

Julie Patterson-Hunter

From: Richard Anderson
Sent: Thursday, August 31, 2017 11:21 AM
To: Julie Patterson-Hunter
Cc: Sean Powers
Subject: Fw: Nevada County Board of Supervisors Meeting with CAG

Public comment re Tuesday's meeting.

-Richard

From: Meigsannie [REDACTED]
Sent: Tuesday, August 29, 2017 1:11 PM
To: Richard Anderson
Subject: Fwd: Nevada County Board of Supervisors Meeting with CAG

Dear Supervisor Anderson,

In light of the upcoming Nevada County Board of Supervisors September 5, 2017 meeting with the Cannabis Regulation Community Advisory Group (CAG), I would like to share the following.

I have attended the majority of the CAG Meetings and have provided public and written comment at those meetings. I have been one, of a minority of the community voices present without an economic interest in cannabis cultivation. I have reminded the CAG members of the purpose of their role is to advise the Board on the development of a permanent Cannabis Ordinance for Nevada County, and that this was meant to be an inclusive process and take into account the input of **ALL** community stakeholders.

As our duly elected representatives, I am hopeful that you will insure that the voices of all of the Nevada County stakeholders are heard, as well as considered.

I have presented to the CAG members two topics, with the first being the following:

The June 7, 2016 defeat of **Measure W** was a vote to reject the proposed ban of outdoor marijuana cultivation, leaving the previously supervisor-approved outdoor cultivation in place, but allowing it to be amended or repealed by the county board of supervisors.

- **17,994** Nevada County voters (**40.55%** of the electorate) voted **YES** for the banning of outdoor & limiting indoor growing to 12 cannabis plants per parcel.
- **26,383** voters (**59.45%**) voted **NO**, rejecting the proposed marijuana ordinance banning outdoor cultivation and limiting indoor growing to 12 cannabis plants per parcel.

This vote indicated that approximately 18,000 or over 40% of the Nevada County voters want an outright ban of outdoor and limited indoor cannabis grows.

In addition and contrary to some of the CAG Public Speakers opinions, this was vote was **NOT** a mandate for the "**commercialization**" of cannabis cultivation in Nevada County.

On **Measure S** (1 ½ years earlier on November 4, 2014), Nevada County voters had the opportunity to overturn the County's existing Ordinance 2349 (enacted May 2012) for Nevada County Medical Marijuana (or Safe Cultivation Act).

The citizen-initiated **Measure S** proposed the following:

For R-1, R-2 and R-3 residential areas **6 mature plants** outdoors and **12 plants** in greenhouse.

For AG, AE, Forest Reserve (FR) or Timber Production (TPZ)-

- **18 mature plants** outdoor on parcels **less than 5 acres.**
- **24 mature plants** outdoor on parcels **5-10 acres.**
- **48 mature plants** outdoor on parcels **20-30 acres.**
- **60 mature plants** outdoor on parcels **30+ acres.**

The electorate voted **25,660 (66.41%) NO** to change the existing ordinance and **12,980 (33.59%** of the electorate) voted **YES** to change the ordinance.
The Nevada County electorate (community stakeholders) **voted overwhelmingly** (over **66.4 % of the electorate**) that we do **NOT** want the advocated larger/"commercial" cannabis cultivation.
Please note that approximately the same number and demographic of Nevada County voters that voted **NO** on **Measure W (26,383 votes)** also voted **NO** on **Measure S (25,660 votes)**.

The second topic I presented at the CAG Meetings was in regard to a public speaker's Nevada County Cannabis Tax Revenue projection of a \$340.5 million cannabis economy, with a 4% tax that would provide an approximate \$13.6 million in tax revenue to the county.
The speaker went on to describe how Calaveras County benefited by cannabis revenue and presented a proposed list of government services and worthy causes that Nevada County could benefit from this potential cannabis tax revenue. Whereas this infusion of potential revenue may sound beneficial, please consider what has since happened in Calaveras County.

According to the June 10, 2017 *Sacramento Bee*, the Calaveras County Board of Supervisors after last year's devastating Butte Fire, sought to monetize its' cannabis growing tradition by taxing and licensing for profit cultivation and collected \$3.7 million in fees. Last year, **737** growers paid \$5,000 for a permit with tax of \$2 per square foot for outdoor and \$5 per square foot for indoor. After one year, Calaveras County Board of Supervisors is now considering reversing course and **banning all commercial cannabis cultivation** (and more than **\$14 million in potential tax revenue**).


The reason being is that the county's planned cannabis business experiment is bringing in a "wild west" of unwanted outsiders, rogue growers, drug dealers with environmental degradation. Calaveras County experienced an **influx of criminal growers (mostly non-resident)** that **have no interest in operating within the legal cannabis economy**. The Sheriff's Department cites that the mentality of the illegal growers is that the county will be unable to enforce the recent county cannabis ordinance. Since last year, the county has made **71 arrests** and destroyed **75,000 cannabis plants** from **unpermitted grows** and estimate there remains over **600 illegal cannabis farms** that live in battered trailers on burned out lots and are siphoning water and dumping pesticides.
Nevada County has the same established cannabis growing tradition as Calaveras County and already has had its' share of illegal grows; environmental degradation and individuals that have no intent to operate within a legal cannabis economy. Regardless of having the best intent, what is to prevent Nevada County of experiencing the same plight as Calaveras County with an unenforceable cannabis ordinance?

The August 11, 2017 *Sacramento Bee* reports that Calaveras County replaced four of the five supervisors that enacted last years' cannabis ordinance and have been replaced by candidates that vowed to repeal the ordinance and ban all cannabis operations. The plan to repeal has been slowed by legal threats from cannabis farmers who have already paid \$3.7 million in fees to the county.

I am hopeful that you will insure that the input of all of the Nevada County stakeholders (Measure S voters) are considered in the development of a permanent Cannabis Ordinance. In addition, that we avoid the mistakes made by other counties and develop an ordinance that all of Nevada County's neighborhoods and community can live with.

Alexander Hamilton in the Sept. 1790 *Gazette of the United States* stated "Whoever considers the nature of our government with discernment will see that through the obstacles and delays will frequently stand in the way of adoption of good measures, yet when once adopted they are likely to be stable and permanent. **It will be far more difficult to undoe than to do.**"

Thank you for your consideration,

Jeff Henninger


cc: Nevada County Board of Supervisors

Julie Patterson-Hunter

From: Julie Patterson-Hunter
Sent: Thursday, August 31, 2017 11:42 AM
To: Rick Haffey; Alison Barratt-Green; Alison Lehman; Sean Powers
Subject: FW: Thoughts on new Cannabis ordinance

----- Original message -----

From: gary sobonya <[REDACTED]>
Date: 8/31/17 10:55 AM (GMT-08:00)
To: Heidi Hall <Heidi.Hall@co.nevada.ca.us>, Dan Miller <Dan.Miller@co.nevada.ca.us>, Hank Weston <Hank.Weston@co.nevada.ca.us>, Ed Scofield <Ed.Scofield@co.nevada.ca.us>, Richard Anderson <Richard.Anderson@co.nevada.ca.us>
Subject: Thoughts on new Cannabis ordinance

Dear elected officials,

I have been witness to and involved in most, if not all, proceedings over the past 5 years relating to the various pushes and pulls in how our county has handled the Cannabis cultivation issue.

Here are a few of my views on what is important to consider for the upcoming changes you will be making to our county Cannabis ordinance.

- Cannabis cultivation and use by adults is now legal in California.
- The majority of Nevada County voters are in favor of some commercial Cannabis activity.
- The market for small Cannabis businesses is rapidly becoming very competitive.
- 930 county residents have expressed their desire to apply for state licensing via the CDFR.
- The BOS has stated that they want an ordinance that people can comply with.
- Current setbacks have forced hundreds of farmers out of compliance.
- The smallest license the state is offering is 2500 sq.ft.
- The USDA defines a "small" farm as grossing less than \$500,000.
- The majority of small growers in the county already use best practices and organic methods.
- The prohibition mentality is out dated and only accomplishes division.

With these observations stated, I would encourage you to:

- Have an open mind when drafting the new ordinance. Put old stereotypes behind you.
- Change the setback rules back to the common sense, "from the nearest neighbor's living space."
- Streamline the permit process and allow enough cultivation area for Nevada County small businesses to compete in the market.

- Permit processing and distribution centers.
- Encourage rather than discourage the smart, regulated growth of a new era for Nevada County.

Thank You,
Gary Sobonya
30 year resident of Nevada County