollution and Fire Hazards** The cultivation of Cannabis requires some extra light requirements. To get this needed requirement extended lighting is needed. This pollutes our night sky beauty. We already have some small growers in the area and the lighting ruins the views I paid for moving out here. These extra grow intensity lights are also fire hazards. Believe me we don't need anything else to add to the possibilities of more fire hazards.

5. **Location Issues**

1. This should also bother each and every one of us and that is the lost of home values. We have lived here for 9 years now and have worked very hard every year to improve our property. we have been doing this too because we want to make sure our property is clean and easy for our firefighters to do their jobs. We have done everything they have ask us to do to improve the property for fires. We have spent thousands of dollars and to have that all wiped away by loosing property values is unfair to us as well as to all of the residents. JUST NOT COOL!!! Would you want this to happen to your community?
2. It will also change the character of the neighborhood. A lot of us have worked hard to make the community safe and visually appealing to enhance the value of our properties and have something very special out here.
3. Private Road Use is an issue. Some of our private roads are now being used to park heavy trucks in areas that are dangerous to our neighbors coming and going to their homes.

Summary:

To address a few more issues mentioned in the RMA memorandum. We do not support, a NO, on allowing someone to come back after 2015 would just open other concerns. Validation for example...would you just take their word, possibility of an opportunity to

Wednesday, February 27, 2019

increase production, how would residents know about some growers falling into some of the acreage components mentioned in your memorandum, how can we be sure even today that some of the growers have already increased their production before regulations are in place which more of the night lighting has already be observed, the small growers in our area already should stay in the Speciality Cottage category.

I want to go on record that i am not against the Cannabis Industry but this industry does need to be tightly regulated and not allowed in an already existing neighborhood mainly for the criminal element which is unfortunate but a fact because of the large dollar value of the crop and being a cash only business right now opens our neighborhood, our homes endangering our children for those who might be looking for this high value crop and hidden cash.

Kathie Lane

21900 Parrott Ranch Road

Carmel Valley, CA 93924

Spencer, Craig x5233

Subject: RE: Outdoor Cannabis Growing Pilot Program -- Cachagua -- OPPOSED and would like to be on information list

From: PLfamilyswim [mailto:plfamilyswim@aol.com]

Sent: Sunday, April 14, 2019 10:06 PM

To: Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>

Subject: Outdoor Cannabis Growing Pilot Program -- Cachagua -- OPPOSED and would like to be on information list

Dear Mr. Spencer,

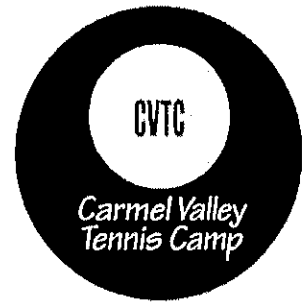
Thank you for including me on the email list for any information regarding the outdoor cannabis pilot program in Cachagua. For the record, I am opposed to the program in the Cachagua area for the following reasons:

- 1. Water usage** - commercial cannabis growing requires quite a bit of water. The Carmel river has been struggling for decades and is just now seeing some relief with the removal of the San Clemente Dam. Still, our creeks do not flow as they used to. Cannabis growing would deplete water in an already water-strapped area.
- 2. Environmental concerns** - commercial cannabis growing requires agricultural additives that may harm wildlife and endangered fish, such as our steelhead, which are just now starting to make a comeback. Cachagua is a haven for wildlife and should be prioritized as such.
- 3. Traffic issues** - Cachagua roads already struggle with traffic issues and repair needs. Cannabis growing would add additional traffic.
- 4. Safety issues** - Cachagua is a remote location and it is difficult for safety agencies to provide emergency services, let alone the kind of on-going presence that outdoor cannabis growing would need to keep the community safe. Historically, Cachagua has had its share of troubles being identified as a place for drug acquisition and use. There is a concern that the county safety department would not have the personnel power to deploy.

Simply put, Cachagua is not the place for a pilot of this nature.

Thank you for your consideration in this matter and I would appreciate any advise on who else I should contact to relay my thoughts on this matter.

Regards,
Julie Cramer
Cachagua Road



20805 Cachagua Road
Carmel Valley, CA, 93924
P 831 659 2615
F 866 809 9089

April 10, 2019
Monterey County Resource Management Agency
Planning Services
Craig Spencer – Acting Planning Manager
1441 Schilling Place
Salinas, CA 93901

Dear Craig,

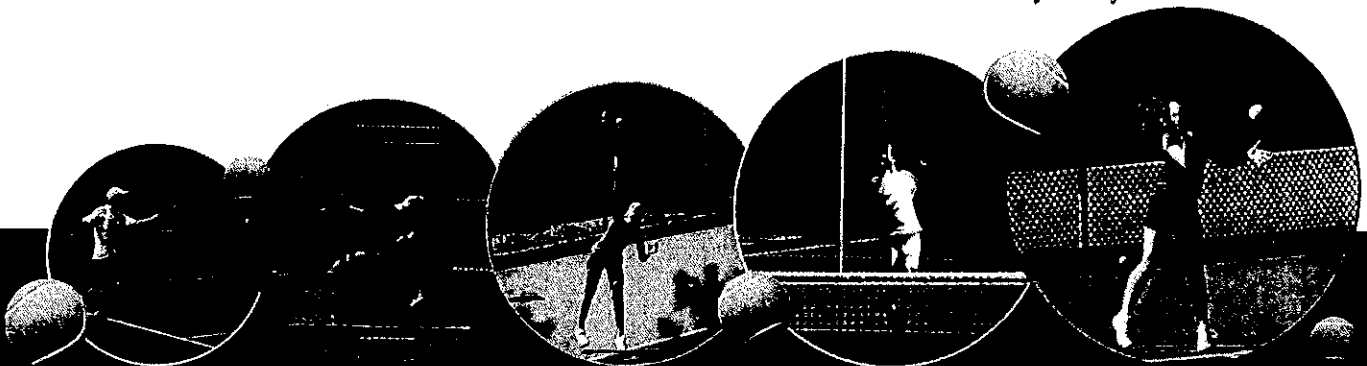
We wanted to express some of our thoughts regarding the pilot program for outdoor cannabis growing in Monterey County. We accept that recreational cannabis use is now legal in California while still being illegal on the federal level.

We have general concerns and specific concerns because we own and operate Carmel Valley Tennis Camp, a sleep away summer camp for 53 children each session ages 10-18 with a staff of 15- 20 between the ages of 19 and 25. We work with young people and the presence of cannabis cultivation in our area will be a detriment to our business.

Following are our two most pressing concerns:

- 1) Any pilot program allowing cultivation needs to go hand in hand with an eradication of illegal grows. The only way regulated, and therefore much more costly grows, can succeed, is if the illegal and much less costly grows, are eliminated.
- 2) Any pilot program in the Cachagua area would need to go hand in hand with a much greater law enforcement presence than currentl. A sheriff in residence would be a necessity. Does the County have the funds to support such a program?

We also have some additional concerns. Because cannabis cultivation and sales are illegal federally, we understand that everything associated with the business makes it a cash only crop as banks will not work with anyone in the business. Is that correct? If so, it makes for a very risky business



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com



20805 Cachagua Road
Carmel Valley, CA, 93924
P 831 659 2615
F 866 809 9089

requiring quantities of cash to be on the premises of points of sale. Great quantities of cash and extremely limited law enforcement leads to very dangerous situations.

Because Washington and Colorado have had legalized recreational marijuana for some time, have County representatives reached out to those states to see how they have handled outdoor grows?

Along those same lines, have County representatives reached out to other Counties in California to see how they are handling outdoor grows?

Allowing the pilot program to include RC areas would make most all of Cachagua open to the program. As we understand the proposed program, only those growers who could prove their past long-term cultivation of cannabis would be allowed into the program. We are fairly uneducated as to who has been allowed to grow legally within the state since the passage of the medicinal marijuana proposition in the 90's so we really don't know who would be eligible for the pilot program. Who can the pilot program include?

- 1) those who have grown and sold to medicinal dispensaries?
- 2) those who have grown and sold illegally?
- 3) those who have had a medicinal marijuana card for personal use?
- 4) those who have only grown on WC or RCR areas?

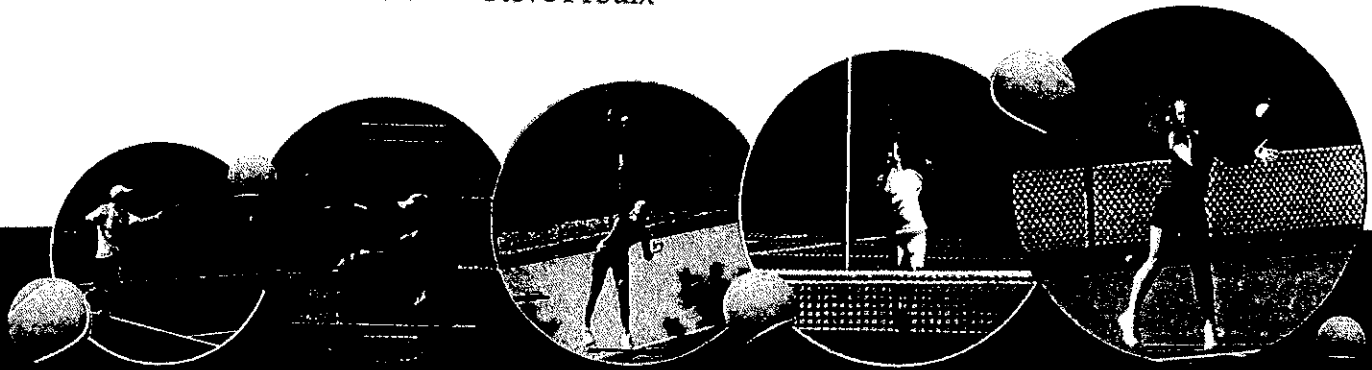
We believe the questions we ask should be clarified by the County in order for the pilot program to be considered as an ordinance.

Finally, as we stated in our March 10 letter to you, with any pilot program there needs to be a defined buffer around any area where children are present.

Sincerely,

Three handwritten signatures in black ink are shown. The first signature is "Aimee Reeder", the second is "Susan Reeder", and the third is "Steve Proulx".

Aimee Reeder Susan Reeder Steve Proulx



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com

Spencer, Craig x5233

Subject: RE: Concerns about outdoor cannabis cultivation in Cachagua

From: Don Bonsper [mailto:dbonsper@outlook.com]

Sent: Tuesday, April 2, 2019 5:19 PM

To: 100-District 1 (831) 647-7991 <district1@co.monterey.ca.us>; 100-District 2 (831) 755-5022

<district2@co.monterey.ca.us>; 100-District 3 (831) 385-8333 <district3@co.monterey.ca.us>; 100-District 4 (831) 883-7570 <district4@co.monterey.ca.us>; 100-District 5 (831) 647-7755 <district5@co.monterey.ca.us>

Cc: Don Bonsper <dbonsper@outlook.com>; Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>; Sarah Haussermann <chomeuse@yahoo.com>

Subject: Concerns about outdoor cannabis cultivation in Cachagua

Dear Supervisor Adams and other Supervisors,

The issue of outdoor cannabis cultivation in Cachagua will be a big one. It is likely there will be a pilot program. I strongly urge an ordinance level ER be done to assess the enormous environmental impacts this program might have. This includes water, noise, traffic, odor, flow of people, etc. What will happen where? Using only permit level ERs will not adequately address the cumulative effects on the environment.

I think it is important to focus on the entire process. This might be called seed-to-sale. Once an outdoor cultivation program is approved then it will move with tremendous momentum and speed. It will be hard to stop or even slow down. For this reason it is critical to make sure the starting (pilot) program is well researched and structured to allow for effective future changes.

Depending on the results of the ER, any pilot program should start small. I think a maximum of 100 plants with a canopy of 10,000 square feet should be the initial upper limit. Anything smaller would be better. I support a term period of 3-5 years for the pilot program before any changes are made. I support priority to previous local growers in Cachagua. I oppose any attempts to get outside interests approved for Cachagua. Even though the growing cannot be checked by the FDA it should be organic. There should be no rezoning of precious RC parcels. They exist as RC to protect the spirit and community of Cachagua. Growing must occur on parcels of 10 acres or more.

I am not that knowledgeable about cannabis but believe its time has come. The THC side of cannabis does not interest me. The CBD medical side is something I fully support. A return to using cannabis for the production of clothing, rope and other products makes total sense to me. Because of its vast applications, cannabis will continue to grow and flourish as an agricultural crop. For this reason it should be grown in the Salinas Valley and other agricultural areas of the county. Cachagua should not

be the location of major commercial growing. The boutique flower industry can flourish in Cachagua on the properly approved parcels with the limitations mentioned above.

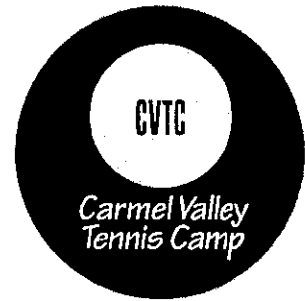
Water is a serious and critical issue for Cachagua. Both the Carmel River and Cachagua Creek are severely stressed. This year, a great rain year, showed just how long it takes to fill the aquifer so the river and creek are flowing with real force and energy. I live on the creek; my son lives on the river. There was water flowing at the Tassajara-Cachagua intersection bridge in late December. It took many days for the water to reach my bridge three miles downstream. Cannabis demands a large amount of water especially during the final months of growth which are the driest time of the year.

I cannot attend the meeting on April 11th. I hope these comments are included in your packages and that you have time to read them.

Respectfully,

Don

Don Bonsper
Cachagua, CA



20805 Cachagua Road
Carmel Valley, CA, 93924
P 831 659 2615
F 866 809 9089

Monterey County Resource Management Agency
Planning Services
Craig Spencer – Acting Planning Manager
1441 Schilling Place
Salinas, CA 93901

March 10, 2019

Dear Craig:

We wanted to follow up on the conversation I had with you Friday regarding the guidelines for the cannabis grows in the Cachagua Land Use Advisory Area.

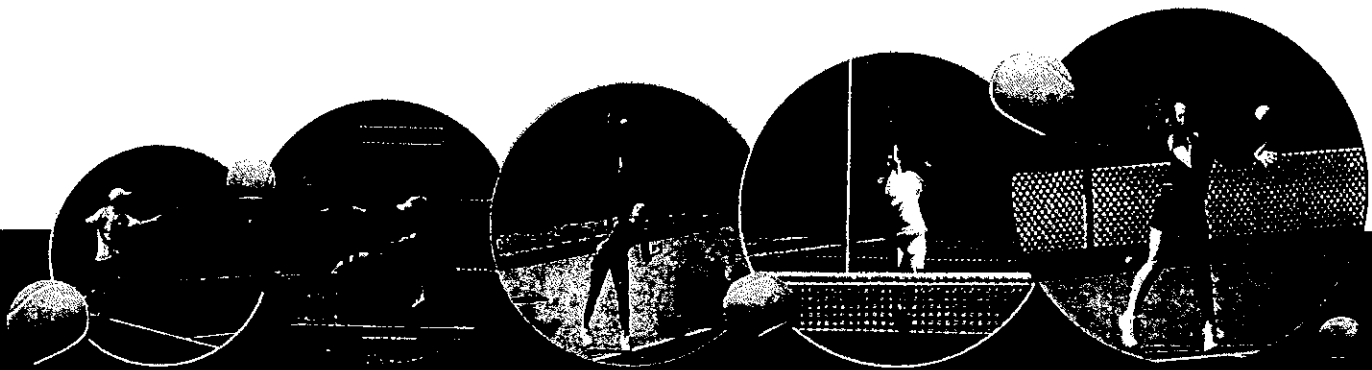
As the Owners/Directors of Carmel Valley Tennis Camp, a sleep away camp for children ages 10-18, we ask that provisions be made in the guidelines to establish a buffer between our camp and any active cannabis grows. In addition, we would ask that the same buffer be established throughout the Cachagua Land Use Advisory Area for any location that works with youth.

It is our understanding that there are currently jurisdictions in California that have established a six-hundred-foot buffer from property lines where youth are served.

I appreciate the time you spent with me on the phone, and we look forward to working with you, our local community, and the rest of the County staff.

Sincerely,

Aimee Reeder Susan Reeder Steve Proulx
Aimee Reeder Susan Reeder Steve Proulx



Tennis... and a whole lot more!

www.carmelvalleytenniscamp.com

Supervisor Mary Adams
Monterey Courthouse
1200 Aguajito St. Ste. 1
Monterey CA. 93940

March 21, 2019

Dear Supervisor Adams,

I am writing in regard to the Cannabis Pilot program. I was able to get to know you a bit during the Sanctuary Bible Church issue, and from that I learned that you care deeply about the Cachagua area. We now need your help again. I do not like the idea of re-zoning residential land for commercial use, but I recognize that some Cachagua residents have grown cannabis and want this program. If a pilot program must go forward, I have the following comments:

Safety: Cannabis cultivation in Cachagua has already resulted in crime and safety issues; these problems seem to go with the industry. I have heard first-hand reports of vandalism, fire, raids and even gunfights. Given that the County would have new tax revenue from this business, a full-time peace officer should be assigned to Cachagua. This is already long overdue and would be a win-win for residents and growers.

Enforcement: If the County adopts a new cannabis pilot program, the ordinance must state the ground rules and have mechanisms for enforcement. Who will be entitled to grow; only those with past permission? How is such permission defined? Who has such permission now? Will new licenses be granted? Will the program be monitored? How are infractions identified and reported? How is the pilot program itself to be measured for success/failure?

Zoning: No outdoor cultivation should be allowed on RC lots. The size of allowable cultivation areas should be limited to the two smallest on the County's list of four growing sizes. This would be, after all, a test program and should start modestly. And given the very real impact of odor on adjacent property, substantial setbacks from cultivation area to property line must be established. A 200' setback is probably minimal and even that will not fully address odor.

Although I do not support this initiative, I would not oppose a program that adequately addresses these issues. Any program that lacks clarity and enforcement, that creates threats to public safety and the enjoyment of residential land, and that in any way promotes large scale commercial exploitation of Cachagua will be vigorously opposed.

Thank you again for your help in this matter.

Douglas J. Gardner
19350 Cachagua Rd.
Carmel Valley CA 93924
Cc: Craig Spencer, Sarah Haussermann

Spencer, Craig x5233

From: Don Bonsper <dbonsper@outlook.com>
Sent: Saturday, March 9, 2019 9:35 AM
To: Spencer, Craig x5233
Cc: Don Bonsper; Doug Gardener; Greg Martin
Subject: Outdoor cannabis pilot program

Hi Craig,

I am a Cachagua resident and just learned of the cannabis pilot program which will be discussed at the Cachagua LUAC next Tues. The first meeting was poorly attended due to lack of the word getting out so there will be a second to ensure the community is informed and involved in this initiative.

Can you please provide some background to this program. Your memo states the LUAC is "to focus on how to construct the best program possible, rather than whether or not to allow a program to take place." How did this pilot program start? Who is pushing for its quick acceptance? I see the involvement and influence of cannabis industry interests to make the pilot program as large as possible. So I see two potential pilot programs: 1) initial pilot program as described in your memo, 2) enhanced, enlarged pilot program as presented by the cannabis industry representatives. Then you are asking for input from the LUAC in terms of how to make the preferred pilot program as good as possible. You want input along the lines of the terms of your memo: support, enhance, protect, preserve, avoid and minimize.

So with all of this said, someone might say: Support the initial level of the pilot program for daylight growing only with top priority to local growers only, do not enhance the program to include other areas with rezoning or dark hours growing, ensure the protection of the precious and fragile environment of Cachagua with a comprehensive environmental review, preserve the character and uniqueness of dark sky Cachagua at all costs, avoid any changes to the rural residential character of Cachagua and the invasion from outside cannabis interests, and minimize the negative impacts of outdoor cannabis cultivation which include threats to public safety, odor, noise, possible light pollution, increased traffic, influx of people with no place to live, and general chaos.

I apologize for the short timeframe allowed for your response. But whatever you can share will be valuable. Regardless, it will all be discussed next Tuesday.

Sincerely,

Don

Spencer, Craig x5233

Subject: RE: Big Sur pilot program

Dear Supervisor Phillips,

Thank you so much for your thoughtful leadership on Cannabis issues for Monterey County. I fully support the idea of a pilot program for outdoor cannabis in the Santa Lucia appellation. I think that the program would be better if it had two specific changes. Without these changes, I do not believe you will get enough participation to make it a viable program.

1) Include the Resource Conservation zoning in the Carmel Valley area. This is a zoning that has many existing farms. This zone is for agricultural use.

Resource Conservation (RC): The Resource Conservation designation is applied in primarily rural residential or agricultural areas- Monterey County General Plan.

In addition to this, Agriculture is a part of the heritage of Carmel valley that should be protected and encouraged.

As stated in the Monterey County Zoning Ordinance Title 21 chapter 21.36.030 item L:

on lots of ten acres or more, except for those uses requiring an Administrative Permit or Use Permit, all soil dependent agricultural uses including crop and tree farming, livestock farming, greenhouses and vineyards;

CV-6.2 Gardens, orchards, row crops, grazing animals, farm equipment, and farm buildings are part of the heritage and the character of Carmel Valley. This rural agricultural nature should be encouraged, except on slopes of 25-percent (25%) or greater or where it would require the conversion or extensive removal of existing native vegetation. Carmel Valley Master plan.

2) Include existing farms that are less than 10 acres. Many existing farms are in the 5-acre range and some even less (2.5 acres). By cutting out these farms, you will have far less participants in the pilot program.

We propose parcels less than 5 acres be allotted 5% of property to be designated for cultivation. Not to exceed 10,000 sq/ft .

These changes will allow participation from a much larger number of existing farms and ensure the success of the pilot program. I believe you will have less than 10 participants in the coastal area without further changes. Thank you for your time and consideration of these ideas.

Thank you,

Katy Newman

Spencer, Craig x5233

Subject: RE: Outdoor Cannabis Pilot Program Santa Lucia Appellation

Dear Supervisor Phillips,

Thank you so much for your thoughtful leadership on Cannabis issues for Monterey County. I fully support the idea of a pilot program for outdoor cannabis in the Santa Lucia appellation. I think that the program would be better if it had two specific changes. Without these changes, I do not believe you will get enough participation to make it a viable program.

1) Included the Resource Conservation zoning in the Carmel Valley area. This is a zoning that has many existing farms. This zone is for agricultural use.

Resource Conservation (RC): The Resource Conservation designation is applied in primarily rural residential or agricultural areas- Monterey County General Plan.

In addition to this, Agriculture is a part of the heritage of Carmel Valley that should be protected and encouraged.

As stated in the Monterey County Zoning Ordinance Title 21 chapter 21.36.030 item L:
on lots of ten acres or more, except for those uses requiring an Administrative Permit or Use Permit, all soil dependent agricultural uses including crop and tree farming, livestock farming, greenhouses and vineyards;

CV-6.2 Gardens, orchards, row crops, grazing animals, farm equipment, and farm buildings are part of the heritage and the character of Carmel Valley. This rural agricultural nature should be encouraged, except on slopes of 25-percent (25%) or greater or where it would require the conversion or extensive removal of existing native vegetation. Carmel Valley Master plan.

2) Include existing farms that are less than 10 acres. Many existing farms are in the 5-acre range and some even less (2.5 acres). By cutting out these farms, you will have far less participants in the pilot program.

We propose parcels 10 acres or less, be allotted 5% of property to be designated for cultivation. Not to exceed 10,000sq.ft.

These changes will allow participation from a a much larger number of existing farms and ensure the success of the pilot program. Thank you for your time and consideration of these ideas.

Best Regards,

Ryan McGilloway
District 5 Resident

To: Monterey County Resource Management Agency

From: John and Carol O'Neil

Date: February 12, 2019

We are concerned that the county may allow the cultivation of commercial cannabis in the Pfeiffer Ridge area of Big Sur. Our concerns are primarily odors, water and the lowered security caused by increased traffic and visitors. Why should the residents of Big Sur suffer with exemptions to the indoor grow policy that the rest of the county adheres to? Is this just a romantic notion that Big Sur growers are "special"?

Pfeiffer Ridge is a neighborhood, like any other, albeit with larger lots. Though it is zoned rural, many of the lots are only 5 acres. At first look, it may appear to be not especially dense, but that is because many of the lots are not built upon. Many homes have not been rebuilt since the fire. In areas where 5 acre lots are side by side by side, a noxious smell from one pot grow could encroach on many homes.

When we were building our house, there was a legal, organic medical marijuana grow of about 20 plants on the next lot. Our contractor complained about the noxious smells coming from those plants. In the afternoons, with the ocean breezes, it was overpowering. We have 33+ acres and our neighbor has 20 acres. Because of the land configurations in the area, building sites often are very close to each other, even on larger parcels, as in our case.

Part of the attraction of living in Big Sur is the clean air, clean water and the quiet. We had a neighbor whose bees were prolific and thriving, where nationwide other bees were dying, which he attributed to the lack of pesticides and herbicides in the surrounding area. A commercial pot grow would not only pollute our air with noxious smells, but could potentially ruin the environment for local bees and other creatures with the use of chemicals.

Our roads are private, paid for with membership dues. More traffic generated by any commercial activity would have a negative affect on the road surface, on road safety with increased traffic (these are one-lane roads), and on the sense of security in knowing who is there. Can we be assured that owner/growers are on-site or will employees be the ones actually tending the plants? Will renters be tempted to cultivate land owned by out-of-town owners? Cannabis cultivation attracts a more criminal element than, say, growing peaches commercially.

Water is also by private water companies. Our water company is less than 15 members, therefore, by law, we pay a flat fee per parcel for water. A commercial water use could put more strain on the system, use more of a precious resource, and would cause a large imbalance in use among members. An imprudent use of water could also cause over-watering and chemical runoff into the watershed. On our road/water system we have already had issues with unattended irrigation causing problems that are not "caught" in a timely manner, draining the water system, effectively cutting off water to the others.

Mixing a commercial use that is not benign within a bucolic community is not "the greater good."

Sincerely,

John and Carol O'Neil

46650 Pfeiffer Ridge Rd., Big Sur

Mail: 2070 Marsala Circle, Monterey

To: Monterey County Board of Supervisors

Date: June 27, 2018

From: John H. Cumming
Fourth Generation Monterey County Resident

Subject: Recommendation for the Monterey County Board of Supervisors to direct the Monterey County Resource Management Agency to draft a proposal for limited outdoor cannabis production.

Monterey County has the unique opportunity to develop a viable, economical, and compliant outdoor cannabis industry. There is no question that there is a very high demand for naturally sun grown cannabis that meets high quality, production, testing, and environmental standards. This demand is especially true for those folks using naturally sun grown cannabis as part of their medical protocol.

The criteria for participating in a limited outdoor cannabis production program should be very high. These standards must address the concerns of the general public, county agencies, and the cannabis industry itself. In Monterey County there are outdoor cannabis growers who not only could meet and exceed the requirements, but would welcome the opportunity to be part of the process.

I strongly urge the Monterey County Board of Supervisors to direct the Resource Management Agency to draft a proposal for limited outdoor cannabis production.

Thank you for your time and consideration.

John Cumming

A handwritten signature in black ink, appearing to read "John H. Cumming". The signature is fluid and cursive, with a large initial "J" and "C".

The International Cannabis Farmers Association (ICFA) was formed to help empower the traditional cannabis farmer through research, education and advocacy. The ICFA is a group of farmers, scientists and stakeholders working together to promote the unique quality and ecological superiority of sun grown *Cannabis* products while preserving the heritage of traditional farming communities.

The ICFA seeks to provide a unified voice amongst traditional cannabis farmers who cultivate cannabis seasonally in the outdoor and mixed light tier 1 licensing categories. Majority of these farms are small independent family run operations that have been in existence since the passage of Proposition 215. In many jurisdictions, these existing seasonal farmers play a significant and important role in the local economy. They own the property they farm on, pay taxes, employ countless numbers community members, and shop locally keeping their revenue in the local community.

The longevity of these farmers impacts not only the farmer and their family but also the local community where they live and operate. As these seasonal traditional farmers suffer from the financial burdens associated with onerous regulations, the broader community suffers. In many traditional farming regions, local non-cannabis business is reported to be down by as much as 60%.

BARRIERS TO ENTRY & EQUITABLE SCALES OF ECONOMY

Commercial cannabis cultivators face a complex system of regulations that require permitting and licensing from a multitude of agencies including the California Department of Food and Agriculture (CDFA), the Department of Fish and Wildlife (DFW), and the Water Quality Control Board (WQCB). Navigating this complex system of regulations is not only time consuming but also costly, especially for traditional farmers who often find themselves not eligible for exemptions from DFW and WQCB regulations, but also often suffer from an local restrictions that keep them from cultivating the full square footage of their state license further exasperating the cost associated with operating in the regulated market.

DEPARTMENT OF FISH AND WILDLIFE (DFW)

1. Outdoor and mixed light tier 1 cultivators often find themselves subject to Lake and Streambed Alteration Agreements (LSAA) that force the

landowner to deal with legacy land-use issues unrelated to cannabis activities.

2. When a commercial cannabis cultivator seeks a LSAA, he/she must pay a \$3000 - \$5,000 non-refundable mitigation fee that non-cannabis landowners are not subject to when seeking a LSAA.
3. Additionally, the penalties associated with environmental violations as listed in DFW Code 12025, increase the penalty ceiling by 4 – 10 times the penalty fee when the violation occurs without cannabis cultivation present. These increased penalties were put into statute before the legalization of adult use cannabis and the regulation of medical and adult use cannabis. To date, there is no exemption from these increased penalties for licensed cultivators creating a punitive and expensive method for enforcing environmental violations.

Recommendations:

1. Remove the mitigation fees associated with LSAA's on properties where cannabis is cultivated.
2. Insert a clause into the DFW Code 12025 that excludes licensed operators from the increased penalties levied in association with the 'cultivation or manufacture of a Schedule I substance'.
3. Create uniform implementation policy throughout the State, including honoring the ability for seasonal farmers, not connected to a municipal water source, the ability to acquire an exemption from the LSAA upon meeting the qualifying conditions.

WATER QUALITY CONTROL BOARD (WQCB)

1. Traditional seasonal cultivators are often subject to the WQCB's Agricultural Discharge Program for cannabis due to the fact that rainwater often comes in contact with the cultivation medium, whereas more enclosed types of cultivation are often exemption from this program reducing compliance with this agency by \$1,000's of dollars annually.

Recommendations:

1. Establish an exemption program for traditional seasonal cultivators based on scale, and or proof of exceptional practices such as Biodynamic Certification or Regenerative Certification.

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)

1. Application & Licensing Challenges – traditional farmers often established their cultivation site well before regulations were implemented and tend to have complex water collection and distribution systems that are not common to year-round cultivation facilities. Reviewing these applications poses additional challenges to CDFA's reviewers, often slowing the timeline for application review while increasing the cost to the applicant.
2. Light Deprivation Prohibition – CDFA has established a tiered licensing fee structure that prohibits light deprivation activities in the outdoor licensing category, forcing many 'would be' outdoor cultivators into the mixed light tier 1 licensing category.
3. Harvest assumptions – CDFA assumes 3 harvests will be achieved in the mixed light tier 1 license category and that 5 harvests will be achieved in the mixed light tier 2 and indoor license categories. However, many mixed light tier 1 farmers in the northern portion of the State only achieve 2 harvests per year.
4. The results of bullet points 1. & 2. above, is that the mixed light tier 1 license is amongst the most expensive license for many farmers, encouraging more intensive cultivation, such as mixed light tier 2 or indoor cultivation. Please see the table on pages 7 & 8 for cost details.

Recommendations:

1. Streamline the application & licensing process –
 - a. Verifying the applicant is compliant with CDFA, DFW and WQCB regulations is a time consuming task often conducted by the scientific review team within CDFA. In order to assist with streamlining this aspect of application review, please consider extending and expanding the opportunity for applicants to participate in 'scientific review' meetings, similar to those offered recently in Humboldt County.
 - b. Establish a process that allows a provisional license holder the ability to be granted an annual license upon completion of outstanding deficiencies.
2. Allow light deprivation in the outdoor tier.
3. Allow mixed light tier 1 cultivators the ability to cultivate outdoors under a the mixed light tier 1 license category, so long as the combined outdoor

and mixed light tier 1 cultivation activities do not exceed the square footage allotted under the mixed light tier 1 cultivation license.

CONSIDERING THE ENVIRONMENTAL IMPACTS

The high cost of compliance and licensing associated with seasonal commercial cultivation activities, coupled with broad sweeping prohibitions on outdoor and mixed light tier 1 permitting on a local level has led to a sharp increase in licensed mixed light tier 2 and indoor operations in California.

In 2017, California conducted the Program Environmental Impact Report (PEIR) in preparation for regulating commercial cannabis. The consultants responsible for the research and drafting of the PEIR, evaluated multiple cannabis program options, and each programs' environmental impacts.

The result of the comparison of several programs was a determination that the most environmentally superior program would include the Elimination of High Intensity Discharge (HID) lighting. The consultants preparing the PEIR, determined however, that eliminating HID lighting in California's cannabis industry was a moot point due to eradication data that showed 80% of California's cannabis was cultivated outdoors, without the use of HID lighting.

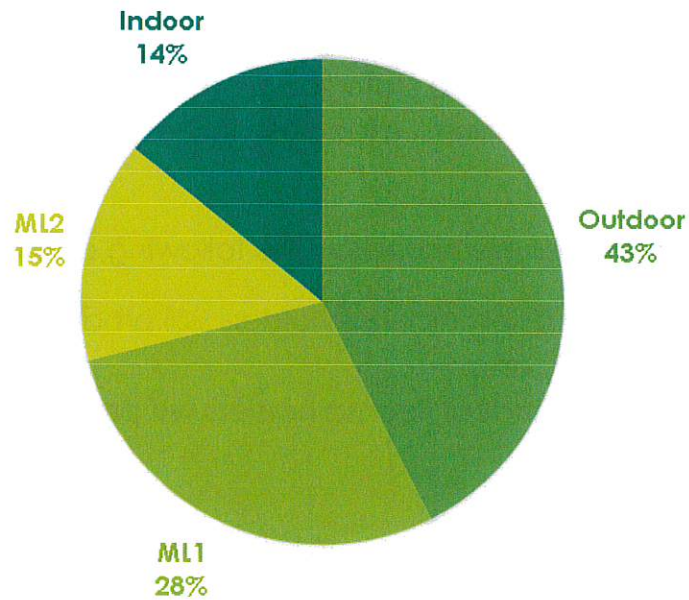
Under today's licensing framework, 71% of the licenses issued have been for outdoor and mixed light tier 1 cultivation facilities, which do NOT use HID lighting. However, because ML2 and Indoor licenses will achieve at least 5 harvests per year, ML2 and indoor cultivation facilities in fact produce approximately 67% of the State's legal cannabis using HID lighting.

How does this change in the balance of outdoor cultivation verses HID cultivation impact the State's compliance with CEQA?

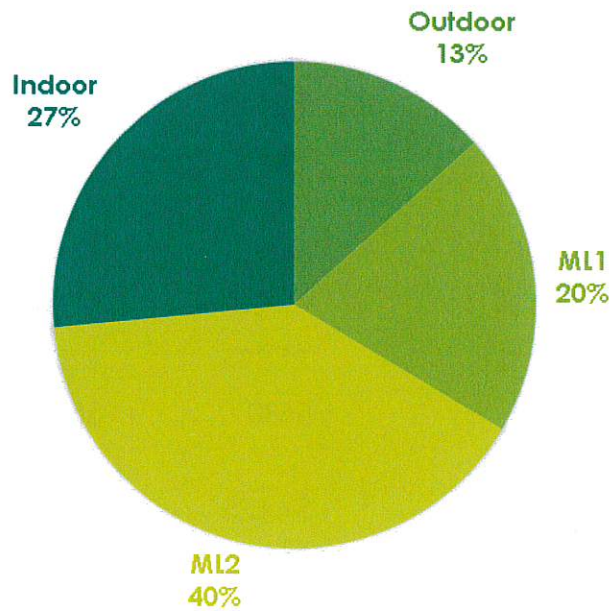
Recommendations:

1. Establish support programs that incentivize the licensing for outdoor and mixed light tier 1 cultivators.
2. Work with local and state government to address the environmental issues associated with HID light using facilities.

LICENSE COUNT - FEBRUARY 2019



PRODUCTION DISTRIBUTION - FEBRUARY 2019



CDFA CULTIVATION LICENSING COST TABLES

The following offers a snapshot into state licensing costs and the financial challenges facing seasonal farmers, especially those who are achieving less than three harvests per year.

Flower production estimates are based on the following assumptions –

- outdoor & mixed light tier 1 license holders will produce 20 grams of finished flower per SF; and
- mixed light tier 2 and indoor license holders will produce 30 grams of finished flower per SF.

License Type	Max. SF Mature Canopy	Application Fee	Licensing Fee	Total Licensing Expense
Specialty Cottage Outdoor	25 Plants (2,500 SF)	\$135	\$1,205	\$1,340
Specialty Outdoor	50 Plants, or 5,000 SF	\$270	\$2,410	\$2,680
Small Outdoor	10,000 SF	\$535	\$4,820	\$5,355
Medium Outdoor	43,560 SF	\$1,555	\$13,990	\$15,545
Specialty Cottage ML1	2,500 SF	\$340	\$3,035	\$3,375
Specialty ML1	5,000 SF	\$655	\$5,900	\$6,555
Small ML1	10,000 SF	\$1,310	\$11,800	\$13,110
Medium ML1	22,000 SF	\$2,885	\$25,970	\$28,855
Specialty Cottage ML2	2,500 SF	\$580	\$5,200	\$5,780
Specialty ML2	5,000 SF	\$1,125	\$10,120	\$11,245
Small ML2	10,000 SF	\$2,250	\$20,235	\$22,485
Medium ML2	22,000 SF	\$4,945	\$44,517	\$49,462
Specialty Cottage Indoor	500 SF	\$205	\$1,830	\$2,035
Specialty Indoor	5,000 SF	\$2,170	\$19,540	\$21,710
Small Indoor	10,000 SF	\$3,935	\$35,410	\$39,345

Medium Indoor	22,000 SF	\$8,655	\$77,905	\$86,560
----------------------	-----------	---------	----------	----------

License Type	Number of Harvests	Cost Licensing Per Cumulative SF	Cost of Licensing Per Flower Pound
Specialty Cottage Outdoor	1	\$0.54	\$12.17
Specialty Outdoor	1	\$0.54	\$12.17
Small Outdoor	1	\$0.54	\$12.16
Medium Outdoor	1	\$0.36	\$8.10
Specialty Cottage ML1	1	\$1.35	\$30.65
Specialty Cottage ML1	2	\$0.68	\$15.32
Specialty Cottage ML1	3	\$0.45	\$10.22
Specialty ML1	1	\$1.31	\$29.76
Specialty ML1	2	\$0.66	\$14.88
Specialty ML1	3	\$0.44	\$9.92
Small ML1	1	\$1.31	\$29.76
Small ML1	2	\$0.66	\$14.88
Small ML1	3	\$0.44	\$9.92
Medium ML1	1	\$1.31	\$29.77
Medium ML1	2	\$0.66	\$14.89
Medium ML1	3	\$0.44	\$9.92
Specialty Cottage ML2	5	\$0.46	\$7.00
Specialty Cottage ML2	6	\$0.39	\$5.83
Specialty ML2	5	\$0.45	\$6.81
Specialty ML2	6	\$0.37	\$5.67
Small ML2	5	\$0.45	\$6.81
Small ML2	6	\$0.37	\$5.67
Medium ML2	5	\$0.45	\$6.80
Medium ML2	6	\$0.37	\$5.67
Specialty Cottage Indoor	5	\$0.81	\$12.32
Specialty Cottage Indoor	6	\$0.68	\$10.27
Specialty Indoor	5	\$0.87	\$13.14
Specialty Indoor	6	\$0.72	\$10.95
Small Indoor	5	\$0.79	\$11.91
Small Indoor	6	\$0.66	\$9.92
Medium Indoor	5	\$0.79	\$11.91

Medium Indoor	6	\$0.66	\$9.92
---------------	---	--------	--------



March 12, 2019

The Honorable Mike McGuire
State Senator, 2nd District
State Capitol, Room 5061
Sacramento, CA 95814

**RE: SB 185 (McGuire), Cannabis: marketing.
NOTICE OF SUPPORT**

The International Cannabis Farmers Alliance (ICFA), whose mission is to empower traditional cannabis farmers through research, education, and advocacy, is writing in support of SB 185, a measure that would amend Sections 26062 and 26063 of the California Business and Professions Code, relating to cannabis marketing.

SB 185 would support California cannabis businesses and protect cannabis consumers by amending Section 26062 to require the California Department of Food and Agriculture (CDFA), by January 1, 2021, in conjunction with the California Department of Public Health (CDPH), to establish a certification program for cannabis and manufactured cannabis products. The amendments to Section 26062 also require the certification program be comparable to the National Organic Program and the California Organic Food and Farming Act.

SB 185 would additionally protect California cannabis businesses against the counterfeit use of the name of an appellation region in association with unqualified products by making two important amendments to Section 26063.

1. SB 185 would replace the term "appellations" with "appellations of origin" ensuring that State statute is consistent with international terminology referring to region-specific standards-based geographical indication systems for agricultural products.

2. SB 185 would clarify that appellation of origin designation may only be granted if both the producer, and the product, meet established standards developed by the appellation region.

The International Cannabis Farmers Alliance is pleased to support AB 185.

Sincerely,

Kristin Nevedal
Executive Director
International Cannabis Farmers Alliance



March 12, 2019

The Honorable Mike McGuire
State Senator, 2nd District
State Capitol, Room 5061
Sacramento, CA 95814

RE: SB 67 (McGuire) - Cannabis Temporary Licenses Extensions
NOTICE OF SUPPORT

Dear Senator McGuire,

The International Cannabis Farmers Alliance (ICFA), whose mission is to empower traditional cannabis farmers through research, education, and advocacy, is writing in support of SB 67 (McGuire) and to emphasize the urgency of this bill. SB 67 would allow the California Department of Food & Agriculture (CDFA), California Department of Public Health (CDPH), and Bureau of Cannabis Control (BCC) to extend temporary licenses held by licensees while their annual application is being processed so long as the annual application was in before the temporary expired and one of the following applies:

1. The application is being held up by the local authorization.
2. The application is delayed by the lake and streambed alteration review process.
3. The application is within its period where applicants are provided 90 days to correct incomplete applications.

SB 67 also requires any licensing authority who uses the extension authority to provide monthly reporting to the legislature regarding the status of temporary licenses extensions, and provisional and annual licenses issued, and denied, by the licensing authorities.

The International Cannabis Farmers Alliance has several members actively pursuing commercial cannabis licenses who have had, or are at risk of having, their temporary licenses expire before their annual application is reviewed. This issue is impacting ALL temporary license holders throughout the supply chain and is not limited to the needs of farmers. The exceptionally large number of temporary licenses scheduled to expire before annual applications are reviewed jeopardizes the successful implementation California's medical and adult use cannabis program. Allowing, temporary license holders to fall out of the legal commercial cannabis framework could cause a catastrophic collapse in California's already shaky legal supply chain. SB 67 would provide a necessary and immediate solution to the state's cannabis licensing timeline and ensure that license holders stay in the compliant cannabis marketplace.

The International Cannabis Farmers Alliance strongly urges you to set SB 67 for hearing as soon as possible and to support the measure when it comes before you for a vote.

Sincerely,

Kristin Nevedal

Executive Director

International Cannabis Farmers Association



March 1, 2019

Honorable Marc Levine

Assemblymember , 10th District

State Capitol, Room 5135

Sacramento, Ca 95814

RE: AB 858 (Levine) – Cannabis: cultivation.

NOTICE OF SUPPORT

Dear Assemblymember Levine,

The International Cannabis Farmers Alliance (ICFA), whose mission is to empower traditional cannabis farmers through research, education, and advocacy is writing to for your leadership in authoring AB 858. The ICFA strongly supports AB 858, a measure that would reduce barriers to entry for specialty cottage outdoor licenses by requiring the licensing authority to determine a maximum threshold of 2,500 square feet or less of total canopy size, with the option to meet an alternative maximum threshold to be determined by the licensing authority of up to 25 mature plants and refer to appellations as appellations of origin.

With the passage of Proposition 64, cannabis could be the State's top valued agricultural product. Unlike any other crop, it will be strictly regulated from plant to retailer. Many of the State's traditional sun grown cannabis cultivators (defined in the Commission as a cultivator with an 'outdoor' or 'mixed light Tier 1' license) are concerned about the overnight growth of the industry and what it will do to commodity prices which directly impacts the economy of traditional sun grown

farming communities. In addition, these cultivators are not accustomed to the State's regulatory framework.

AB 858 is a step forward in reducing barriers to entry, balancing scales of economy, and protecting the legal sun grown cannabis farmers through the thoughtful development of an appellation of origin system for cannabis cultivated in California. The ICFA strongly supports AB 858.

Sincerely,

Kristin Nevedal

Executive Director

International Cannabis Farmers Alliance



May 23, 2019

The Honorable Phil Ting
Chair, Assembly Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

The Honorable Holly Mitchell
Chair, Senate Budget and Fiscal Review Committee
State Capitol, Room 5019
Sacramento, CA 95814

RE: Campaign Against Marijuana Planting (CAMP) program funding on private lands.

Dear Chairman Ting and Chairwoman Mitchell:

The International Cannabis Farmers Alliance (ICFA) supports Governor Newsome's May Revision proposals providing critical funding in the 2019 – 2020 State Budget to assist in the continued establishment of California's newly regulated cannabis industry. The legal market's success is directly proportional to ensuring that the unregulated market does not continue to thrive while ensuring an equitable licensing access to the regulated market.

ICFA is encouraged to see the removal of the expiration date, and reduced barriers to accessing the provisional licensing program. These changes to the provisional licensing program, will surely assist operators with the ability to transition into the regulated marketplace. The additional language, providing municipalities with an additional two years to complete their CEQA review will further assist licensees to maintain compliance, especially in rural communities.

The proposed language granting the licensing authorities the ability to levy fines of up to \$30,000 per violation per day on unregulated operators is also supported by the ICFA. However, we feel strongly that the licensing authorities should use these fines as a last resort, and instead start the violation process by issuing a written notice of violation that includes a timeline to either obtain the required license(s) or cease / abate the commercial cannabis operations. If an unregulated operator fails to meet the deadline for obtaining a license or ceasing / abating the activities in violation, then at that point, fines should be assessed. This type of administrative penalty system will

certainly provide the licensing authorities with an effective and inexpensive tool to combat unregulated activities.

ICFA does however, have concerns regarding the May 22, 2019 suggested revisions, primarily in the area of enforcement funding. The original language set aside \$23.9 million for Department of Fish and Wildlife, of which \$13.8 million will support clean-up, remediation, and restoration of damage in watersheds affected by illegal cannabis cultivation and \$10.1 million would support enforcement activities aimed at preventing further environmental degradation of **public** lands. The May 22, 2019 revise instead **"...recommends using the \$10.1 million to fund the Campaign Against Marijuana Planting (CAMP) program to enforce against illegal cultivation on public and private land"**. The use of CAMP style enforcement activities on private lands appears to be overly aggressive and an unnecessarily expensive means of curbing unregulated commercial cannabis cultivation on private lands, especially when the licensing authorities will have new ability to take administrative action against such cultivation sites.

The rollout of cannabis licenses has taken longer than anticipated on both the local and at the state level. ICFA members support administrative enforcement action as the first tool used to deter unregulated activities and encourage that CAMP funding be directed toward eradication efforts on public lands. We do recognize that there are large tracks of private lands suffering from trespass cultivation but insist that the first step toward managing these issues should be a violation notice to the landowner of record. If the landowner is a victim of a trespass grow, then the landowner should be able to allow CAMP access to eradicate and mitigate the trespass grow instead of being subject to administrative penalties.

ICFA appreciates the proposals intention to strengthen the regulated marketplace through expanding the licensing authorities' ability to issue administrative violation on unregulated operators, the addition of \$10 million to combat unregulated retail activities, the expansion of provisional licensing program, and the additional funding and clarifications to the State's equity grant program. The newly regulated commercial cannabis industry is struggling financially and in addition to the support provided in this proposal, will need adjustments made to the cannabis taxes – primarily in the area of the cultivation tax – as well as increased legal retail opportunities throughout the state. The success of California's newly regulated market is dependent upon finding a balance between incentivizing participation in the regulated market while wielding the enforcement 'hammer' in a fair and mindful manner. Thank you for your consideration in this matter.

Sincerely,

Kristin Nevedal / Executive Director



March 12, 2019

The Honorable Mike McGuire
State Senator, 2nd District
State Capitol, Room 5061
Sacramento, CA 95814

**RE: SB 185 (McGuire), Cannabis: marketing.
NOTICE OF SUPPORT**

The International Cannabis Farmers Alliance (ICFA), whose mission is *to empower traditional cannabis farmers through research, education, and advocacy*, is writing in support of SB 185, a measure that would amend Sections 26062 and 26063 of the California Business and Professions Code, relating to cannabis marketing.

SB 185 would support California cannabis businesses and protect cannabis consumers by amending Section 26062 to require the California Department of Food and Agriculture (CDFA), by January 1, 2021, in conjunction with the California Department of Public Health (CDPH), to establish a certification program for cannabis and manufactured cannabis products. The amendments to Section 26062 also require the certification program be comparable to the National Organic Program and the California Organic Food and Farming Act.

SB 185 would additionally protect California cannabis businesses against the counterfeit use of the name of an appellation region in association with unqualified products by making two important amendments to Section 26063.

1. SB 185 would replace the term "appellations" with "appellations of origin" ensuring that State statute is consistent with international terminology referring to region-specific standards-based geographical indication systems for agricultural products.

2. SB 185 would clarify that appellation of origin designation may only be granted if both the producer, and the product, meet established standards developed by the appellation region.

The International Cannabis Farmers Alliance is pleased to support AB 185.

Sincerely,

Kristin Nevedal
Executive Director
International Cannabis Farmers Alliance



March 12, 2019

The Honorable Mike McGuire
State Senator, 2nd District
State Capitol, Room 5061
Sacramento, CA 95814

RE: SB 67 (McGuire) - Cannabis Temporary Licenses Extensions
NOTICE OF SUPPORT

Dear Senator McGuire,

The International Cannabis Farmers Alliance (ICFA), whose mission is to *empower traditional cannabis farmers through research, education, and advocacy*, is writing in support of SB 67 (McGuire) and to emphasize the urgency of this bill. SB 67 would allow the California Department of Food & Agriculture (CDFA), California Department of Public Health (CDPH), and Bureau of Cannabis Control (BCC) to extend temporary licenses held by licensees while their annual application is being processed so long as the annual application was in before the temporary expired and one of the following applies:

1. The application is being held up by the local authorization.
2. The application is delayed by the lake and streambed alteration review process.
3. The application is within its period where applicants are provided 90 days to correct incomplete applications.

SB 67 also requires any licensing authority who uses the extension authority to provide monthly reporting to the legislature regarding the status of temporary licenses extensions, and provisional and annual licenses issued, and denied, by the licensing authorities.

The International Cannabis Farmers Alliance has several members actively pursuing commercial cannabis licenses who have had, or are at risk of having, their temporary licenses expire before their annual application is reviewed. This issue is impacting ALL temporary license holders throughout the supply chain and is not limited to the needs of farmers. The exceptionally large number of temporary licenses scheduled to expire before annual applications are reviewed jeopardizes the successful implementation California's medical and adult use cannabis program. Allowing, temporary license holders to fall out of the legal commercial cannabis framework could cause a catastrophic collapse in California's already shaky legal supply chain. SB 67 would provide a necessary and immediate solution to the state's cannabis licensing timeline and ensure that license holders stay in the compliant cannabis marketplace.

The International Cannabis Farmers Alliance strongly urges you to set SB 67 for hearing as soon as possible and to support the measure when it comes before you for a vote.

Sincerely,

Kristin Nevedal

Executive Director

International Cannabis Farmers Association



The Honorable Phil Ting
Assemblymember, 19th District
State Capitol, Room 6026
Sacramento, Ca. 95818

RE: AB 1356 (Ting): Cannabis: Local Jurisdictions: Retail commercial cannabis activity

NOTICE OF SUPPORT

The International Cannabis Farmer's Alliance (ICFA), whose mission is to *empower traditional cannabis farmers through research, education, and advocacy*, is pleased to support AB 1356 (Ting), the California Cannabis Access Ratio Equity (CARE) Act. This bill would require all local jurisdictions, where Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), was approved by over 50% of the vote, to adopt adequate licensing structures to ensure accessibility to legal cannabis retail outlets. Specifically, AB 1356 would establish a formula requiring at least one retail cannabis license for every four liquor licenses unless the number exceeds 1 license for every 10,000 residents.

The passage of AUMA demonstrated voters' strong support for a legal cannabis market that would increase state and local tax revenue and reduce illicit market activity. However, many local governments have either refused to adopt proper licensing frameworks or have established burdensome licensing structures that prevent the legal market from competing with its illegal competition. According to the Secretary of State, 393 out of 540 jurisdictions voted in favor of Proposition 64, yet more than two thirds of jurisdictions in the state prohibit cannabis retailers.

Counties and cities have not issued enough retail licenses to allow for appropriate patient and consumer access to cannabis. More than half of California's counties (69%) banned medicinal storefront retailers, while 72% ban

adult-use storefront retailers. Nearly 75% of cities have not issued any retail licenses. In Los Angeles County alone, only 20 cities of 88 in the county have approved cannabis retail, with many of these limited in number and scope. In San Bernardino County, only 14 retail licenses have been issued, which equates to one retail license per 154,100 residents. This disparity in retail licenses means that consumers, many of whom voted in favor of Proposition 64, are left with no legal recourse to purchase compliant cannabis and cannabis products.

The shortage of legal cannabis retail business fuels the illicit market, jeopardizes the health and safety of Californians, and undermines the legal framework carefully established by stakeholders and lawmakers. The inadequate number of retail licenses also undercuts tax revenue for the state. In 2018, tax revenue from legal cannabis sales was only about 30% of what the state projected.

An increase and legal cannabis retail licensing would curtail the illicit market, protect public and consumer safety, increase tax revenues for the state, and fulfill the expectations of voters who approved Proposition 64.

For those reasons, ICFA supports AB 1356 and thanks the author for his leadership.

Sincerely,

Kristin Nevedal

Executive Director

International Cannabis Farmers Alliance



INDUSTRIAL HEMP

The International Cannabis Farmers Alliance, whose mission is to empower traditional cannabis farmers through research, education, and advocacy, supports the development of responsible public policy that regulates industrial hemp as an agricultural crop. The ICFA greatly appreciates the efforts of Assemblymember Cecilia M. Aguiar-Curry and Senator Scott Wilk's efforts to bring clarity and regulatory oversight to hemp production and hemp-derived products in California.

However, the ICFA remains neutral on both AB 228 (Aguiar-Curry), Food, Beverage, and Cosmetic Adulterants: Industrial Hemp Products; and SB 153 (Wilk), Industrial Hemp; due to member concerns regarding the interaction of vastly different licensing and regulatory systems for industrial hemp, and medical and adult use cannabis.

While ICFA's members recognize the value of industrial hemp as a powerful bioremediator, a food-source, a fiber source and a medicine, we also have significant concerns regarding product safety standards for industrial hemp grown for human consumption. The market for industrial hemp is diverse and patients and consumers alike deserve to know that their hemp products are free from contamination and are what they claim to be on the label.

For these reasons, the ICFA urges Assemblymember Aguiar-Curry and Senator Wilk to consider adding language that requires industrial hemp grown for human consumption to meet the same rigorous pesticide and testing requirements as medicinal and adult use cannabis and cannabis-derived products.

Additionally, we request that considerate policy be drafted that explicitly allows licensed cannabis processors and manufacturers the ability to legally obtain and work with industrial hemp, without needing to build a separate hemp processing or manufacturing facility.

TAX REFORM

The International Cannabis Farmers Alliance recognizes the need for tax reform as a tool to balance the scales of economy challenging the newly regulated medical and adult use cannabis markets. We strongly support the efforts of California's legislature to help find this balance. Tax reform for the medical and adult use cannabis markets, is a multi-pronged approach that addresses not only the taxes placed on cannabis and cannabis-derived products but also addresses the industries inability to take certain standard business deductions when filing income taxes and comply with agricultural requirements in order to take advantage of specific property tax brackets designed to support agricultural activities on agricultural preserve lands.

For these reasons, the ICFA strongly supports the following legislative efforts:

AB 37, (Jones-Sawyer), Personal income taxes, deductions: business expenses commercial cannabis activity.

SB 527, (Caballero), Local Government: Williamson Act: cultivation of cannabis and hemp.

AB 286, (Bonta), Taxation: cannabis

ICFA recognizes the immense workload that the MAUCRSA has put on all the licensing authorities, legislators and staff. It is our goal to support these efforts by providing thorough and thoughtful comments on issues specific to sun grown farmers that aims to facilitate continued development of a robust California cannabis marketplace.

Sincerely,

Kristin Nevedal
Executive Director
International Cannabis Farmers Alliance

This page intentionally left blank