



Community Advisory Group (CAG) Draft Recommendations Report

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Appendix A

CAG Recommendations Summary Table

CAG RECOMMENDATIONS SUMMARY TABLE

This table summarizes the CAG recommendations and indicates the level of agreement reached by the CAG for each recommendation. The CAG used the six levels of agreement scale described in the table below.

CAG Level of Agreement Scale

- 1 = I fully agree
- 2 = I find it acceptable and believe it is the best option available
- 3 = I can live with this direction, but I am not that enthusiastic about it
- 4 = I do not agree, but will go with the wisdom of the group and not oppose this
- 5 = I do not feel we have any unity of opinion on this topic and more discussion is needed
- 6 = I disagree with this direction

STRONG AGREEMENT: at least 2/3 of CAG members responding chose 1, 2 or 3

MODERATE AGREEMENT: between 1/2 and 2/3 of CAG members responding chose 1, 2 or 3

UNDETERMINED LEVEL OF AGREEMENT: could not reach moderate agreement through CAG process

1. Personal Outdoor Cultivation	
CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
1.1 Allow outdoor cultivation of up to 6 plants for personal use in areas zoned AG, AE, FR, TPZ.	Strong Agreement
1.2 Allow outdoor cultivation for personal use in areas zoned R1 and RA under the following conditions:	1.2.1 Undetermined
1.2.1 Prohibit outdoor cultivation on parcels under one acre.	1.2.2 Moderate Agreement
1.2.2 On parcels of 1 acre or larger, allow a maximum of 6 plants outdoors.	
1.3 Require plants to be placed at a minimum setback of 30 feet from the edge of the plant canopy to the property line.	Moderate Agreement
1.4 Limit cultivation for personal use to parcels with a residence and a full-time resident on the premises where the cultivation is occurring.	Strong Agreement

1.5 Prevent any visible evidence of cultivation from ground level under the following conditions:	Strong Agreement
1.5.1 Limit outdoor cultivation for personal use to rear or side yard, unless front yard provides greater screening and distance from adjacent parcels and neighboring permitted structures.	
1.5.2 Limit outdoor cultivation to areas entirely enclosed by solid opaque fencing associated with the dwelling, a locked gate, and fence at least 6 feet in height.	
1.5.3 Require the height of plants not to exceed standard fence height of 6 feet.	
1.6 Prohibit outdoor cultivation in R2 and R3 zones.	Strong Agreement

2. Non-Remuneration (gifting for medical purposes only)	
CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
2.1 For the purposes of non-remuneration, allow a primary caregiver to support up to 5 qualified patients (Business and Professions Code 26033).	Strong Agreement
2.2 Allow per qualified patient a maximum of 20 plants and 500 square feet cultivation area. (No State license is required).	Moderate Agreement
2.3 Apply commercial cultivation land use and zoning requirements to non-remuneration cultivation sites.	Strong Agreement
2.4 Require a permit for non-remuneration cultivation, including a Live Scan resulting with no felony convictions.	Strong Agreement

3. Commercial Cultivation	
CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
3.1 Mirror State license definitions to establish a maximum cultivation area in the County per permit and license type for the following cannabis cultivation licenses.	Strong Agreement
3.2 Require a minimum setback of 100 feet from property line for all allowable commercial cultivation license types.	Undetermined
3.3 Allow Specialty Cottage and Specialty commercial cultivation in areas zoned AG, AE, FR and RA under the following conditions:	3.3.1-A, 3.3.2 and 3.3.3 Strong Agreement
3.3.1 For outdoor commercial cultivation:	
3.3.1-A For Specialty Outdoor require a minimum parcel size of 5 acres.	3.3.1-B Moderate Agreement
3.3.1-B For Specialty Cottage Outdoor require a minimum parcel size of 3 acres.	
3.3.2 For Specialty Indoor and Specialty Cottage Indoor commercial cultivation, require a minimum parcel size of 2 acres.	
3.3.3 For Mixed-Light commercial cultivation:	
3.3.3-A For Specialty Mixed-Light require a minimum parcel size of 5 acres.	
3.3.3-B For Specialty Cottage Mixed-Light require a minimum parcel size of 3 acres.	
3.4 Allow Small commercial cultivation in areas zoned AG, AE, FR and RA with the following conditions:	3.4.1 Strong Agreement
3.4.1 For Small Outdoor, require a minimum parcel size of 10 acres.	3.4.2 and 3.4.3 Moderate Agreement
3.4.2 For Small Indoor, require a minimum parcel size of 2 acres.	
3.4.3 For Small Mixed-Light, require a minimum parcel size of 3 acres.	
3.5 Prohibit Medium cultivation licenses in the County (outdoor cultivation site between 10,001 square feet and 1 acre of total canopy/ indoor cultivation site between 10,001 and 22,000 square feet of total canopy).	Strong Agreement
3.6 Allow cannabis nurseries with a Conditional Use Permit in areas zoned AG and AE.	Strong Agreement
3.7 Limit commercial cultivation to parcels that have a permitted residence on them or to vacant parcels that are contiguous to an adjacent parcel under the same ownership.	Strong Agreement

4. Other Commercial Activities	
CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
4.1 Permit the following State cannabis manufacturing licenses with a Conditional Use Permit in areas zoned M1: 4.1.1 Type 6: Extraction licenses using mechanical methods or nonvolatile solvents 4.1.2 Type N: Infusion licenses that produce edible products or topical products 4.1.3 Type P: Packaging and Labeling licenses	Strong Agreement
4.2 Prohibit volatile manufacturing licenses (State License Type 7) in the County	Strong Agreement
4.3 Permit Testing Laboratory licenses with an Administrative Development Permit in areas zoned C2 and M1.	Strong Agreement
4.4 Permit Retailer and Non-Storefront Retailer licenses (dispensaries and delivery) with a Conditional Use Permit in areas zoned C2 and CH.	Strong Agreement
4.5 Permit Distribution and Transportation licenses with a Conditional Use Permit in areas zoned CH and M1.	Strong Agreement
4.6 Permit Microbusiness licenses with a Conditional Use Permit in areas zoned AG, AE and M1 under the following conditions: 4.6.1 In areas zoned AG and AE: 4.6.1-A For microbusinesses with a cultivation area of up to 5,000 sq. ft. require a minimum parcel size of 5 acres. 4.6.1-B For microbusinesses with a cultivation area of up to 10,000 sq. ft. require a minimum parcel size of 10 acres. 4.6.2 In areas zoned M1 require a setback of 100 foot.	4.6.1-A Strong Agreement 4.6.1-B and 4.6.2 Moderate Agreement
5. Setbacks	
CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
5.1 Conform to State regulations regarding setbacks: Require a 600 foot setback from the property line of any active school, park, child care center or youth-oriented facility to the property line of any cannabis related activities.	Undetermined

6. Cannabis Permitting

CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
6.1 Develop a permit application process following a three-step permitting, inspection, and enforcement process which includes an application compliance inspection, final compliance inspection and annual compliance inspection.	Strong Agreement

7. Inspections, Monitoring and Enforcement

CAG RECOMMENDATIONS	LEVEL OF AGREEMENT
7.1 Provide a cure or grace period through March 1, 2020, to allow time for cultivation sites with land use, zoning, and/or building code violations to be corrected and brought into compliance with the new cannabis ordinance and all County Land Use code requirements.	Strong Agreement

Appendix B

CAG Organizational Framework

May 2017

Nevada County Cannabis Regulation Community Planning Process

Organizational Framework for the Community Advisory Group (CAG)

The purpose of this document is to provide an Organizational Framework for the Nevada County Cannabis Regulation Community Advisory Group (CAG).

Mission and Charge of the Community Advisory Group (CAG)

The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

CAG Member Roles and Responsibilities

CAG members are required to:

- Provide ideas for consideration in forming the revised Nevada County cannabis ordinance.
- Assist County staff, consultants and community members with gaining a broader understanding of how the cannabis industry operates within the County, and how it affects the economy, the environment and the quality of life for all those living and working in the County.
- Identify ideas and approaches for addressing key topics and issues in a constructive manner and in a spirit of problem solving for the benefit of the citizens of Nevada County.
- Gather input from Nevada County community members regarding their perspectives on the pros and cons of cannabis-related activities and what challenges they foresee, and formulate recommendations for revising the County's interim ordinance on cannabis.
- Participate fully in all scheduled meetings.
- Adhere to the Principles of Civil Discourse outlined in this Organizational Framework.
- Work with the CAG's facilitator team to find common ground among CAG member participants in the discussion of issues and the development of recommendations for revising the County cannabis ordinance.

Operating Principles

The CAG will carry out its mission and charge through a series of regularly scheduled, facilitated CAG meetings. To ensure a useful, productive exchange, the CAG will conduct its work according to the following operating principles.

Transparency:	CAG, Project Team members and County staff will share relevant information and facts to facilitate productive discussion and progress toward mutual goals.
Equal participation:	All participants agree to provide one another the opportunity to engage in open dialogue and allow time for all members of the CAG to express their ideas and opinions.
Inclusivity:	CAG meetings will be conducted to ensure that the ideas and views of all members are considered.
Respectful Engagement:	CAG members, Project Team members and County staff will show courtesy, honesty and respect for each other during all communications especially when giving and receiving contrary opinions as well as positive or negative feedback on ideas and proposals.
Facilitated Meetings:	The meeting facilitator will assist CAG members in engaging in productive conversations while adhering to the Principals of Civil Discourse and ensuring that all CAG member ideas and feedback are respected and considered.

Expectations of CAG Members

CAG Members agree to:

- Attend all CAG meetings (no proxies or alternates are allowed).
- Participate actively and enthusiastically.
- Review meeting materials and documents provided in advance of each meeting.
- Consider the technical information shared during presentations and during ensuing CAG discussion.
- Make serious efforts to understand CAG member ideas and points of view, especially if they are different than their own.
- Listen carefully to all comments and suggestions made by all members of the CAG as well as members of the broader community during the public comment portion of CAG meetings, including all written comments received.
- Adhere to Operating Principles as described above.

Expectations of the Facilitator and Project Team

- The facilitator team must remain neutral.
- The facilitator team will work with County staff Project Team to provide meeting agendas one week in advance and meeting support materials approximately 5 days in advance of a meeting.
- The Project Team will provide a binder to help organize meeting materials for each participant.
- The Project Team will prepare a written summary of each CAG meeting. The summary will not be word-for-word meeting transcription but instead will highlight discussion themes, key issues, areas of agreement and issues requiring further discussion and resolution.

Ground Rules for Constructive Conversation

CAG members agree to conduct meetings according to the following ground rules:

- Only one person can speak at a time. A CAG member wishing to speak will signal the facilitator and the facilitator will recognize each CAG member wishing to speak in the order the signals are received. The facilitator may change the order of speakers if in his judgement the conversation will be made more productive in doing so, such as in order to conclude a topic or line of discussion before switching to another topic, etc.
- Members agree to keep their comments brief so other CAG members will have an opportunity to address the issues at hand.
- Cell phones must be turned off during CAG presentations and discussions.
- CAG members are asked to inform County staff and/or the facilitator team in advance if they expect to be unable to attend a scheduled meeting.

Steps Toward Building a High Level of Agreement

- Develop common goals and objectives.
- Establish a foundation of facts and shared definition of terms.
- Identify and understand fellow CAG member viewpoints.
- Express interest in collaboration and finding common ground.
- Focus on areas of agreement.
- Work with fellow CAG members to clarify the specific nature of disagreements.
- Be open to alternative ways for addressing areas of disagreement.
- Contribute ideas and suggest actions to facilitate implementation of potential solutions and directions.

Development of Recommendations

The CAG process aims to achieve a high level of agreement on a set of recommendations for revising the County's Interim Ordinance for cannabis regulation to the County Board of Supervisors. "High level of Agreement" does not necessarily mean that all members of the group are equally enthusiastic about a given direction or recommendation. It does mean that a large number of CAG members is willing to "live with" the recommendation, even though some individuals might prefer an alternative recommendation.

The facilitator will test for a level of agreement on various proposals at different points of the CAG process. The facilitator team will apply a "level of agreement" scale similar to what follows:

1. I can say an unqualified "yes" to the recommendation.
2. I find the recommendation acceptable. It appears to be the best of the real options available to us at this time.
3. I can live with the recommendation, although I am not especially enthusiastic about it.
4. I do not agree with the recommendation but I am willing to live with it so the CAG process can move forward.
5. I do not agree with the recommendation and I would like the CAG to do more work to see if we can reach a higher level of agreement.
6. I do not agree with the recommendation and I will work actively to oppose it.

The facilitator team will work with CAG members to reach the highest possible level of agreement for each major recommendation to the maximum extent possible in light of time and budget constraints. We recognize that the highest possible level of agreement among CAG members may not be possible for 100% of the proposed recommendations. Nevertheless, every effort will be made to reach agreement and that opposing points of view will be documented in cases where the level of agreement falls short. Finally, 100% agreement on all items will not be required to move forward with the recommendations report from the CAG to the Board of Supervisors.

The Project Team will document the levels of agreement reached by the CAG for each major recommendation and include these results in the recommendations document that will be submitted to the Board of Supervisors.

Communications with the Media and Elected Officials

The first six (6) CAG meetings will be open to the public with opportunities for comment from County residents who are not members of the CAG. These meetings will be videotaped as a matter of public record. It is expected that all CAG meetings will be well-covered by the local media.

The final two (2) CAG meetings are being set aside as opportunities for the CAG members to develop their final recommendations without the presence of the media and broader public. This will allow CAG members to explore issues, identify strategies and brainstorm solutions in a safe environment.

CAG members are requested to avoid communications with elected officials regarding the CAG, except in a publicly noticed meeting. This is intended to prevent real or perceived violations of the Brown Act, which regulates formal and informal communications with elected officials.

CAG members are requested not to discuss the process or their opinions on specific issues or their responses or reactions to individual CAG members with the media. This is necessary to maintain the integrity of the CAG process and respect for CAG members who are volunteering their time and providing this important community service.

Similarly, CAG members are also expected to refrain from commenting on the process publicly, verbally or in writing through print media, social media, blogs or other communication tools. CAG members that show a disregard for this request may result in their dismissal from the CAG by the Chair of the Board of Supervisors.

All media inquiries and contacts related to the CAG will be handled by: Sean Powers, Community Development Agency Director at 530-265-1576 or Sean.Powers@co.nevada.ca.us.

Required Signatures

As an appointed member of the Community Advisory Group, I agree to adhere to all principles, protocols, practices and procedures described in this CAG Organizational Framework. I understand that my failure to adhere to any one or more of these elements may result in my dismissal from the CAG by the Chairman of the Nevada County Board of Supervisors.

Name:	Signature:	Date:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____

Appendix C
Summary of Small Group Discussions
with Community Members

May 2017

Nevada County Cannabis Regulation Community Planning Process

Summary of Small Group Discussions with Community Members

INTRODUCTION

On April 25 and 26, 2017, Daniel Iacofano and Joan Chaplick, of MIG, conducted small group discussions involving 39 community members to develop a better understanding of community member perspectives on the regulation of cannabis in Nevada County. Discussion participants included Nevada County community members from:

- Education
- Public safety and law enforcement
- Nevada Irrigation District
- Nevada County Cannabis Alliance
- Environmental organizations
- Community Development Agency
- Nevada County Contractors Association
- Nevada County Association of Realtors
- Health and Human Services Agencies and Providers

Community members were asked to identify issues of concern and possible strategies for managing cannabis in Nevada County. Several key themes emerged from these discussions as summarized below.

MAJOR THEMES

1. Acknowledge that Cannabis represents a significant level of economic activity in Nevada County.

Participants acknowledge that cannabis has had a long-standing presence in the community and it represents a significant level of economic activity in Nevada County. Some participants described local growers as small business owners who are an important part of the local economy. They noted that the cannabis industry supports agricultural suppliers, local businesses, service providers, area contractors, and so on.

Opinions varied regarding the presence of and related practices regarding indoor versus outdoor growing with different impacts (positive and negative) described for both types of growing practices. Opinion was also divided regarding the level of commercial growing vis-à-vis the level of growing for medicinal purposes that should be allowed and in what locations. Many participants stated that a properly-regulated industry in the County will produce jobs, stimulate innovation and reduce negative impacts by coming into compliance with land use planning, zoning and building standards.

Some participants stated that the prevalence of cannabis in the County has led to an overly permissive use of cannabis without regard for potential negative effects on people and the environment, and that it has led to a virtual “culture war between users and non-users.”

2. Provide a pathway to compliance to bring cannabis operations in conformance with whatever regulations and requirements are adopted by the County.

There is widespread agreement that cannabis needs to be regulated in the County and the updated ordinance should be designed to make it easier for small local growers to comply with regulations. The ordinance should include requirements for growing indoors and outdoors, address commercial cultivation and provide clear direction on processes and requirements to help local growers comply with the ordinance. The ordinance should be specific and clearly define the number of plants, size of the grow area, setbacks and other metrics that can help determine compliance with County regulations.

It was noted that while some growers believe they have good practices in place, some improvements may be needed to bring them into compliance. It was recommended that these required changes should be communicated in a non-punitive manner with growers being provided an opportunity to complete corrective actions. However, it was also recommended that there be consequences for noncompliance for those demonstrating complete disregard for the rules, and that those consequences should be substantial and significant enough to deter future violations.

There was a suggestion that permit fees from the industry be used to fund permitting operations, monitoring and enforcement of the regulations. It was also suggested that taxes from cannabis be used to fund education and social marketing campaigns to help protect children and youth, neighborhoods and the environment from the potential harmful effects of poor practices and improper use.

It was also suggested that accurate data regarding the cannabis industry along the lines of what is collected for all businesses in the County, would be beneficial in devising appropriate rules and regulations. This information could also help determine sound labor practices, worker protections and environmental and neighborhood impact mitigations.

3. Address and mitigate impacts on the environment and impacts on homeowners, communities and neighborhoods.

Participants agreed on the importance of addressing and mitigating impacts on the environment and reducing impacts on homeowners and neighborhoods in proximity to growing operations. Participants also noted the potential safety risks for agency staff doing compliance work and for outdoor recreators who encounter illegal growing activities.

The environmental impacts were described as potentially very significant and include:

- Impacts from use of pesticides, fertilizers and rodenticides
- Algae growth in creeks and water bodies
- Increased demand for water
- Illegal water diversions and water theft
- Deforestation and soil erosion
- Trespassing and related damages
- Improper disposal of waste, butane tanks, and debris from production and processing operations
- Substandard buildings and structures, electrical utilities, posing safety concerns, fire danger and other hazards for industry workers, nearby residents and the environment.

There were also comments received related to indoor growing and related energy consumption. One participant described how a well-constructed greenhouse can provide a highly controlled and well-monitored environment for growing cannabis. Some participants noted concerns about the size and scale of site improvements and equipment needed for growing in relation to surrounding residential developments and single family homes.

Many homeowners in the County feel the nuisance, negative and potentially dangerous from grows in their neighborhood on a day-to-day basis, impacting their ability to enjoy their property, protect their children and feel safe in their own neighborhood. Participants described the following impacts:

- Offensive odors for extended periods of time
- Increased local traffic and impacts on local roads
- Increased crime (real, perceived or the potential for)
- Intimidating presence of guard dogs, specifically pit bulls
- Uncertainty with respect to future landowners and their views
- Landlord and tenant rights regarding the presence of cannabis on their property

4. Protect children and youth from potential harmful effects and improper use of cannabis.

There was wide agreement on the need to protect children and youth from improper access to and use of cannabis. As cannabis use is normalized by adults, some youth consider this a signal that

cannabis is completely harmless and that they can start using cannabis at a very early age. Many youth have easy access to cannabis through family members and friends. Teachers are having to deal with an increasing number of youth bringing cannabis to school and using cannabis during the school day. Educators reported that some students come to school with an overwhelming odor of cannabis, probably due to the fact that cannabis is being cured in the common areas of their homes. They also reported that the odors emanating from children's clothes can be so overpowering and distracting to other children as to require that they remove those offending children from the classroom in order to continue their lessons.

Further concerns were expressed about potential impacts of cannabis on youth development since a growing body of research shows that a young person's brain is still developing through age 25. Health officials also commented on the number of mothers using cannabis to mitigate discomfort during pregnancy although little research exists regarding potential effects on the health of the mother or baby. There has been limited investment in research at the federal level on the impact of cannabis on fetal development, child and youth development. Some participants recommended that these potential impacts be taken seriously until there are definitive guidelines for use based on defensible research.

Concerns were also expressed about the unknown health impacts related to the use of pesticides and other chemicals during cannabis growing, production and processing, particularly in regards to the edibles and other cannabis products lacking labels and lists of ingredients that went into the making of these products.

In addition to the issues related to children and youth, participants shared concerns related to the potential impacts of cannabis use by adults. Health professionals noted an uptick in patients displaying mental health issues among some heavy cannabis users. It was agreed that more research is needed to understand the potential impacts and help current and potential users make informed choices.

5. Base recommendations on data when available; initiate research to acquire data to better understand the scale and scope of the industry in Nevada County

Many entities have conducted or are conducting research on different aspects of the cannabis industry. This data may also be of use to the Nevada County process. It is recommended that data sources be vetted to insure they are credible and based on sound methodology and research practices.

There is also research and data at the County level that may be available to support the process. For example, safety officials have data on DUI's and traffic accidents. There is also crime data that may help quantify some impacts. However, it was also noted that many cannabis related crimes go unreported.

6. Apply best practices and lessons learned from other communities that may have application to Nevada County.

Participants agreed there is no reason for Nevada County to reinvent the wheel. Many communities in California and in other states where cannabis has been legalized have “best practices” and “lessons learned” that may be of interest and applicability to Nevada County. One participant provided an example of a “social hosting” ordinance in Truckee that could be a useful reference point.

7. Educate the public about the industry.

Many participants felt the need to provide factual information from credible sources about the scope and scale of the cannabis industry including its fundamental practices, related impacts and potential benefits. The County has taken a step by creating the Cannabis Conversations page on the County website. This page will serve as a centralized location for cannabis related information. The link is: <https://www.mynevadacounty.com/nc/cda/Pages/CannabisConversation.aspx>

8. Bring the community together around a set of reasonable regulations to protect the public health, safety and welfare.

Cannabis has become a divisive issue in the County. Legislation at the State level allows for medicinal and recreation use. Through the process of working with the CAG, there are expectations that the role of cannabis in the County will be clarified and recommendations developed through a collaborative process so the County can develop a revised ordinance that will be acceptable to the community and the cannabis industry, incentivizing the application of industry best practices and ensuring a high quality of life for all Nevada County residents.

Appendix D

CAG Meeting Summaries



Nevada County Cannabis Regulation Community Planning Process

Summary of Community Advisory Group (CAG) Meeting #1, May 23, 2017

Prepared by:



Moore Iacofano Goltsman, Inc.
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June 2017

Introduction

On Tuesday, May 23, 2017, Nevada County convened the first meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the first of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, lead facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the process. Approximately 50 people attended along with representatives of local media.

Using a PowerPoint presentation, Daniel briefly described the process and noted that the Project Team would provide brief updates to the Board of Supervisors over the course of the process. He reminded the participants there would be several opportunities for public input in addition to the CAG meetings. Some key steps include: CAG Meetings, County staff work on the draft ordinance, Planning Commission meetings and BOS meetings. The BOS will likely consider the ordinance for approval in March 2018.

He briefly referenced the themes that emerged from the interviews that were conducted in April and noted that CAG members will be asked to identify any additional topics. This information will be used to create a list of topics which will be used to plan the meeting agendas for the CAG.

He noted that meetings will be videotaped and live streamed. Members of the public will be able to comment using a written comment card and/or verbally during the public comment

period. Those viewing the meeting on line will be able to send their comments to a designated email address: cagmeetingcomments@migcom.com.

Daniel asked the participants to conduct self-introductions and share their names, affiliations and how long they have lived in the County.

He then reviewed the agenda and the schedule for upcoming CAG meetings. Future CAG meetings will be held on:

- June 13
- June 27
- July 11
- July 25
- August 8
- August 22
- September 12

All meetings start at 2:00 pm and will be held at the Foothills Events Center unless otherwise noted.

2. Community Process Overview

Daniel reviewed the CAG Organizational Framework and noted that CAG members will be asked to sign a statement that they will adhere to the principles. The framework includes guiding principles to help ensure the CAG has civil, effective discussions. The Organizational Framework includes the following topics:

- Mission and Organizational Charge
- Roles and Responsibilities
- Operating Principles
- Expectation of CAG Members
- Expectations of the Facilitator and Project Team
- Ground Rules for Constructive Conversation
- Steps Toward Building High-Level Agreement
- Development of Recommendations
- Communications with the Media and Elected Officials

The Organizational Framework includes a signature page where CAG members sign and agree to adhere to the framework. Daniel circulated the signature page and it was signed by all members in attendance. CAG members were each given a binder of materials for use in the meetings.

3. Overview of Interim Ordinance

Sean Powers, the Community Development Agency Director, provided a brief history on how the County arrived at the current ordinance. The County has been working on this since 2012 to provide direction on cultivation of medical marijuana. On July 26, 2016, the BOS created an interim ordinance. With the passage of Proposition 64, the BOS need to make minor adjustments to be compliant with current state law. Following this, the County agreed to bring in a professional facilitator to manage the process.

There was a question about the legal status of the ordinance. Sean responded that the ordinance in place is what applies. The County relies on the Sheriff's office who responds to complaints and inquiries. Another participant inquired about "best practices" for a County like ours. Sean responded that the County relies on information from the California State Associations of Counties (CSAC) as a resource. He noted that every jurisdiction in the state is dealing with this issue.

Daniel then reviewed the key themes that emerged from a series of group discussions and interviews with 39 people that MIG conducted in April 2017. While the variety of interests represented varied widely, there was substantial agreement on the following needs to be addressed:

- 1) Acknowledge that cannabis represents a significant level of economic activity in Nevada County
- 2) Provide a pathway to compliance to bring cannabis operations in conformance with whatever regulations and requirements are adopted by the County
- 3) Address and mitigate impacts on the environment and impacts on homeowners, communities and neighborhoods
- 4) Protect children and youth from the potential harmful effects from improper use of cannabis
- 5) Base recommendations on data when available; initiate research to acquire data to better understand the scale and scope of the industry in Nevada County
- 6) Apply best practices and lessons learned from other communities that may have application in Nevada County
- 7) Educate the public about the industry
- 8) Bring the community together around a set of reasonable regulations to protect the public health, safety and welfare

Daniel went around the table and asked CAG members to share their thoughts regarding these themes and any additional topics that should be considered. He also asked members to consider the current ordinance and comment on what is working and what needs to be improved. The following summarizes and organizes the responses by topics identified by the CAG members.

Comments on the Existing Ordinance:

- Needs to be written in a way that ensures compliance from everybody—growers, homeowners, etc.
- Lacks an education component—there is strong need for education for youth and adults
- Many consider the ordinance to be too punitive; need new language that helps encourage compliance
- Growing community needs to be self-regulating
- Develop an analog organization like the contractor’s association
- Creates conflicts with neighbors and some are fearful of retaliation if they complain
- Consider building a Nevada County brand—the product grown in the area is considered superior to other areas
- We want to protect small growers—how do we address large corporations and big agriculture?
- Enforcement needs to be self-funded so that we have the resources needed for permitting, inspection, and education
- Organic produce, for example, is well-audited; cannabis should have the same standard. Need to come up with the list of requirements that agriculture and cannabis need to comply with. The industry is just developing.

Key issues for discussion:

- Use state regulations as a base with respect to labeling product safety
- Focus has been on cultivation—need to consider all aspects of the industry
- Look at the environmental impacts—water, wildlife; consider that nature has rights
- Parents need to educate children and youth about potential impacts of cannabis
- Look at the impacts of cannabis on the community and how in some places people can’t enjoy the quality of life they moved here for
- Group should use terminology correctly—there’s no need to re-invent the wheel
- Need to focus on the positives—we have been able to accomplish a lot
- Look at prevention strategies—consider education programs and activities to educate the public
- Need to monitor the trailer bills related to Prop 64
- Need to ensure we can protect children with rare medical conditions who rely on cannabis as part of their treatment
- Look at bringing as many people as possible into compliance; look at all license types and permits
- Testing for safety and cleanliness of marijuana and growing is important
- Need to educate parents and guardians about youth use of cannabis

- Funding is needed for public education programs; unfortunately, none of the funding goes to the schools where it is needed most
- Try to get as many possible into a regulated market
- If it's going to be treated like an agricultural product, agriculture is already over-regulated, e.g., Food safety regulations can be overwhelming
- Enforcement is critical; County has a duty to enforce regulations and ensure compliance
- Upfront permitting and licensing is needed
- Make the regulations practical and easy to understand and comply with
- We need data about the industry's presence in the county—some upfront permitting can help us get this information
- Also need data about economic impacts in County
- Most growers want to be in compliance. They know the rules will focus on zoning, acreage, number of plants, etc. and they need clear guidance on how to comply
- Must look at impacts on community and environment
- Look at Colorado's experience with recreational marijuana being legalized and learn from their mistakes
- Apply best practices from other states—incorporate science
- Don't over-regulate or make it over restricted—if it's too restrictive, more people will risk non-compliance
- Consider energy usage and related requirements for indoor growing—it may not be the best method
- Get organization members comments regarding the topic
- Consider initial permitting process—this will make a push for compliance and also collect needed data
- Along with permits, inspections are critical
- Enforcement should be simple and not become a growth industry—we have other priority issues where resources are needed in the County
- Consider square footage as a more practical guideline than plant counts

Daniel asked for any final questions and received some questions regarding compliance with the Brown Act. These included whether there any issues with the CAG and communicating with each other as it relates to the Brown Act and how many people the CAG can speak to without violating the Brown Act. The response was that it is best to avoid communications between members regarding CAG discussions, and it was recommended that any comments or questions for discussion be brought to the whole group. CAG members can also check with the County about any questions they have regarding the Brown Act. Daniel closed the CAG discussion by taking a moment to thank the CAG for their service.

Public Comment Period

During the Public Comment Period, 16 people submitted speaker cards and were given up to 3 minutes each for their comments. The comment summary below lists the key issue described during their remarks. The summary omits personal details or history. Some speakers mentioned more than one topic and several speakers commented on similar topics.

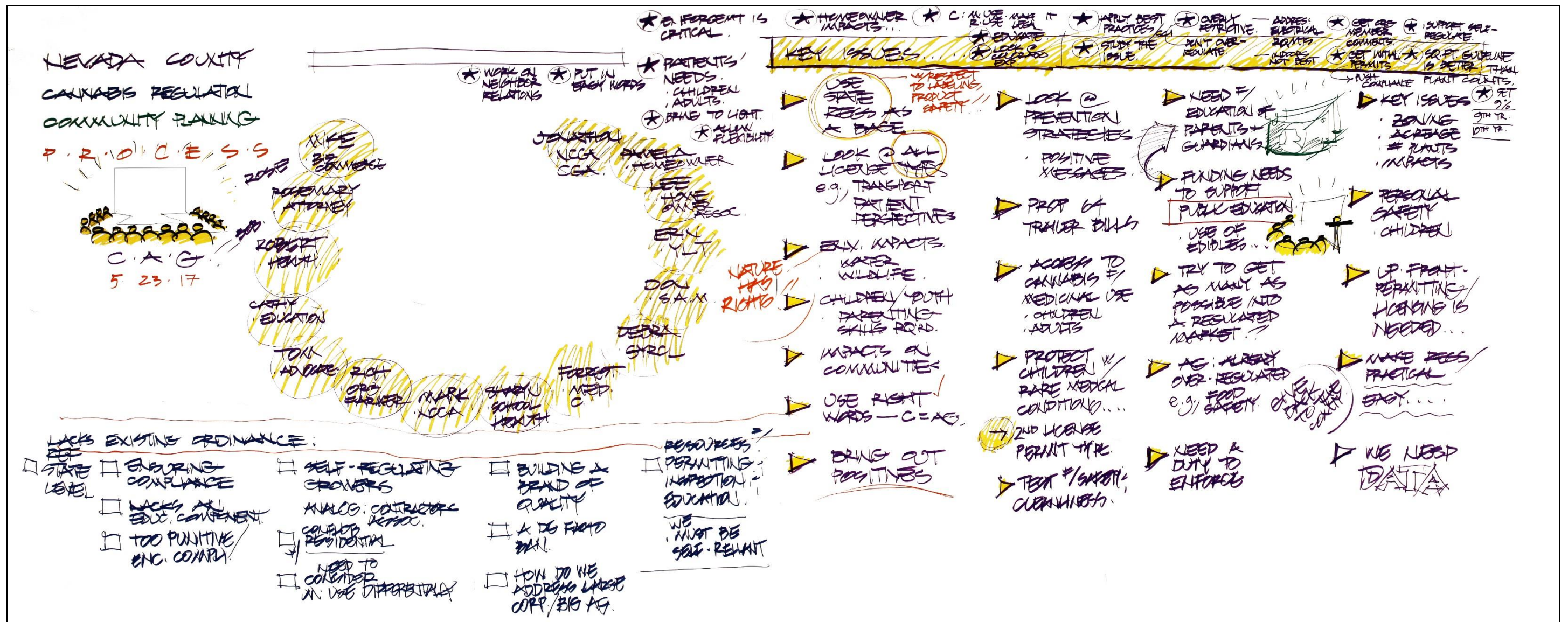
- Expressed thanks and appreciation to CAG members for their service.
- Need a new approach—punitive, eradication etc. approach has not worked. Need to work together to make it work for everyone.
- “Patients” should be explicitly noted in the materials since we are talking about medical cannabis.
- Need to keep away from kids for improper use, but need to make sure kids who need it can get it.
- There are a lot of areas in the County that can be adapted to grow cannabis; licensing can help address this.
- Curious about make-up of the CAG including 3 pro-cannabis people. Didn’t change until BOS added an appointment.
- Concerned about the impacts caused by growers; currently there is no enforcement and enforcement is needed to make the process work.
- CAG represents everyone’s interests. When Measure W passed, 26300 people (59%) wanted outdoor grows. With Measure S (prior effort) the same amount voted that they didn’t want a larger grow.
- Growers come in and the land gets cleared and streams were impacted. People notified the County and intimidation occurred.
- Described process for getting a legal permit to grow marijuana as very difficult and expensive. Is concerned the BOS won’t have guidelines in place so they can get a license in January when they are available. March 2018 timeframe will make this difficult.
- Doesn’t think we should be growing near our homes or pushing it out into the woods. Wants a pathway to compliance.
- We just had our first caffeine death—we must consider all drugs that are available in the County. Need to consider coffee as a gateway drug.
- Current ordinance is overly restrictive for an outdoor growing ordinance.
- Indoor growing has consequences of high energy use. Noted a study where 10% of CA household energy usages was associated with indoor grows.
- Important that CAG members are getting input from their members. Cannabis is a viable community business. It’s an “egg” industry and PGE is putting a lot of energy into this.
- Need to take into account AB 32 and energy efficiency plans we have developed. Having an outdoor business will conserve help conserve energy.
- County needs to consider cultivation, manufacturing and distributing.
- Need to look at the resources our County has for compliance needs. Staff need to be trained. Cautioned that over-regulation always leads to non-compliance.

- This is not about pro or anti cannabis- it's about building bridges and finding solutions. Nevada County Cannabis Alliance has over 300 members who want to operate legally and be in compliance. NCCA is an information resource that can help growers learn how to be in compliance.
- Need to look at how a regulated industry can make this a safer county.
- Don't want to see big corporations involved. We have homesteaders who have been doing this for 40 years.
- Feels that basing the current ordinance on plant counts is absurd. State uses square footage guidelines instead.
- Growers need to self-regulate and consumers need to ask if their grower is using Advaid, Eagle 20 or some other pesticides. People don't want products that include these and pesticides shouldn't be used on medicinal products.
- We don't want big business out of concern for their use of pesticides and other impacts they may create.
- Questioned why a residence on the property was a requirement. This is a barrier to entry, with a residence substantially adding to the costs of getting the property you need.
- Look to other places for research—gave an example that a lot of research has been done in Israel.
- We are willing to come out and educate teens.
- Tired of being treated like a bad person who uses cannabis. The people who don't care aren't here and they are never going to change.
- We have a whole county of people wanting to farm—let them farm. Plant counts are a bad idea since they get rid of small plants since it's not worth growing.
- We are ready to comply and we need time to get in compliance.
- Extensive research done by the National Academy of Sciences and Engineering—and they made 100 recommendations from the findings. Research from Colorado showed correlation between cannabis use and increased impaired motor vehicle use.
- Overuse: anyone can overuse. Many people benefit, but we need to protect the whole county.
- Happy to see it being regulated. Concerns about grows on public lands and so the industry can come into the light and out of the forest.
- Believes threats from other drugs are more harmful to kids. Has younger siblings that are offered drugs—pills and other drugs, not cannabis.
- You will not get data until this is regulated. Needs to be room on both sides for fluctuation in the law. Ordinance should be clear and easy to follow. If permits are not easy to get and affordable, people will not follow the rule.
- Issue should be elevated to address neighbor issues. Bring in a mediator to help neighbors get along. Mediate and mitigate—proposed sending the impacted neighbor

to Hawaii during growing season so they don't have to put up with the smells. Need to explore neighbor issues before you buy your property.

- Regulations should look like they are now on the ground. Issues temporary permits—everyone gets one who applies. This would give everyone an opportunity to get within compliance. 9% of the county should be directed for cannabis. Should be supported similar to the way that viticulture is.

Wallgraphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.



Nevada County Cannabis Regulation Community Planning Process
CAG Meeting #1
May 23, 2017



Nevada County Cannabis Regulation Community Planning Process

Summary of Community Advisory Group (CAG) Meeting #2, June 13, 2017

Prepared by:



Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710

June 2017

Introduction

On Tuesday, June 13, 2017, Nevada County convened the second meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the second of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, lead facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. All 16 members of the CAG were in attendance. Approximately 50 people attended along with representatives of local media.

Daniel briefly reviewed the process for the CAG and the agenda and objectives for the meeting. The meeting objectives were to: review State-Related cannabis activities; review how other counties are approaching cannabis; and review and discuss potential allowable cannabis-related activities for Nevada County. He then provided a process update and reviewed how the CAG meeting topics would be organized as a series of phased discussions around five main topic areas including:

- Potential allowable uses at cultivation sites
- Land use and zoning requirements
- Permitting process
- Inspections, monitoring and enforcement
- Other: public health, tax revenue, etc.

2. Brief Review of State Activities Related to Cannabis Regulations

Daniel then introduced Joan Chaplick, who provided a brief overview of what is happening at the state level. At the agency level, there are three agencies with responsibilities related to cannabis regulation. State rulemaking is underway and will address a wide range of activities including licenses for testing labs, transporters, distributors, dispensaries and microbusinesses. They will also address licenses for cannabis cultivators and the establishment of a track and trace system and licenses for manufacturers of cannabis products such as edibles.

Concurrently, there is a political process where the state regulations will be addressed through a trailer bill to the state budget. It has been assigned SB 94 and AB 110. The new bills repeal the Medical Cannabis Regulation and Safety Act (MCRSA) and legislate both medical and adult use cannabis under an act called the Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The takeaway from this brief summary is that the effort to develop the state regulations is dynamic and we are still a few months away from having clear direction from the state.

3. Brief Review of How Other Counties are Addressing Cannabis

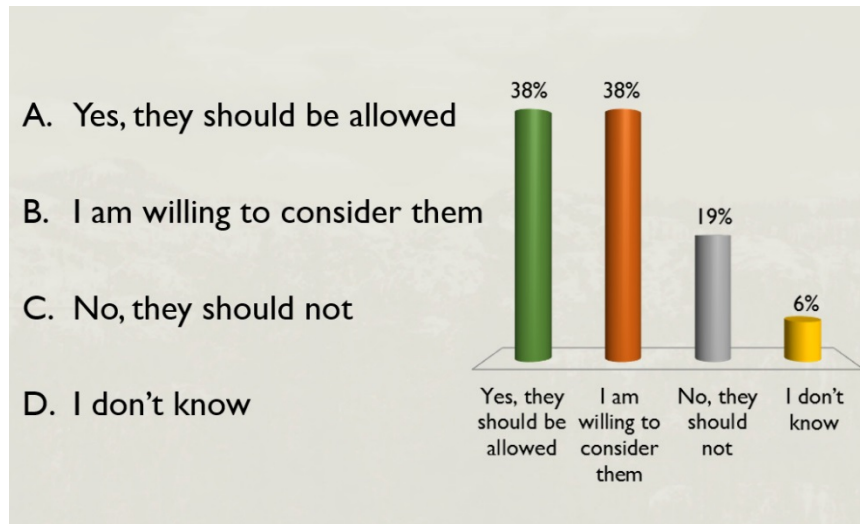
Joan then provided a brief review of a summary table of allowable cannabis activities for six counties including: Nevada, Sonoma, Yolo, Monterey, Sant Cruz and Placer. The intention was to provide a high-level overview of what some other counties were addressing within in their ordinances. The activities identified as “allowed” were restricted to specific zoning along with additional requirements. Sonoma and Monterey Counties stood out as allowing the widest range of cannabis-related uses.

4. Review and Confirmation of Potential Allowable Cannabis Related Activities for Nevada County

Daniel then led a discussion of potential allowable cannabis related activities. Using an electronic polling system, he asked CAG members to indicate their initial opinion regarding the topic. For each of the seven topics, he polled the CAG members, allowed time for discussion and then repolled the question to see if the discussion had influenced opinion. For most questions, he went around the table asking each member to share their opinion. For later questions, when time was more limited, he asked for a sampling of comments.

For each of the topics, it was clear that many CAG members were open to learning from the other participants and there were some changes to the responses for each of the questions. Please note - the polling results should not be considered a vote or construed as the position of the CAG. The polling was intended as a tool for hearing different points of view on the various topics. The following presents the results of the polling for each question, a summary of the discussion points and the results of the repolling that occurred right after the discussion. Some comments have been grouped and combined to reduce duplication of the responses.

Question 1: Should home-based cannabis cultivation activities be allowed in Nevada County?

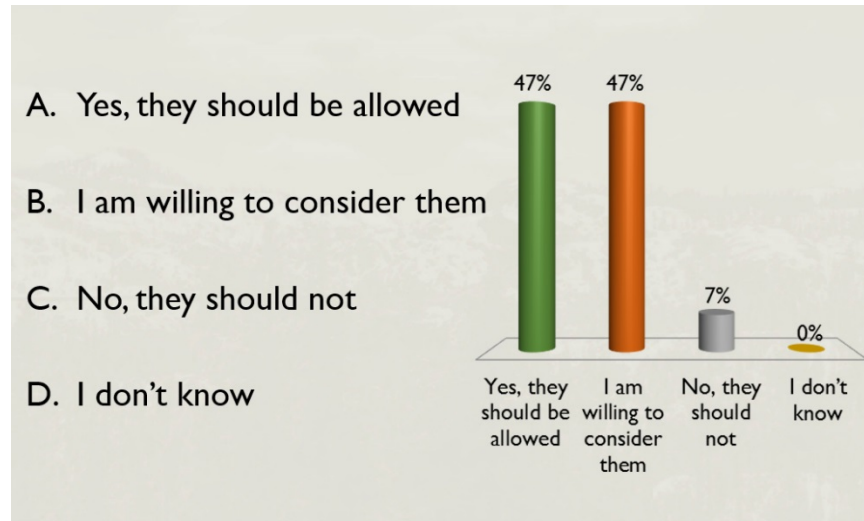


Discussion

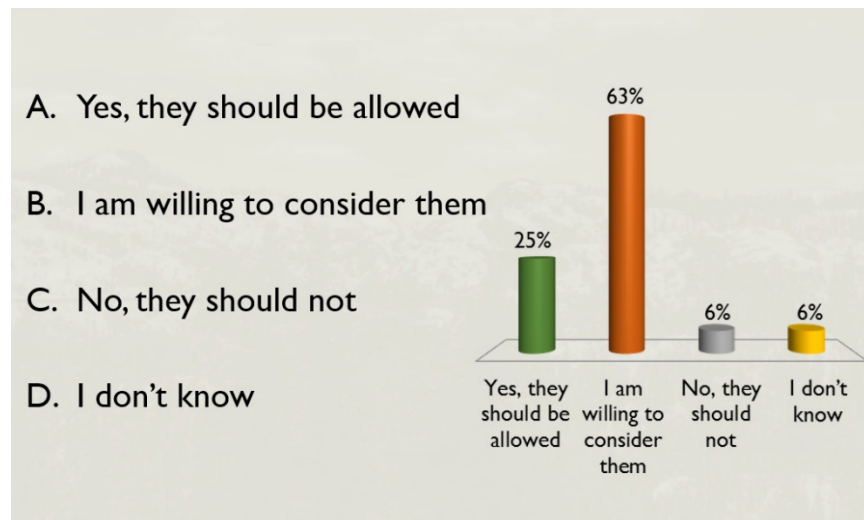
- It should be allowed for legitimate medical use. Patient access is important
- Want the emphasis to be on medical use
- Yes - with certain conditions imposed. The details are very important and it needs to be done right
- Want it to be small scale without any large grows
- Yes - if it is rural residential and small home-based - want to be able to prevent/discourage large corporate grows
- Major concerns regarding accessibility to youth if there are activities in homes
- Question is a bit vague - voted no to be safe
- Yes - to help preserve open space
- Conditions and zoning are important
- It's undeniable that it will occur, but have concerns about the conditions under which it does
- No - concerned about residential areas and impacts, including the smell
- Residential left me a bit vague - I voted no to be safe
- Concerns about allowing commercial activities in residential areas; not aware of any place in the state that allows this
- Had a question about Colorado and why it doesn't allow outdoor grows
- Yes - patient access, cultivation continues even when there is a ban so we need to create a pathway to where it is legitimate. What about putting it in ag areas?
- Home versus commercial - that is a big difference. What about home-based but in an ag zoned area? We would need to look at that differently

- “No” is a black and white response and we need an alternative ready for someone negatively impacted by a decision that puts them at risk
- Noted that the state trailer bill likely won’t have a lot of differentiation between medical and adult use
- Noted that the trailer bill will not scrap the work done to date; will likely use much of the foundational work

Results of Repolling - Question 1



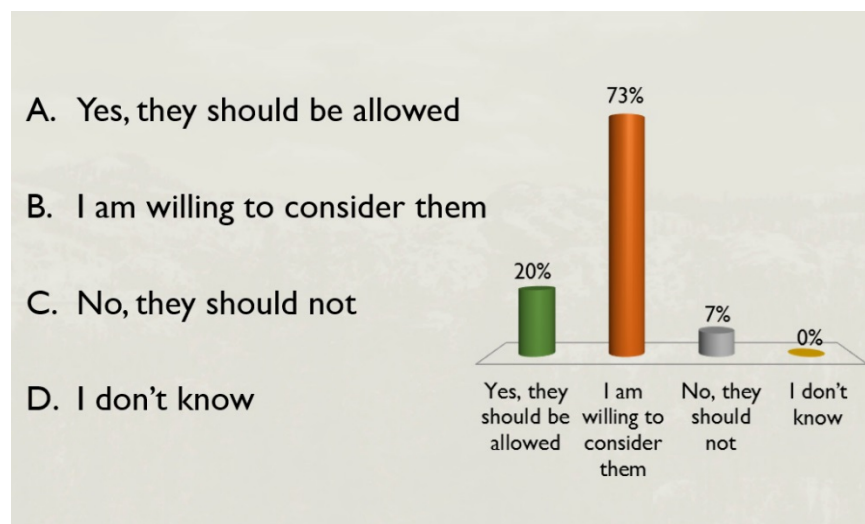
Question 2: Should home-based cannabis manufacturing and processing be allowed in Nevada County?



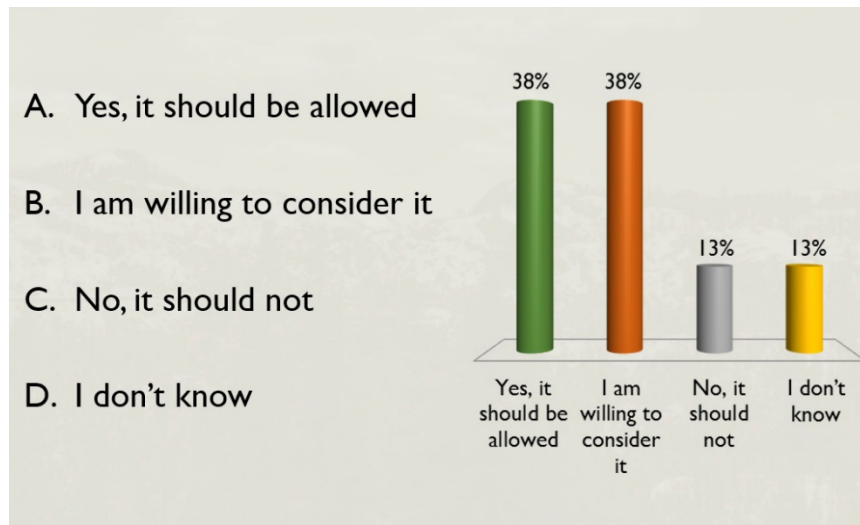
Discussion

- Need to distinguish between manufacturing and processing - they are very different
 - Processing can include volatile and non-volatile substances
 - Processes can also include simple tinctures and infusions – need to differentiate
- With proper facilities and inspections, it should be allowed
- Processing doesn't necessarily mean dangerous
- Needs to be closely regulated, especially as it relates to kids
- If we concede this is an ag product, the ag ordinances are rather onerous and preclude the “mom and pop” scenario. How do we make them mesh with current ag requirements?
- No - should not be allowed in residential areas
- Should not happen in an unregulated home environment
- A home-based food business (brownies and cookies) would require a commercial kitchen
- Establish a local cooperative that includes a commercial kitchen
- Want products to meet food safety and pharmaceutical standards
- Yes - this is a rural county - we need these businesses to survive
- If you are selling - it triggers compliance with the regulations
- Manufacturing and processing should be home-based
- With clear oversight and inspection
- Local cooperation with dispensaries and community kitchens
- What are the traffic and road impacts?
- “Sell” is the distinction of home manufacturing and processing

Results of Repolling – Question 2



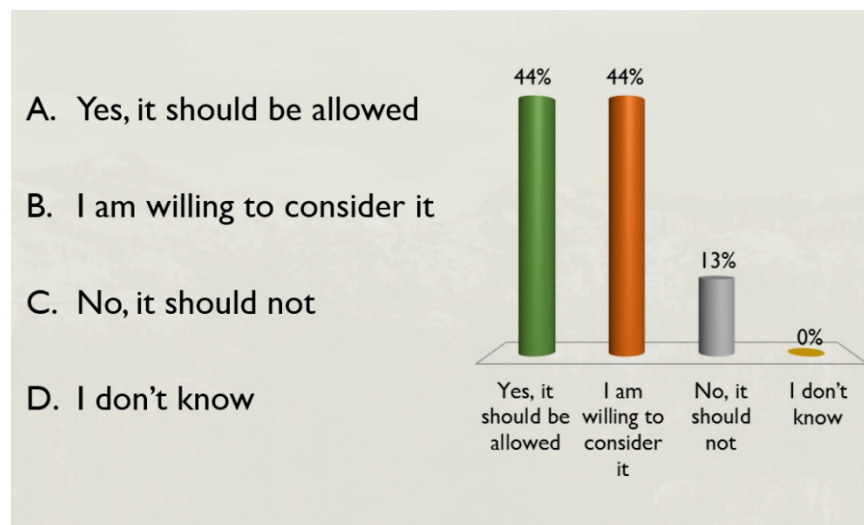
Question 3: Should cannabis delivery/transportation from cultivation sites be allowed in Nevada County?



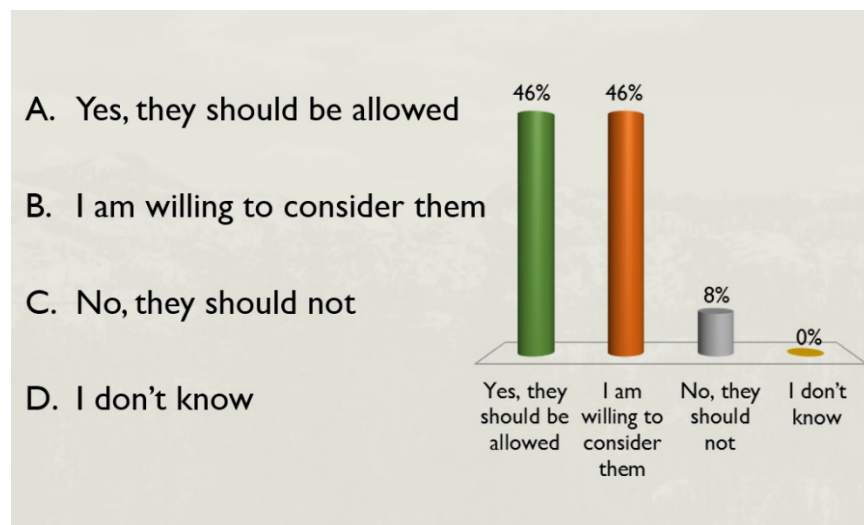
Discussion

- The product needs to move from one place to another so it should be allowed
- Need to distinguish between home deliveries or community distribution
- It needs to be done properly - who and how is very important
- State regulations will likely require bonded drivers, locked transport and other requirements
- Concerned about traffic impacts related to Highway 80
- It's already happening so we likely won't see an increase in activities
- Concerned about impacts to local, rural roads - don't want to see big trucks on these roads
- Need to differentiate between home delivery and moving the product for processing and distribution
- Activities need to be regulated

Results of Repolling – Question 3



Question 4: Should cannabis testing labs be allowed in Nevada County?

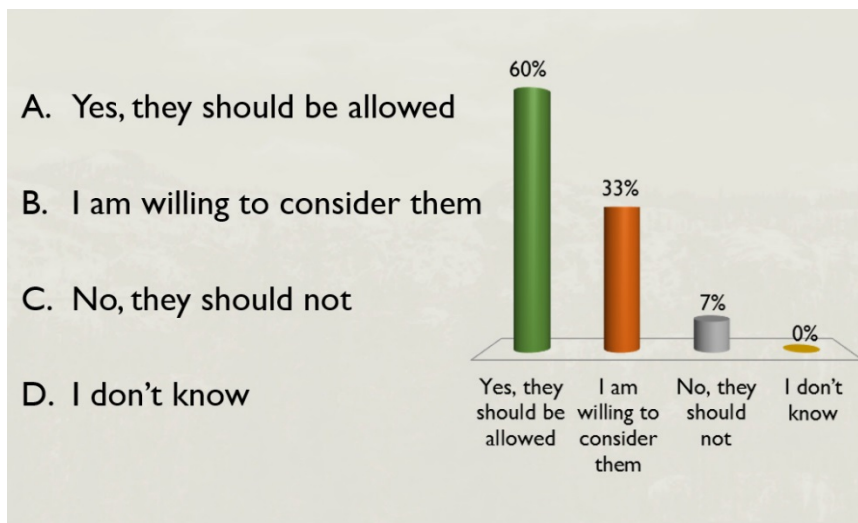


Discussion

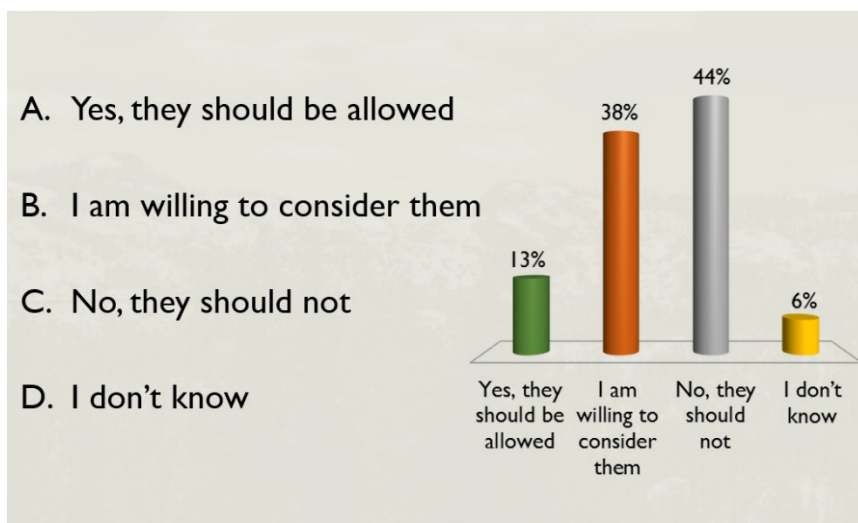
- No - we don't need to be the lab center for the area; labs are better located in an urban area
- Yes - having a lab nearby increases access which helps us have a safer product. The easier lab access is, the more likely that testing will be done
- If we do have a lab, we need to make sure the environment, water resources, etc. are protected
- Question - is there a home testing kit? Response: No - not at this time.
- Question - what happens if a batch tests positive? Response: there will be regulations for how it should be disposed of?

- It would be better for small business

Results of Repolling – Question 4



Question 5: Should home-based sales of cannabis (including edibles) be allowed in Nevada County?

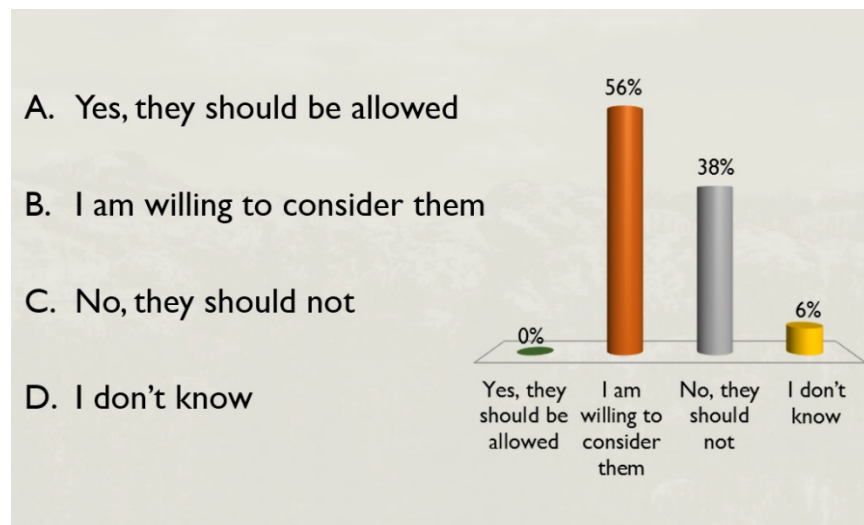


Discussion

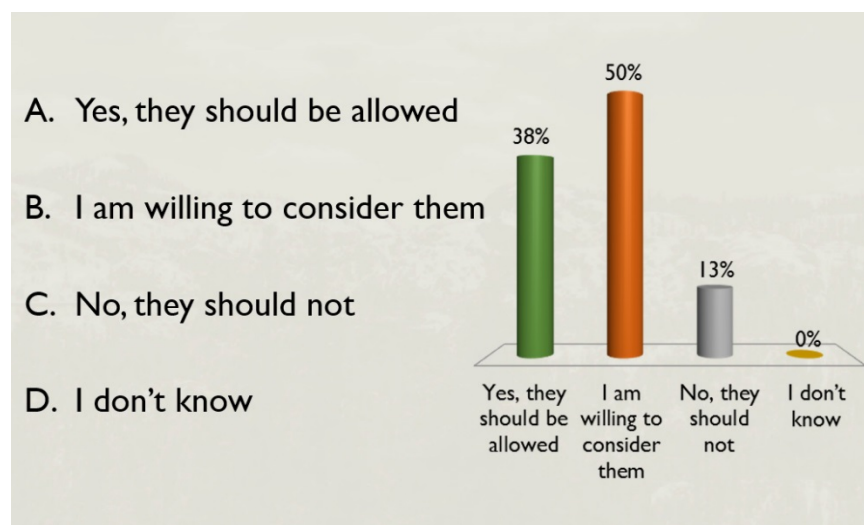
- If it was created in the county, we should be able to sell it
- Must meet the requirements
- Concerns about need for regulation of home-based business - food products require a commercial kitchen and this may be too expensive for most people
- Don't want to have sales going on in their neighborhood - but it makes a difference how many sites there are allowing it - 12 locations versus 100 locations makes a difference
- Consider local farm box subscription model - it's grown and sold in the county

- May be too complex for the County to regulate
- Depends whether we treat it like an agricultural product - for an ag product, for example, you have the right to sell potatoes from your property
- Should be able to sell but concerned about traffic impacts
- Liked the idea of a “Bud and Breakfast;” looked into requirements for a traditional B&B and found the regulations were onerous
- No - do not support because of dangers for children related to access to edibles; it’s very difficult to regulate a home environment
- Does not agree to comparisons with wine industry. Wine has a “kill-step” and maximum potency is regulated. Today’s cannabis can vary in strength and potency. Home-based businesses will have a hard time managing this
- We have been trying to get ag homestays allowed for ten years and still haven’t found a way to do it; the health regulations are a big consideration
- Food safety is important - we are not talking about Girl Scout cookies - this is a product that needs to be regulated
- Concerns about food safety and proximity to schools
- Should not happen in R-1 zoned areas
- Comment noted that proposed state legislation (SB 94) proposed that 60% of the tax generated would be directed to youth education, including grants to the schools through the Department of Education
- Need to consider the structure required to accomplish the inspections needed for regulating home-based commercial sales
- If we are going to allow commercial sales, we also need to provide the educational component; don’t want to replicate what happened with the tobacco industry where they only cover 10% of the costs of the impacts
- There is a big difference between medicinal use and bong hits - education needed to differentiate and help correct some of the misinformation that is out there
- Shouldn’t allow edibles that look like candies that are attractive to kids - there are other delivery systems; we are seeing some extreme events with kids getting access to edibles

Results of Repolling – Question 5



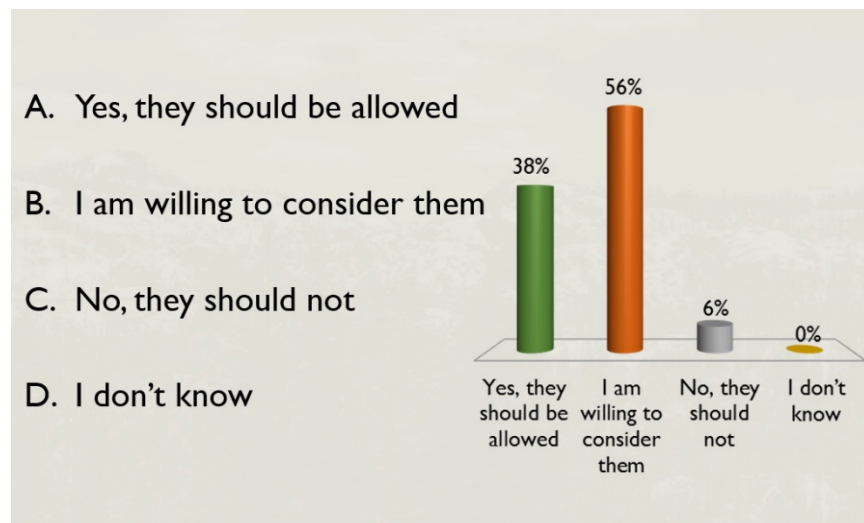
Question 6: Should cannabis nurseries at cultivation sites be allowed in Nevada County?



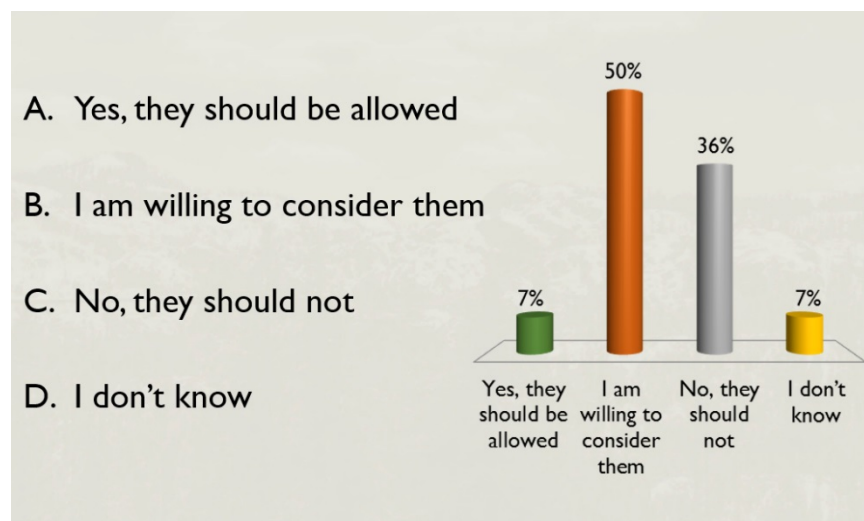
Due to limited time, Daniel asked those who selected “no” to share their opinions

- The expansions to the number of plants and the amount of land to be covered - starts to look like big business
- It was noted that nurseries are not selling full-grown plants; they are producing smaller clones so they don't require a huge amount of space
- Since cannabis is seasonal - nurseries provide the starts needed once the plant dies off to allow for year-round production

Results of Repolling – Question 6



Question 7: Should cannabis tasting rooms at cultivation sites be allowed in Nevada County?

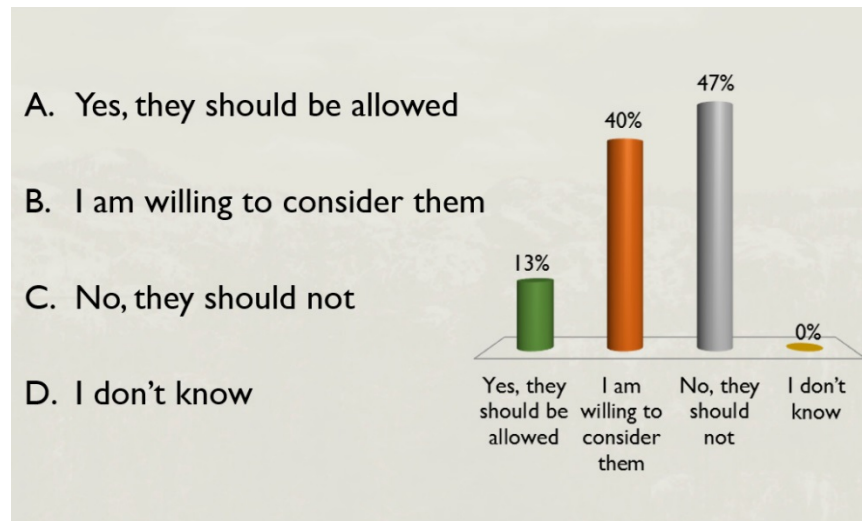


Discussion

- They fit in a dispensary but not at a home site
- Concerns about the number of stops on a tasting tour
- If it's medicine, why do you need tasting? Is taste relevant?
- Prefers the county is known for its arts and culture, not its cannabis tasting rooms
- Product needs to be tested
- Concerns about increased traffic; don't want limos going through the neighborhoods
- Concerns about traffic safety since there is no test yet

- Doesn't mind as long as it doesn't hurt others; doesn't like wine tasting but doesn't oppose it
- We are participating in a changing culture; we have mentioned negative impacts. In this process we are envisioning what could be different and our perspective is catching up

Results of Repolling – Question 7



Daniel closed the discussion and thanked the CAG members for their comments. The dialogue will be used to inform future agendas.

Public Comment Period

During the Public Comment Period, 15 people submitted speaker cards and were given up to 3 minutes each for their comments. The comment summary below lists the key issues described during their remarks. The summary omits personal details or history. Some speakers mentioned more than one topic and several speakers commented on similar topics.

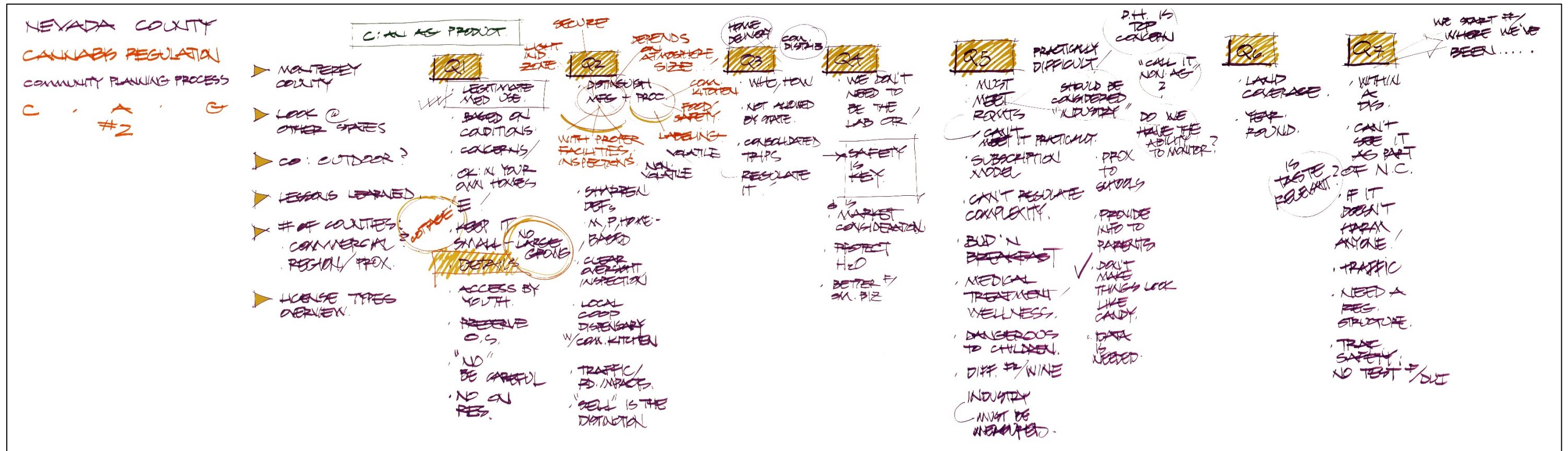
- Expressed appreciation to the CAG members for their efforts
- Want to heal the culture war in the county and believes a lack of understanding is at the source of the issue. This speaker had a nursery and garden and offered to provide a tour of his property.
- Manufacturing is an essential part of preparing product - for example; clean, high potency oils. Noted that little of his product is smoked.
- Encouraged that we go with what the state allows and the market place will sort it out
- Speaker had a handout (included in Comment Appendix) that described how cannabis revenue could be allocated to address key issues the County is dealing with. Believes taxes raised could be \$12M and discussed how it could be allocated to some key local services such as police services, homeless services, afterschool programs, and housing.

Noted that the revenue from low-income housing could perpetuate itself and allow us to build more.

- Suggested we think of the patient when talking about home-based cultivation. It could be something simple like making a lotion.
- Think about old people - we need delivery and transportation.
- We need testing labs so we get quality products.
- Nurseries - we need good plants to get good medicine.
- Things that looks attractive to kids should not be available.
- Home-based should be for personal use; commercial should get out of the home situation.
- If you are selling, you need to test and have a license.
- Can we ban the sale of bulk cans of butane? We have fished out thousands of canisters from streams, wells, etc.
- Shared experience that they had toured a lab that handled waste disposal very well.
- There's a micro-license being considered. Cottage industry - should be looked at too.
- CAG member comment regarding legislation proposed to address issues related to butane - there was agreement on this topic
- Disagree with opinions home-based manufacturing - want us to look at it.
- Do your due diligence and keep the trailer bill in mind. We are in crunch time.
- Cannabis is a plant and not a pharmaceutical; would love to produce products at home and sell them in a Nevada City dispensary.
- Want reasonable regulations.
- Don't want products made at dispensaries.
- Supervisors won't let us do a lot of what we are talking about.
- Delivery – yes, we need it since many people can't drive.
- Let's keep looking at the state regulations and be prepared.
- Some of the opinions are "still running on reefer madness."
- Appreciates the process and described it as healing, balanced and fair.
- Heard many misstatements of policy and recommends that we bring in subject matter experts who can speak accurately to this.
- See this an opportunity to bring industry and economic development to our community. We have a lot of retirees and need to bring our income up. Cannabis industry can help with this and we haven't yet talked about the tax dollars.
- We should be focusing on the positive aspects of the process. Want to see the County embrace the medicinal - everybody gives back on the medical side.
- Shared the "starting gate theory" - if we open it right, everything will be ok. But the reality is - cannabis is already here so the sensible approach is good regulation. The State of California has organized the regulations - read them and educate yourself on cannabis.

- This is a beautiful place and cannabis is already to here. Community wants to get rid of bad actors and sheriff and supervisors are doing their jobs. Wants the process to consider preexisting non-conforming uses, and variances to help bring people into compliance.
- CB1 and CB2 receptors - you should pay attention to this and the endocannabinoid system. Can attract really bright people to our community.
- Commenter noted importance of medical cannabis and landlord won't allow her to smoke in her apartment; requested help.
- Sees potential for a robust locally owned industry that includes established farmers. Suggests we issue permits with a grace period.
- Would like to see a school or college to certify people in the community and raise the bar.
- Supports testing labs to the fullest extent since a lab protects the consumer. Labs could generate significant revenue in the County. Noted experience with a special cannabis event that spent \$18,000 on lab testing.
- Supports the Sierra Foothills appellation.
- Need to give back to education, give back to agriculture, affordable housing - cannabis can pay - just need to sell a lot of licenses.
- Suggested a butane canister drop program.
- Nevada County Cannabis Alliance (NCCA) has supplied to the county - information about ordinances, city and town ordinances, updates on state language, trailer bill language, license types and related information and requested that it be shared with the CAG.
- NCCA also organizes tours and noted the importance of getting educated on other uses.
- Sierra County was cited as an example where advocates are working with the community to develop the ordinance.
- We should learn how other counties are handling the transition period. Things will be shifting. NCCA will have a survey coming out that will be widely distributed to collect information. It will also include economic data.
- State regulations are very important and we should be staying informed.
- Had questions about the permits, requirements, etc. that will be considered. May need to consider some discounts for permits. Also, set-backs should be adjustable because there are many oddly shaped properties that make it difficult to follow the law.
- Needs to be a huge discount for parents growing for our medicinal purposes for their children (medicine).
- Edibles are expensive - you wouldn't give it to your kids.
- Suggested looking at AB 6 (going through the home kitchen)
- Would vote for local dispensary

Wallgraphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.



Nevada County Cannabis Regulation Community Planning Process
CAG Meeting #2
June 13, 2017



Nevada County Cannabis Regulation Community Planning Process

Summary of Community Advisory Group (CAG) Meeting #3, June 27, 2017

Prepared by:



Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710

July 2017

Introduction

On Tuesday, June 27, 2017, Nevada County convened the third meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the third of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, lead facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. All 16 members of the CAG were in attendance. Approximately 70 people attended along with representatives of local media.

Daniel reviewed the meeting agenda and objectives, which included:

- Review basic County land use and zoning concepts
- Review and discuss current land use and zoning parameters that apply to cannabis cultivation in the County and identify potential adjustments

Meeting Summary #2 was approved and accepted. Daniel noted that if any modifications were needed, they would be noted in the following meeting's summary.

Alison Barratt-Green, County Council, provided a short presentation on the Brown Act to help CAG members understand their responsibilities. The CAG is subject to the Brown Act and needs to comply with all requirements for communications. She also noted that the process has increased in complexity over the past several years. Since the CAG is making recommendations on cannabis policy, CAG members are covered by these rules.

Alison then described the different configurations of meetings and gatherings that are covered or not covered by the Brown Act. She noted that individual communications are not covered. She provided examples of some communications activities that are problematic and would be considered a violation. These include: polling CAG members regarding their opinions; “daisy chain” communications; hub-and-spoke communications where a member in the center contacts each person; and serial briefings. The safest strategy is to discuss CAG business during CAG meetings.

Electronic communications are subject to the Brown Act and members should avoid “replying all” to CAG emails. It can be easy to unintentionally violate the Brown ACT. Members should avoid: two-way communications between themselves and other CAG members; sharing the comments and positions of others in their conversations; and taking a position outside of an open and public meeting. It’s also important to avoid the appearance of impropriety. For example, a small social gathering of CAG members could be perceived as improper even if there is no discussion of CAG business. She recommended that those with questions contact County counsel for specific advice.

There were a few questions from the CAG members:

- For those who work with a related organization, what’s the difference between lobbying and education as it relates to the CAG?
 - Response: It’s appropriate to respond to basic questions, but it can be easy to cross the line. A CAG member referenced a brochure produced by the League of Women Voters that he thought could be helpful.
- There was a question about the placement of the public comment period: it is required to be held at a specific point in the meeting?
 - Response: No, it just needs to be held during the designated time on the agenda.

Daniel reviewed the CAG process, which focuses on phased discussions, and explained the general topics that would be covered in the upcoming meetings. He also provided some general direction to members of the public in attendance. He asked that people get their speaker cards in, so the comments process can be kept moving efficiently. He also requested that people respect CAG members’ privacy and give them their personal space during breaks and after the meetings.

2. Review of Basic Land Use and Zoning Comments

Brian Foss, Head Planner for the County, provided a presentation to help orient members to County responsibilities for planning and zoning. He reviewed the Planning Department Roles and responsibilities including: Current Planning; Advance Planning; and CEQA.

He described the purpose of zoning and why it was established. Zoning is designed to separate incompatible uses. Zoning was created over 100 years ago largely to keep industrial uses away

from residential areas, and to ensure that neighboring uses could co-exist without devaluing property.

Zoning Implementation

Brian described the zoning district types and referenced the zoning maps which were posted on the wall. He defined key terms including: allowed; permitted; and not allowed. These are the three choices when it comes to zoning and setbacks are usually required.

He explained that residential use has 4 main zones and includes R1, R2, R3, single family, multi-family and residential agricultural. He briefly reviewed definitions for the rural districts: AG, AE, FR, and TPZ. He noted that there are also commercial and industrial districts to accommodate these uses in the County.

He reviewed zoning uses and affirmed that the allowed use is consistent with the primary purpose for which land is zoned. A permitted use may be compatible with the base zoning, depending on the design of the project and the characteristics of the property. He briefly reviewed setbacks, confirming that they are measured from the property line to the structure and not structure to structure.

He briefly reviewed the General Plan Land Use Designations and noted that zoning districts implement the General Plan. The General Plan is intended to be broad whereas zoning is specific.

He summarized the review process followed by County staff. First, they review applications/land uses for consistency with General Plan and Zoning Requirements. Then they ensure all existing structures are permitted. They check the legal status of property, including for parcels created by a subdivision map or certificate of compliance. Finally, they ensure use is allowed by zoning district; ensure setbacks; and confirm that height limits for fencing are met.

Brian then took questions from the CAG.

- Are there current variances in the zoning code?
 - Response: Yes, there are variances to the setbacks. They can be fairly difficult to achieve. It depends on size, shape and character of property. Setbacks are typically measured from the building to the property line and they can be written that way.
- Is there land zoned R2 and R3 outside of the city?
 - Response: Yes.
- Are there any variances currently from the outside living area of a house to the adjoining building?
 - Response: No, the County has been consistent.
- There are usually acreage figures attached to the zoning. Do ordinances apply only to different acreage figures?
 - Response: No, it's associated with density.

- Does a neighbor have the ability to grant an easement?
 - Response: Yes, the County allows what is called a setback easement. This extends the setback on to the neighboring property. The agreement needs to be formalized—just a verbal “ok” from the neighbor is not sufficient.
- Are there typically setbacks for non-buildings in agricultural areas?
 - Response: Yes, it is typically buildings and disturbed areas where there are some setbacks that apply.

It was confirmed that greenhouses require some level of permitting, but the specific details were not available at the meeting as the Building Department handles those permits.

3. Review of Land Use and Zoning Issues Related to Cannabis Cultivation in the County Today

Daniel then introduced Joan Chaplick, MIG, who reviewed the results of the interviews that were conducted in advance of the CAG process during April 2017. The purpose of the presentation was to remind the group of the potential impacts, identified by various community members, which revisions to the County ordinance should take into account. These included:

Environmental Impacts

- Impacts from use of pesticides, fertilizers and rodenticides
- Algae growth in creeks and water bodies
- Increased demand for water
- Illegal water diversions and water theft
- Deforestation and soil erosion
- Trespassing and related damages
- Improper disposal of waste, butane tanks, and debris from production and processing operations
- Substandard buildings and structures, electrical utilities, posing safety concerns, fire danger and other hazards for industry workers, nearby residents and the environment

Public Health and Safety Impacts

- Offensive odors for extended periods of time
- Increased local traffic and impacts on local roads
- Increased crime (real, perceived or the potential for)
- Intimidating presence of guard dogs, specifically pit bulls
- Uncertainty with respect to future landowners and their views
- Landlord and tenant rights regarding cannabis on their property

- Occupational safety and health of cultivation site workers

Neighborhood Quality of Life Impacts; Other Concerns and Impacts

- Indoor growing and related energy consumption
- Size and scale of site improvements
- Size and scale of equipment needed for growing in relation to surrounding residential developments and single family homes

The CAG was encouraged to keep these topics in mind as they considered the current ordinance and any potential modifications.

4. Review and Discussion of Current Land Use and Zoning Parameters for Cultivation Areas in the County and Identification of Potential Adjustments

Following this, Daniel introduced the worksheet which summarized key topics covered by the current ordinance. Sean Powers, Community Development Director, walked participants through the content of the worksheets, which he described as a quick attempt to summarize the current ordinance. A copy of the worksheet is attached as Appendix A.

Daniel asked the group to comment on the chart or ask questions to better understand the County ordinance. CAG members commented as follows:

- There is very little upward change. With R1, 2, 3 you are allowed, and would expect to be able to, grow more on larger, rural properties. It assumes that if you have more space, it would allow more growing.
- Outdoor growing is so limited until you get over 10 acres. This seems restrictive and more should be allowed, depending on topography and conditions.
- There appears to be some confusion between RA estate and RA rural. The houses are built close to the road. Residential areas should be focused on personal use. These are the most sensitive areas. Some grows are close to the house and it feels as if you are on a small lot.
- Right now, there is a maximum number of plants and in higher acreages, a maximum grow area. With the square footage plant count, water use has not been mentioned. We should consider water use and link cultivation capacity to water availability.
- Considers the current ordinance to be a quasi-ban; the policy doesn't reflect what is needed for medicinal and entrepreneurial purposes. Some areas should allow for personal use. Some plants would not fit into the current square footage given the size of a typical plant, which was suggested to be 10 x 10. The ordinance doesn't differentiate

between patient and commercial use; there is no system in place to help patients get what they need.

- The BOS made a very narrow adjustment to accommodate Prop 64. Given the complexity of the issues, it will be difficult to ensure compliance. Enforcement is currently complaint-driven. When a complaint is received, the County looks for things that are measurable and enforceable such as plant count and square footage.
- When we talk about square footage and plant counts, if we are going to consider commercial, then the numbers have to be sufficient to conduct a commercial operation. In response to earlier concerns about water use, the state has a lot of regulations in place to ensure that water is not diverted. If we are taking water use into account, our process can't be arbitrary. We must look at all the uses before we put anything in place.
- When something is designated as agriculture, that doesn't necessarily mean that it is the best use. We should pay attention to the third category, which includes AG, AE, FR and TPZ. These are more nuanced, and we may benefit from some finer distinctions in these categories.
- The current ordinance makes it hard to come into compliance. It would be helpful to know where the current grows are, what is their current zoning and how to help them come into compliance. The current ordinance encourages fragmentation of acreages. We should also consider what we are doing to encourage indoor growing, and its related energy consumption. Some growing is happening close to town; we don't need to push it into rural areas.
- Parcelizing the land creates more grow area. Also, if we have space limitations with the plant counts, we may be requiring growers to jam into a limited area, which may not be the best way to grow. Also, space limits can impact ADA accessibility.
- I encourage concentration on medicinal cultivation which can also be done commercially. This is for public health and safety for the patients. It would be interesting to learn what the demand is for the maximum number of plants, tonnage, etc. Let's do the math and get some numbers for us to consider. Some people want every possible site to be cultivated while other want none. There is also a need to take slope, depth of the well next door and other factors into account. The State will have a designated number of permits for large grows. Can we determine needs and then auction off the permits?
- In response to the calculation of demand, it was noted that patients are scattered throughout the area. Just as rural areas grow food to feed people in urban areas, medicine is grown in rural areas to be used in urban areas. The calculations of need in the County would not represent the demand that the growers need to meet. It's important that we differentiate between personal and commercial.
- The ordinance is antiquated; there are now standards and metrics that were introduced in 2015. If we are not using these standards, we are just throwing out random numbers.

Some grows are very small and only reference 3-5% of the parcel. We need to be sensitive to residential areas. Can we eliminate them in advance?

- There were questions about R3 zoning and what would be allowed. How does plant count apply to a plant that can be moved indoor/outdoors? R3 is denser and includes apartment buildings with balconies. There may be different interpretations of what is allowed. It was also noted that the word “minimum” is missing from the chart. We need to discuss minimum areas.
- There were questions about the other counties and how they arrived at their decisions. Each county is doing what would be best for them, and it might be interesting to better understand their rationales.
- There is still confusion about whether we are talking about growing medically or personally. We are talking about both, and the ordinance prohibits commercial. Concerns were also expressed about water use, logistical support needed (roads, etc.) and how resources are allocated. Some people are afraid to make complaints due to intimidation. We need to determine what role we want cannabis to play in our economy.
- The status of what is allowed in RA is still unclear. These are considered non-commercial areas.
 - RA includes farms and there is commercial activity in these areas. It would be helpful if this could be clarified.
- Measure W was voted down which banned outdoor cultivation and commercial activity. Our discussions need to include commercial use.
- Every number is modulated by the unrealistic setbacks. Even on a 5 acre parcel there’s a 100-foot setback, which greatly limits room for growing; setbacks need to be reasonable. There is an appreciable difference between personal and commercial use, since personal use can be very benign.

Next, Daniel moved the discussion to focus on the next section related to Residency Requirements (Page 2 of the worksheet). He described the general rationale behind this requirement—that it was intended to: encourage locally owned, locally grown cannabis; encourage more vested stakeholders; and provide a basis for permitting, inspection, monitoring and enforcement. He went on to describe setbacks and how they were intended to: reduce proximity to schools, youth-serving facilities, churches and related community uses; provide a buffer for adjacent property; and protect sensitive environmental resources. He summarized additional code requirements and the rationale behind those as well. He asked the CAG for their questions and comments regarding the residency requirement and setbacks.

A CAG member described his involvement in the residency requirement, since his community was impacted by a property zoned R1 with no residents. The property owners tore down the

trees and did some grading so they could grow. When the property was vandalized, the owners put up a sign that said “no trespassing, we have guns.” There was concern this would happen throughout the neighborhood.

CAG member concerns generally fell into the following categories:

Residency requirements

- More than half the CAG members commented generally that they had no concerns about the residency requirement.
- One CAG member noted that non-residential grows have been the most problematic.
- There were some comments about be able to accommodate exceptions; for example, if a landowner owns adjoining parcels.
- Those with concerns about the residency requirement commented on the difficulty of a person trying to establish residency. They gave an example of someone with a 20-acre farm. While they are planning and building their home, the ordinance doesn’t allow them to grow. We need to accommodate this situation by allowing temporary housing or other options.
- Need to consider a transition period to allow for growers who don’t live on their property. This may be possible if security requirements are addressed.
- The residency requirement is a good tool for protecting open space.
- Variances may be a useful tool.
- Need to consider contradictory requirements. We don’t want grows in residential areas, but we have a residency requirement. Requirements can impact caregivers and people growing for medicinal purposes.
- One CAG member described the residency requirement as the most restrictive requirement.

Setbacks

- The greatest concern about setbacks was related to the 600 foot requirement for schools and keeping youth safe. Some want the County to consider an additional buffer. One CAG member suggested a setback of 1,000 feet from high schools.
- There were numerous comments about how the setbacks limit the growable area, and in some cases push the grow area to the least desirable location on the property. One example provided described how the setbacks limited the grow area to the center of a shared road on a person’s property.
- Can setbacks be related to the size of the grow and not the size of the parcel?

- Can setbacks be adjusted so the grow area is closest to the grower's home and not the adjoining property owners?
- Setbacks need to take into account how the parcels are aligned and the different configurations of the property. For some properties, the setbacks eliminate any viable grow area even though it is a relatively good size parcel.
- Want more information about the setbacks needed for environmental protection.
- Concerned about cookie cutter requirements. It may be difficult to fit all types of properties and achieve appropriate environmental protections.

Daniel concluded the CAG portion of the meeting by providing instruction for the next meeting. He asked the CAG members to take some time and provide additional comments on the remainder of the worksheet. He recommended that they take their binders home so they have all the information they need. CAG members were asked to comment on and return the worksheet by Monday, July 3rd at 5:00 p.m.

5. Public Comment Period

The following comments were contributed by members of the public:

- Numerous speakers expressed appreciation to the CAG members for their efforts.
- One speaker referenced a survey conducted by CDFA which surveyed people on the license types they were interested in. A total of 930 licenses were identified in Nevada County. The potential economic impact is huge and can't be ignored.
- A speaker asked, how do we define "reasonable?" The ordinance needs to work for neighbors and restrict access to youth, but it must also allow a level of production that allows them to compete in the marketplace. It needs to allow larger grows.
- I have a 20-acre parcel and nearest house is 600 ft. The setback doesn't make sense.
- Thoughts on measuring demand: give out licenses and let the silent hand of the market take care of it.
- A speaker had a large map of bus stops, which remove a lot of property. He believes that one can grow on 1.4% of the properties. County is significantly limiting what can be grown. (Map is included in Appendix B)
- It's important for CAG members to read state regulations. The commenter spoke for a lot of people who are afraid to show up—lots of people with properties and young families who need some kind of help to be able to move forward. The limitations result in a ban. Owns 7.3 acres and would like a permit for a microbusiness. He likes Type 1B, Type 1 C, Type 2B, Type 3, and microbusiness so he can be able to produce medicinal products. Noted there is already an economic impact in this County.

- Speaker thanked the CAG for doing some homework, and requested the public receive at least 3 minutes. Compliance is an issue, and to get compliance, it's necessary to engage with your stakeholders. It's an incremental process.
- Outdoor cultivation is a smart business. Prioritize actionable items and incentivize those who are doing it right. Environmental impact is about health and safety. Ninety-eight percent take a priority in environmental impact. Don't penalize the remaining two percent. Need to look at license types for CDFA license types.
- The list of concerns presented did not include one patient advocacy group and no patients, advocacy groups, etc. were spoken to. I believe our focus and highest priority is to bring medical marijuana to the people. I live on a parcel that was 10 acres and setbacks eliminated the ability to grow. The current ordinance is punitive, not written to address the needs of our community. Please keep patient needs in mind.
- Speaking for patients and commercial growers. They grow for two reasons—either medical for themselves or for others who need it. Since they can't afford the medication, they will proceed illegally. For commercial growers, it all comes down to economic activity. In 2012, when the emergency ordinance came into effect, 90% of neighbors got in compliance and didn't stop growing. I encourage people to default to state regulations. Commercial growers are not going to stop.
- We need an economic impact report. The County must get this information. There are concerns about greenhouses and setbacks, and about people who can't enjoy outdoor grows—they don't exist. Doesn't believe odor is an issue. These meetings are covered by the Brown Act. Previous meetings were not be covered by Brown Act, so shouldn't these regulations be nullified because they were illegally gathered and illegally passed?
- Consider what our relationship with cannabis would be like if prohibition had never happened. We would have learned what it can do and how to farm it properly. Consider this as a human plant that shouldn't be demonized. The speaker offered CAG members a tour of his property, on which he grows medicinal marijuana to a very high standard. He considers his farm a "best practice" and one that can offer a good educational experience.
- The CAG has a difficult job. The closer we are to state law, the better. Let them do the hard work. Please look at those regulations, and remember Measure W, which was about banning outdoor and commercial and was voted down. This is not just about cultivation; there are other license types that must be considered.
- We need the CAG to hear more from the cannabis growers: here's what I have been doing, size of my parcel, etc. They could lay out what a cannabis industry in the County might look like. Look at the bigger picture. Where can these be accommodated?
- This is a hard job, with a lot to consider and a lot at stake. I want to emphasize the big picture. The industry is already here and in place. It's part of the economy and the culture. The current proposal is too restrictive. This will result in evaporation of the

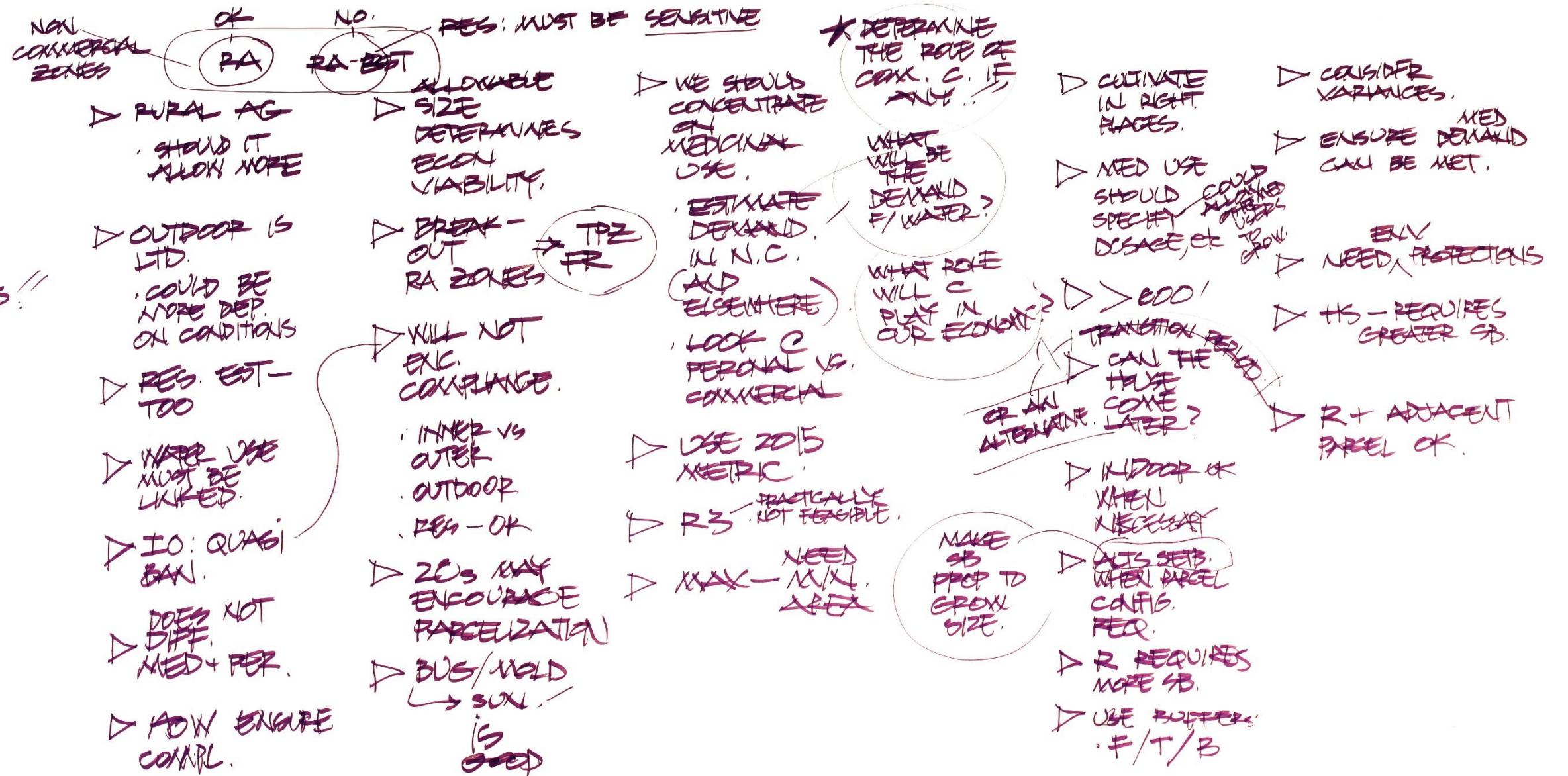
community. Can't meet the demand level, and there are no easy dollars even for cannabis farmers.

- Interested in license type 4- nursery cultivation. Want to introduce this permit type to the table—it is extremely different from cultivation. I hope these regulations are different.
- I am a farmer and grow CBD flowers for a local manufacturer. I encourage a regulation that encourages compliance. Rural designation, agricultural operations, natural resource uses and residential are of equal importance. Parcels can be as small as 1.5 acres. I don't believe my neighbors can't see my garden, so I cooperate with them to avoid problems.
- Very concerned about how discussion is being framed. Two minutes is too little time per speaker. We are using antiquated thinking and not current data. CBD is the basis for our health. Focus on helping the largest number of people, including children, people coming off opioids, and others in need. The regulations are coming from a punitive/enforcement standpoint. Can we produce the best medicine that will help the greatest number of people?
- I have been involved in two areas related to the ordinance, and believe that requiring indoor gardens is in no one's best interest. I've evaluated Title 24 requirements. Our ordinance does not come close to meeting good standards. Many elements are arbitrary and capricious, and put an unnecessary strain on our grid by forcing people indoors when they could be growing outdoors.
- The 348-member Cannabis Alliance will be conducting a survey, which will be done by the 5th meeting. How are we judging the success of this process? We win when we bring as many cannabis operators as possible into this regulated fold. For setbacks, let's not use arbitrary numbers, but do what actually makes sense. Look to our neighbors. Review our submitted packet for information.
- I served on the board that buys water from NID. Between 2013-2015, water use dropped substantially, but it went up last year. Please review state licensing requirements. These will be required by state. Measure S was opposed because it took property right away from owners—not a good measure. Permits from the state will have several requirements.
- Working with state on regulations and concerned about access for medical users. There are problems with residential land use; those most affected are usually poor. It's a defacto ban. They can't grow indoors due to insurance limitations. Need to help people grow on their lots. In El Dorado County, bus stops had a huge impact—consider removing this. Setbacks are eliminating people's ability to grow on 10-20 acre lots. We need commercial cultivation since that protects patients' rights.
- Most interested in hearing from people opposed to growing to help better understand. Many people live in the country so we can stay away from government.

- The reality is that cannabis is here and it's been voted in. The regulation is a defacto ban—no one can make a living based on these numbers. The CRDA identified a variety of license types and agreed with the residency requirement.
- Used to be able to sell products in San Francisco for a reasonable price. Many long time residents have been growing for years. It is part of their agricultural tradition and should be maintained. I want to see the community work together to protect cannabis cultivation.
- I'm very pro regulation. I have some awareness of need for medical cannabis. I live up on the ridge; it took a while to learn the full presence of cannabis in my neighborhood. Use of CBD changed my life. Would like to be able to legally help those who want her product.
- What's happening is the market is squeezing out small growers. Regulations are making it harder for a small-scale farmer to make a living. The black market is shrinking. Cannabis growing is going to shrink and impacts will shrink as well. Nevada County has a limited time to take advantage of this if you care about our economic viability —we have already had our mad rush. Current growers should get a two-year grace period to come into compliance. Low-tech impact manufacturing should be done on their property where they live. There's an election in June.
- Commenter referenced a show on CNN entitled, "Weed." We have been indoctrinated with negative info. A re-education process is needed. We need regulation. It's a benefit. Surprised the State has come up with a program; we should be able to follow it too.
- Read on the Nevada County website about recreational vehicles and how we may have the option to pull a permit. Seasonal stays are permitted on a resident's property. Every person can live on their property while they are building, except cultivators. Why are we excluded?
- A speaker stressed the importance of transition periods, citing language from the Sonoma County ordinance. We need some local authorization before 2018 so our farmers are not left behind.
- A farmer explained: I'm in it for the money. If we were talking about any other industry, it would be easier. Please look at setbacks again—they may be too limiting. Can we have a setbacks specialist? If I follow setbacks, I will be growing in most inappropriate place on the property. Indoor growing is very environmentally unfriendly. Consider the nursery license opportunity—it has fewer impacts.

Wallgraphic notes taken during the meeting are shown on the following page. The Cannabis Lane Use and Zoning Worksheet is attached as Appendix A; Comment cards and comments submitted via email by participants are attached as Appendix B.

NEVADA COUNTY



Nevada County Cannabis Regulation Community Planning Process CAG Meeting #3 June 27, 2017



Nevada County Cannabis Regulation Community Planning Process

Summary of Community Advisory Group (CAG) Meeting #4, July 11, 2017

Prepared by:



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July 2017

Introduction

On Tuesday, July 11, 2017, Nevada County convened the fourth meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the fourth of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, lead facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. Fourteen of the 16 members of the CAG were in attendance. Matthew Shapero resigned from the CAG since he is leaving the area, bringing the membership to 15. Approximately 40 people attended along with representatives of local media.

Daniel reviewed the meeting agenda and objectives, which were to:

- Review basic County permitting concepts
- Review and discuss current land use and zoning parameters that apply to cannabis cultivation in the County and identify potential adjustments

He previewed that the CAG would dive into the County's permitting process- first- as it relates to all uses and then talk specifically about cannabis related issues.

Daniel noted that all CAG members responded to the worksheet assignment and that we would be sharing the compilation at a future meeting. He also asked that every CAG member own the issues of all the CAG members so that we can work together to hone in on our

recommendations. This will set the stage for future discussions and for compromise where needed.

Daniel provided a brief review of the phased discussions topics and noted we would be focused on permitting this afternoon.

2. Review of Basic Permitting Concepts

Craig Griesbach, Director of Building, provided a review of basic permitting concepts. His presentation covered a brief overview of the permitting process and the activities they perform. They serve as a central hub since they see projects through from beginning to end. They follow mandates provided by the state, which apply to all uses no matter what you build, and are not specific to cannabis. He described how the plans are routed to specific departments, depending on the features of the project, and provided a general review of the process.

He emphasized that the main reasons for getting a permit include: safety, investment protection, property value and for future real estate transactions. This was followed by several photos of what we want to avoid. It should be noted that the photos were not specific to cannabis related activities. They showed illegal grading, substandard construction and other issues. One photo featured a home that was built 90% out of garage doors.

Daniel then asked the CAG members if they had any questions. They asked the following:

- What is the permitting process for greenhouses?
 - Response: They are the same as if you are building a barn or other structure.
- Is there a minimum square footage that requires permits?
 - Response: Yes, and it depends on parcel size and zoning.
- The commenter referenced agricultural grading and noted there are some exceptions allowed. If there is illegal grading, is there a waiting period required?
 - Response: The County will need to check the details before responding further.
- What is the process if you move to a place with unpermitted activity? How do you remediate?
 - Response: You go through the same exact process, as if it never happened. You'll need to have plans for the site. It depends on the project. You document what exists and the County tells you what is needed.
- What about greenhouses?
 - Response: There are some exemptions with high tunnel and low tunnel greenhouses; otherwise, they are treated like a regular greenhouse.

3. Review of Permitting Issues Related to Cannabis Cultivation in the County Today

Sean Powers, Community Development Director, showed some examples of unpermitted grows. The photos featured a variety of electrical and mechanical issues that were obviously unsafe. He explained the potential fire and safety hazards they can create. He showed additional photos that featured activities including unpermitted grading. He showed some before and after aerial photos of the same site to show the level of change occurring in the County over the past few years. These photographs were taken in Rough and Ready, east of Nevada County airport, You Bet Road and North of Rollins Reservoir. The photos showed notable areas that had been graded and clear cut to accommodate cultivation. He emphasized that the whole point of permitting is to better manage these activities. He closed with a photo from Hayfork, Trinity County in 2015 that showed significant cultivation areas and the related impact on the landscape.

To accompany the next segment of the presentation, the project team distributed a diagram which showed an example of a process outline for cannabis related permits. The intent was to provide a list of the different components of the County's typical permitting process that would need to be addressed. The proposed process was adapted from the County's existing process. Sean then reviewed the diagram, and described the activities included and required in each part of the process.

The diagram included a list of the components of a complete application. Following the application submittal, the County would inspect the property. The diagram listed the activities and what would be verified or confirmed. This is when the permit is issued. Prior to cultivation, the County would conduct an inspection to verify and confirm that what was proposed had been implemented as described. Finally, the County would conduct an inspection annually during the grow season.

Daniel then took questions on the permit process outline and also received comments from members of the CAG.

- A CAG member wanted to know what the County sees in terms of non-cannabis related violations. Are we treating cannabis differently?
 - Response: unpermitted building activity is by far the majority of our code violations.
- What if person has unpermitted activity on their property?
 - Response: The County has hosted a property compliance workshop to help people understand what they need to do. There is also the as-built process. A resident coming forward requesting help to learn how to be in compliance is seen as a positive step, and the County will work to help you get in compliance.
- There was a question about the environmental degradation being representative of what's happening in the County. The questioner referenced the description of a major

grow as including a 2,000-3,000 square foot greenhouse, considering this is small when compared to the state standards. It was also suggested that it would be very helpful if there were a transition period for those who step forward and that they should be given a reasonable period of time to become a viable business.

- One CAG member asked how large grows are brought into compliance.
 - Response: It was explained that the County would review the rules and explain where you're at and where you need to be. For the recent grow site involving 800 plants that was in the news, the County responded that there were numerous issues on this property, along with a large number of plants.
- There was a question about the time allowed for something like an accessory structure to come into compliance.
 - Response: It was explained that the County will tell the property owner what is required but it's on them to make the corrections and they set the timeline for this. During inspection, when the County sees unpermitted activity, they have to fix that along with meeting their requirements. The timeline is up to the permittee; they have all the time they need to fix the problem unless they get a complaint specific to that violation.
- There were comments about how we describe "what we grow" and that there is a need to understand what is considered major and minor.
 - Response: The recommendation from the County is to come in and ask before you do anything.
- Would annual compliance inspections be mandatory? This may create a bottle neck in the permitting requirements.
 - The County's response is to make sure we have the resources in place for the permitting process.
- Additional concerns were later expressed about the County having enough inspectors and the number of inspections the process would require. There were also concerns about the costs.
 - Response: What we measure and inspect will drive the costs.
- There were comments about how a grower can come into compliance with such strict requirements. The grower may not be able to see themselves coming into compliance and as such may determine they will go over the requirements.
 - Response: The County responded that today we are focused on the general process and not the specifics.
- A CAG member expressed that what they heard so far was reasonable, and that they had a question about the LiveScan requirement related to the County, noting that drug activity would be a limiting factor.

- A CAG member commented that permitting applies to outdoor cultivation, and that we have to figure out requirements related to indoor growing since we don't spend a lot of time inside people's residences.
- A CAG member mentioned the City of Fontana lawsuit where they are inspecting personal grows.
- There was a concern about the risk of a loophole forming. State law allows 6 plants; will the County require a permit for a single plant grown outdoors?
 - Response: State regulations allow the county to require permits.
- A CAG member strongly opposed disqualifying people from non-violent drug related offenses. There are many people have been treated unfairly, especially minorities, and we should correct the situation.
- A CAG member commented that they assumed a cultivation plan will be needed by the County. Having some type of plan would encourage compliance. There could be different levels of compliance depending on the activity and property size.
- There was a concern expressed about what is being allowed in R1, R2, and R3. Currently cultivation is not allowed in these three zones, so no permit would be issued. Can the County require that you follow the rules without doing inspections? It doesn't seem practical to inspect 6 plants, especially those grown indoors.
- The requirements are appropriate for a licensed business, but six plants or less and minimum square footage shouldn't require a permit. He used home brewing as an example where no permit is required. The State will also have requirements and look at redundancies and determine if we are seeking to be more stringent than the state. Application permit fees can fund the inspections and pay for needed staff. If it costs a million dollars to fund the program, we want to have a sufficient number of businesses to make it work.
 - Response: The County responded that they are customer service driven, so they have to be staffed and ready to respond.
- There was a positive comment about the process and that it tracks with what is existing. Concerns were expressed about personal vs. commercial, duplication of LiveScan and anything done by the state. We don't want to be punitive, but reasonable and practical.
- There was a question about indemnification. With the grower applying for a permit, this puts the responsibility on the growers. It addresses some bad actors who start the process but don't finish. Want to reiterate concerns about LiveScan and the types of offenses that prohibit people from getting licenses. The County can make it more strict and this triggers fears that the County can be punitive.
- There was a question about the reference to County Well on the diagram
 - Response: It relates to environmental health and verification of water service or source; we want the wells to be properly installed.

- A CAG member asked: What is our task? It's my understanding the CAG will make a recommendation touching on a variety of topics. That being said, at some point, we will come up with a recommendation and then we will defer to county staff to run the process. While I like and agree with the process, it feels like cart before the horse. This appears to be a process that will be a work in progress. If we drill down and nitpick every line, we will be here forever.
- There was a comment that we are not going to change the fact that commercial activity is incompatible with residential use. Being punitive is not an inherently bad thing; in some cases we need to be punitive to get the type of compliance we want. The penalty needs to be high enough that it is not considered the cost of doing business. We also need to be able to address the people who are never going to come into compliance.
- It was expressed that there is a distinction between being punitive after someone is out of compliance versus the attitude that applies to someone just setting up a new business. We don't want people to feel they are being singled out and the language we use is important.
- It was mentioned, in reference to LiveScan, that a teacher needs to have a LiveScan, and every district needs to do one; if they transfer and move it has to be done again. This is because some information is only kept at the state level.
- A CAG member commented that working with children, they have been required to have countless LiveScans and this is appropriate. This is not appropriate to someone who has a minor infraction. This may be an area where we have further discussion. People who write the regulations have the ability to make things difficult and burdensome.
- It was noted that although we decriminalized cannabis, someone with a history of trafficking is a concern. There is a basis for not granting access to this market to people with felonious activity.

4. Review and Discussion of Current Land Use and Zoning Parameters for Cultivation Areas in the County and Identification of Potential Adjustments

Daniel wrapped up the permitting discussion, then returned to the Land Use and Zoning worksheets to get feedback on the section related to additional code requirements and the final page of the worksheet from the last meeting. CAG members provided the following comments.

- Cannabis grown under lights should also be shielded. There should be mitigation for energy use. It's been cited that cannabis uses 10% of all energy. LED lights would be a nice adjustment.

- Water diversions are a high, egregious, negative impact. There should be no slack and no compliance time on this one.
- Regarding accessory structures, I don't believe in a solid wall; I'd like to see more open air growing
- The section related to hazardous materials should include language specific to the types of butane usage.
- Recommended that the setbacks from schools be increased to 1,000 feet.
- So much of this is addressed by the state.
- We have an opportunity to have more nuanced language than the regulations do. If there is no access or visibility to the property, we should be more nuanced about how we address the concerns of schoolchildren seeing and having access. If the objective is achieved, it might be a reason to allow some variation.
- The security required not only keeps out criminals, but it will also keep children out.
- Comments regarding 1,200 watts and setbacks allowed in proportion: Are we setting up regulations that people can follow? Can we address the carbon footprint and ensuring net zero impact?
- Setbacks need to be proper when residential is nearby. This is one of the difficult areas, and will require some study and options.
- Where there is no exterior evidence of cultivation, don't current fence ordinances cover this or are we requiring higher fences? It isn't reasonable.
- Sonoma County's setbacks seemed more reasonable; they used 600 feet from schools and youth-related facilities. Ours is more restrictive.
- Isn't the person at the counter accepting the application able to determine some of the nuances—e.g., distance from a bus stop? Some things are at administrative discretion and some are hard-wired.

Daniel closed the discussion and moved on to the public comment period.

5. Public Comment Period

The following comments were contributed by members of the public:

- I reviewed some of the numbers referenced by the sheriff's office. The cannabis industry in the County is worth \$530 million. Currently the County has 330,000 pounds of materials, which divides down to 733 acres. If we break it down by 10,000 acre parcels, you get 700+ parcels. Counties can tax materials and possibly yield \$16 million extra dollars. (The hand out is included in the appendix.)
- I want to be in compliance, to get 10,000 square foot license and be part of this industry. Much of what you recommend has to give us the tools so we can be part of the industry. You can't ignore what other counties are doing. There was a comment about

the value of the crop relative to the fine. In the market, things are moving fast. We may have to close our farms if we can't keep up. The costs of producing are getting higher and the prices at which you can sell are declining.

- Look to how the state is defining things, especially as it relates to the size of the grows. Our language should reflect this. A major grow is 40+ acres. Cannabis Alliance prepared a comparison binder full of details and they are presenting it to the CAG and project team. The Alliance is doing a survey, and they are in Phase 1 of that effort. The head of the growers' association will be speaking about the current state legislation this coming week. Those interested can get details from the Alliance.
- A community member recounted the history of the ballot measures and the number of people who voted for each measure. Measure W was defeated. They stated that "we believe in small, sustainable family grows."
- Some of you don't know a lot about cannabis. My kids turned out okay even though I have smoked my whole life. There are a lot of people whom you would be surprised to learn are users. They are the people who provide you services. I recommend going to Wade's farm, taking the tour and learning as much as you can about cannabis.
- Expressing thanks to the CAG. I want three minutes for the comment period. There are a ton of rabble rousers—SYRCL, co-ops, etc.; all were met with opposition. Many of us have been involved in activism and this is our community. We are here because we want to be active. The permitting and compliance process fails 90% of the time. We don't have a process that works. Bring people in slowly, allow them to interact and we will have success. Setbacks and septic systems don't work in our community.
- I just came back from the State Department of Technology. The process for securing a permit will be challenging. The state regulations will make it plenty hard and I'm hoping the County will make things easier and not add to the burden. Under the final compliance process, inspection will be conducted before it starts. I do not want to be out of compliance. I hope the County would open the list and let us know what is required in advance. I suggest that instead of an annual inspection, the County have a self-reporting system and random inspections.
- I am an advocate for alignment with state regulations. Assuming we have already solved issues like noise and odor and that we are working for solutions, state guidelines are higher and the Water Board is addressing environmental regulations. Our land use should be aligned with the state. I shared a summary of a document that is included in the appendix. If we have solved these issues, we should align with the state.
- I am a smaller farmer and I really want to comply. Size is relative, and if you are paying attention, the grows in comparison are not that big. We need the sizes to be functional. Look to the state laws—they have done the work—and look at what has been done. Those who comply will do so, and those who won't will really stand out.

- I am a retired school teacher of special education. I am coming out as a cannabis user and have gotten tremendous relief. I loved it here because of the values; we are concerned about the environment, water use, etc. We are reasonable and all want the same things. How will I, with my small garden, be able to grow my plants? Look to the state for what has been figured out and learn from the pitfalls of other counties.
- To compare an existing agricultural sector, vineyards—a small winery is 10 acres and that requires clear cutting. What we are trying to address exists in other industries.
- Measure W would have banned all outdoor and commercial cannabis, and it was defeated. Sixty percent wanted the right to grow cannabis outdoors. Six people out of 10 are in favor of personal outdoor grows. People voted for freedom and not setbacks or a ban on outdoor cultivation. They want to grow their plants outdoors as God intended. Voters favor outdoor, regulated cannabis cultivation.
- If you want to encourage enrollment in the process, design a process that creates a viable pathway forward. Requiring cultivators to be 100% in compliance before getting a permit for cannabis is a perverse disincentive. I propose a two-year transitional process and creating a registry so the County can prioritize county growers who are working to do things in a mindful way. Fees could cover the expenses and support addressing those that are out of compliance.
- I am a patient group advocate and have no economic role in the process. Caregivers grow for patients, and the application process puts them in a bad way. I have concerns about the 1,000-foot setbacks. Bus stops should be removed where they are often unused. Allow them to grow the medicine they need.
- I am pleased by what I heard about how many farmers are eager to be in compliance. I am working to create an appellation for the County which will include heavy organic requirements, similar to what the wine industry has been doing. This is important to a lot of us farmers.
- This is a very committed community of cannabis advocates; I appreciate how many people have come out of the closet. However, some people have been pushed further underground. The success of this effort is measured by how many people can enter the market and be successful.

6. Review of Upcoming Meetings and Next Steps

Daniel closed the comment period and then reviewed upcoming meeting dates, noting that the agendas would include guest speakers. Amber Morris of CalCannabis will be speaking on July 25. At the August 8 meeting, Remleh Scherzinger, the General Manager of the Nevada Water District (NID) will speak about water.

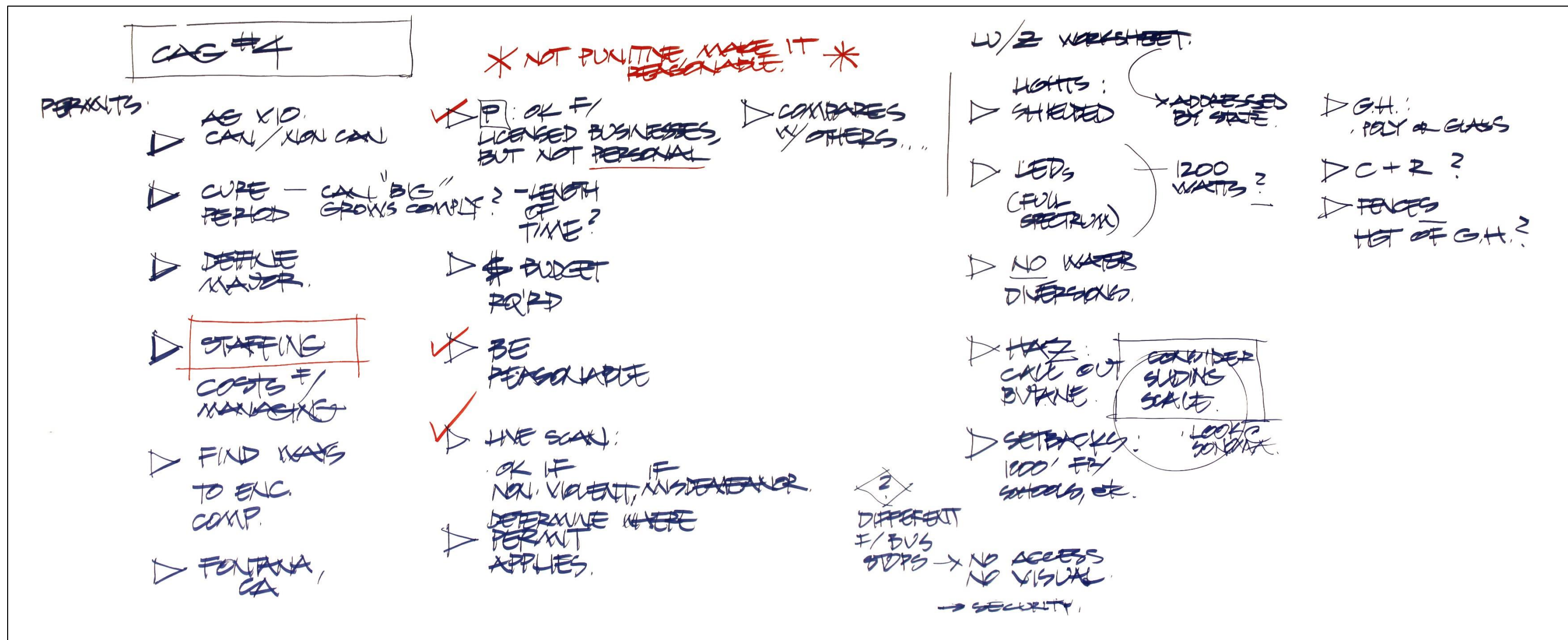
Daniel reminded participants that Meeting #7 is on August 22 and Meeting #8 is on September 12. He also asked the CAG to reserve the following dates: September 26, October 10, October 24 and November 7. This would be to accommodate additional meetings or to adjust the

schedule of Meetings #7 and #8. Daniel concluded the meeting by asking CAG members for any topics they would like to have covered at future meetings and for any final comments. CAG members responded as follows:

- Want information about current grows in the county and zoning.
- Circle back to the question of what the region and surrounding counties look like. Where is the state? Where do we fall?
- Is cannabis an agricultural product?
- Discuss parameters of what we are going to allow; what state licenses cover and what will be allowed in the County.
- How do we ensure medical users are taken care of? Also, what are the next steps regarding the CAG member who resigned. Please have speakers who are up to speed with accurate information on benefits and uses.
- Requested that speakers giving comment include citations when providing numbers.
- Provide resources to CAG members in advance of meetings to help them prepare.
- Want good facts and data from speakers.
- There are a lot of resources. The more we can understand the state regulations, we can focus on our scope.
- Want clarity around personal and adult use and the distinctions between.
- Concerned about timing and our ability to meet the timeline. We hope the BOS is informed and up on the learning curve.
- Want the speakers to be solution-oriented. We need to set aside our fears and biases and focus on what will work. I hope the BOS recognizes that we are putting a lot of time into this, and that they don't ignore our recommendations.
- This is perfect timing to bring in someone from the State Water Board.
- Have been out in the community listening so I can be the best CAG member I can.
- Interested in hearing from the state representative.

Sean provided a short update on resignation of CAG member Matthew Shapero, who left the area to take a job in Ventura County. The BOS decided they would hold a short application process for a representative of agricultural interests. We hope the BOS will accept the recommendation and that we have a representative at our next meeting. The chosen applicant will get a crash course in the CAG and be able to attend the next meeting.

Daniel thanked everyone for their time and reminded everyone the next meeting is on July 25. Wallgraphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.



Nevada County Cannabis Regulation Community Planning Process
CAG Meeting #4
July 11, 2017



Nevada County Cannabis Regulation Community Planning Process

Summary of Community Advisory Group (CAG) Meeting #5, July 25, 2017

Prepared by:



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August 2017

Introduction

On Tuesday, July 25, 2017, Nevada County convened the fifth meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the fifth of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting or the presentations. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, lead facilitator, welcomed the participants and briefly reviewed the agenda. Daniel asked for comments on the summaries from Meetings #3 and #4. No changes were requested and MIG will finalize the summaries.

Daniel noted some important upcoming dates. The next CAG meeting is August 8. The August 22nd CAG meeting will be cancelled. On September 5 at 9 a.m., the BOS will host a special meeting to receive an update on the CAG process. CAG members are requested to attend. The next CAG meeting will be on September 12. After that, we expect to be meeting sometime in October with the 3rd, 10th and 24th as potential dates. Daniel provided a brief review of the CAG process to date and then introduced James Drew as the newest CAG member. James was appointed by the BOS to fill the vacancy created when Matthew Shapero resigned from the CAG due to his relocation to Southern California.

2. Presentation of State Cannabis Regulations

The bulk of the meeting focused on presentations by Amber Morris, the Branch Chief, CalCannabis Cultivation Licensing, California Department of Food and Agriculture, and Arthur Wylene and Paul Smith, Rural County Representatives of California (RCRC). To start, the RCRC

representatives provided some information about their organization. RCRC is a member organization that includes 35 rural counties, including Nevada County. RCRC lobbies and advocates on behalf of rural county government. They seek to help policy makers understand and respond to the unique needs of rural counties. They also emphasized that the presentation is not an avocation for cannabis—it is intended to be informational and explain the consequences of the different routes that can be taken.

Key Documents and Policies

The presentation started with information about key documents and policies that have influenced cannabis policy at the federal and state level. These include two memos from the US Department of Justice: the Ogden Memo and the Cole memo. The Ogden memo noted that federal resources would not be focused on actions related to the medical use of marijuana. The Cole Memo provided guidelines for state and industry players to minimize federal intervention in enforcement of activities related to distribution of marijuana to minors, revenues from sales, diversion of marijuana from states where it is legal and activities related to other drugs or illegal activity. Basically, it made these a low priority for prosecution. This is not a law and the memorandum has not been disavowed by the current administration. The Cole memo is relevant to track and trace. They also mentioned the Orbach amendment, which puts a restriction on the DOJ spending federal dollars related to medical marijuana. It expires September 30. It's a liberalization as to the reach of the amendment and only applies to medical and not adult use. The current administration recommends not renewing this amendment.

They reviewed key legislative activities at the state level, including the 2015 Medical Cannabis Legislative framework established by state legislature and Prop 64, which was approved last November.

They noted some key provisions, including that Prop 64 allows 6 plants indoors in a residency or accessory structure. Local governments can't ban this but the law allows them to "reasonably regulate."

They shared an example where the City of Fontana was sued because the restrictions they put in place, in their totality were considered by the plaintiff, the ACLU, to be unreasonable. They included a requirement for a permit, landlord consent, inspection of grow site required, background check for all personal growers and exclusions for people with certain criminal backgrounds. The City put these provisions in their ordinance. The fact that it has been challenged gives us some idea of where the line is, but the case has not yet been resolved by the courts. It was filed recently, on June 5, 2017, and the case is pending in Superior Court. It will likely take 12-18 months for a decision, then another 12-18 months for an appeal.

They noted two key points regarding restrictions the County could put in place: 1) The County can prohibit use while in County-owned facilities; and 2) Employers have the right to maintain a

drug-free workplace. An employer can impose a zero-tolerance rule if that is what is desired in that workplace.

They clarified the reference to the 1,000 foot versus 600 foot setback. 1,000 foot applies to personal use, 600 foot applies to businesses.

Cannabis Budget Trailer Bill

In late June, the Cannabis Budget Trailer Bill created one framework to administer the policies. Other states encouraged California to have one set of rules so compliance is easier for everyone. It helps ensure compliance and helps people comply. However, a local jurisdiction can separate the two and allow only medical cannabis if they want.

The Cannabis Budget Trailer Bill must follow the Prop 64 model, and it will need a two-thirds vote to change. This bill is the law of the land today. It went into effect on June 27th and Nevada County is not waiting until January 1st.

Key Local Control Provisions in the Cannabis Budget Trailer Bill abolished the dual licensing scheme. It's been suggested a local jurisdiction adopt a licensing scheme at the local level. This is not prohibited, nor is it required. Ordinance 26055 (d) of the MCRSA was very clear—without a local permit, no license will be issued. This changed with Prop 64, in which the State can't issue a license that is in violation of local statutes. The RCRC suggests that local entities not be silent on topics- it's better to be as clear as possible.

Regarding state verification of local approval, how does state know what the local rules are? There needs to be some type of communication, proceeding via the following steps: 1) The jurisdiction must send a commercial ordinance to the state bureau. This gets circulated to the other agencies. 2) The agency sends the local jurisdiction a notification asking, are they or are they not in compliance with the local ordinance? There are three options for response: if yes, the state proceeds. If the local jurisdiction says no, the state denies the application. If the local jurisdiction does not respond at all within 60 business days, the state can presume the applicant complies and proceed with licensing. This is not quite a "yes," since if they find out the person is not in compliance, the locals can notify the state and not renew the license.

Another key aspect of the Trailer Bill is ending the collective and moving to a strict licensing scheme. The law says that a year after state licensing authorities begin issuing commercial cannabis licenses, Health and Safety Code 11362.775 (providing for marijuana collectives and cooperatives) is repealed. The intent is to remove any grey area regarding what activity does or does not require a license. The state is working to see if applications can be accepted prior to January 1.

A CAG member asked what the BOS' position is on commercial activity. The response was that it was suggested that the County create a commercial approval process ahead of time and seek to align with some of the state license types. Another asked, can a County allow commercial activity for medical cannabis only? The response was "yes."

The Trailer Bill allows license exemptions for personal grows and patient caregivers, but these are still subject to local regulation.

There is a temporary CEQA exemption imbedded in SB 94, to incentivize locals to do the necessary CEQA work ahead of time. The exemption is in place through 2019, and applies to local ordinances.

A CAG member asked, if the County enacts a permitting ordinance and issues permits, do they have to comply with CEQA? The response was “yes.” The CAG member asked whether that means that if they don’t issue permits, there is no CEQA requirement. The response was that no, that isn’t quite correct. The ordinance typically requires CEQA. In addition, the approval of a permit is an action that can trigger CEQA.

If you’re in a local jurisdiction that provides for future permitting, no CEQA is required at the time of adoption; you just need to do CEQA review as permits are received. It encourages a process where the review is done once at the local level. The ordinance must be adopted by 2019 to qualify for this exemption. It allows CEQA to be done when individual applications come in. For the statewide program, they have been unable to analyze certain areas because they don’t know where the grows will be. In terms of CEQA, you must look at the baseline and what impacts licensing will have on that baseline. It could be beneficial, since permits and requirements may reduce the impacts and baseline.

CEQA must only be done once, and done locally at the site-specific phase. The person applying is the one who would pay for the CEQA review. There is a timeline on CEQA: past July 2019, you miss this exemption.

A CAG member whether the patient caregiver exemption addresses this. The response was that the patient caregiver is exempt from state licensing, but not exempt from CEQA.

Other Regulations

A County has both explicit and broad taxing authority over cannabis. The process for approving a tax on cannabis is the same—it still must go to the voters. The language in Revenue and Taxation Code 34021.5 cuts the resolution timeline from seven years down to three years. This will lead to lawsuits being filed.

The speakers briefly reviewed cannabis license types. There are certain limitations on licensing types, and the State will likely distinguish between adult use and medical use. A CAG member asked: if you have a specialty cottage license, is it one or the other? The response was that one person can have a combination of licenses that total up to 4 acres.

There is no requirement that permitting must be in place by Jan 1, 2018. However, it’s advised that if you want to get into commercial growing, you should do it sooner rather than later. There is a priority for local applicants in good standing—they will go to the head of the line—so having a permitting process in place could be helpful.

If you don't have a local license, you can't get a state temporary license.

CalCannabis is deploying two technology projects by January 2018; one will allow cultivators to apply on line and the other is the track and trace system. The vendor for the Track and Trace system has been selected, and they have a solution in place.

Licensing requirements are based on legislation, which is complicated. It is not a simple or easy process. The law has dictated the requirements.

Regarding mobile deliveries, a local jurisdiction can prohibit or regulate them with their authority, but can't prevent delivery personnel from traveling through their jurisdiction on public roads.

Local enforcement has broad authority; State or County regulations cannot be interpreted to supersede or limit local authority for enforcement activities. Indoor and outdoor cultivation of cannabis must be conducted in accordance with both state and local laws. The California Department of Food and Agriculture is authorized to enter into cooperative agreements with County agricultural commissioners to administer, investigate, inspect and license medical cannabis cultivation.

Cities may have a regulatory function. For facilities issued a state license that are located within a city's incorporated area, the city has full authority to enforce the regulations if so delegated by the state.

Background checks will be required for licensing. Local requirements are allowed to exceed state requirements, but this is likely to be litigated. The state licensing process will be strict.

Retailers are required to implement security measures to deter and prevent diversion of cannabis and related products. They are also required to notify the licensing authority and appropriate law enforcement authorities within 24 hours after theft or diversion.

Transport requirements focus on transport between licensees and licensed distributors. They authorize limited cannabis transport between licensees and licensed facilities, with requirements for bonding and insurance, minimum security measures, electronic shipping manifests, and prohibit local government from preventing transportation by a licensed distributor on public roads.

A unified regulatory scheme confers much regulatory authority to state licensing agencies. The Bureau of Cannabis Control regulates retailers, microbusinesses, distributors and testing laboratories; the Department of Public Health Licenses, manufacturers; and the Department of Food and Agriculture Licenses regulates cultivators and nurseries.

Proposed draft regulations from all three licensing agencies were released on April 28, 2017. These will be withdrawn once the Cannabis Budget Trailer Bill is signed into law. New

emergency regulations will be put forth in the summer for both uses. CDFA released a draft EIR for the state licensing program for both medical and adult use on June 15, 2017 with the comment period ending on July 31st.

Proposed cultivation regulations apply to definitions, application, licensing, site specific requirements, records and track and trace, inspections, and enforcement.

Medical cannabis regulations will need to be withdrawn, but they were written so they could be recycled. The State will provide a document with the comments that have been made. Out of 58 pages, there are about 10 areas that the RCRC are going to be reviewing. Emergency regulations put forth in the summer will be final but temporary; the State will have 360 days to finalize them.

For information about the proposed cultivation regulations, the regulations set for medical are a good place to look. The new regulations will cover adult and medical uses. There was a question about cannabis as it relates to agriculture. Cultivation is covered as related to agriculture, but the coverage is only for the act, not for other uses.

Prop 64 was relatively silent on the issue of drugged driving. The state legislature is aware of the gaps and will likely weigh in on this.

Regarding the State tax aspects of Prop 64, the Board of Equalization collects taxes. Proceeds from taxes are placed in the Marijuana Tax Fund and, after covering administration costs, are dedicated as follows: 60% to youth-related use; 20% to environment-related use; and the remaining 20% to local governments (those that do not ban outdoor cultivation or retail sale) and the CHP.

Some rural counties are restricted to personal grows; these include Glenn, Madera, Mariposa and San Benito Counties. Rural counties sanctioning commercial grows include Humboldt, Inyo, Mendocino, Santa Cruz, Sonoma, Trinity and Yolo (for medical only).

Industrial hemp has also been decriminalized and regulated by Prop 64, but it is separate from cannabis and will be regulated separately.

Many Native American tribes want to get into the market. The issue is seeking a license from the state. They can grow, sell, and do everything on tribal land without restrictions. But if they want to sell, it changes, since that requires transportation between licensees.

CAG Comments and Questions

Daniel closed the discussion by asking for comments and question from the CAG. Several CAG members expressed their appreciation to the speakers. Additional comments included:

- A request was made for information from other counties.
- A CAG member expressed concern about overburdening our County. They asked, have other Counties found a way to streamline their permitting process?

- Response: The legislation assumes they have been vetted at the local level. The belief is this is a cooperative process. At the local level, we need to address the local impacts.
- We should populate the ordinance matrix (from meeting #2) with the counties referenced by RCRC.
- The burden for enforcement, inspection etc. is on the local level. We need to keep perspective on the size of County government.
- We should follow the state regulations as much as we can. We need to focus on issues relevant to Nevada County.
- Is track and trace in place and ready to go? How do users access it?
 - The State covers the costs, but costs are passed on to the licensee.
- Regulated product should not be moving randomly in cars. Transportation and delivery is heavily regulated. Law enforcement needs to be able to verify that the licensee is in compliance.
- Does RCRC has a website we can look at?
 - Yes, www.rcrcnet.org, but this presentation is not available on the website. It is easier to call for information.
- A CAG member shared concerns about the County having the resources for a good monitoring program.
- Do you have any caveats for us as we start on our recommendations?
 - One lesson we've learned is that you are going to get sued and must be prepared. Be clear and specific—think through the logic tree. The more you can answer questions before adoption, the more likely it is that issues will be resolved sooner rather than later.
- This process is going to be expensive for the Agricultural Commission. Glenn and Yolo Counties have 1-acre grow sites. Neighbors didn't like having three 1-acre grow sites, and now growers there are hurting. It may also be that sites may not have previously been allowed.
- The suggestion was made to encourage permits versus just relying on zoning. We want to be clear on who can get a permit; the ordinance will address this. Also, we want to help minimize lawsuits by being clear at the local level.
- In every zone, there are uses permitted and conditional use permits. Also, the gaps in CEQA must be dealt with at state level, at County expense.
- I am appreciative that CEQA is site specific.
- A CAG member asked about license types and what they are projected to look like.
 - The smallest types are what the people have been asking for—Type 1C.
- Can you stack license types?

- Response: There's a big discussion going on with this. We could limit ability to stack. SB 94 briefly reviewed the patient caregivers, and we have eliminated collectives. Caregiver cultivation is still subject to local control. They can limit the number of plants and set other limits.
- I don't want the ordinance to permit something that triggers the need for a state license.
- The Nevada County Cannabis Alliance put together two binders that are a great resource. CAG members are free to share the information.

Daniel thanked speakers and then opened up the floor for public comment.

3. Public Comment Period

The following comments were contributed by members of the public:

- If a local County decides they want to stop the state regulations and not develop their own ordinance, would that put all the responsibility on the State?
- We're in position for a paradigm shift, in which cannabis goes from an underground economy to a legal, economic development opportunity which involves adopting the state regulations. We need to look at other frameworks. Why are you not looking at the framework components? The framework listed a range of components. What are the pathways to success? It's a market opportunity.
- I'm concerned about the potential increase in security lighting in residential areas. What are County regulations to control nuisance lighting? LED lights are very bright. I value the dark night sky.
- What does a microbusiness include? What are requirements for a processing center? If feds come to my farm and I'm permitted and licensed, who will protect me? Will the County or State help?
- This process brought cannabis advocates out. I would like our county to be a medical cannabis county. Recreational cannabis is misunderstood. The sooner we can get this done, the better the economic and health benefits.
- This is a sea of complexity, and it begs for simplicity. The more locally variant you are, the more costs and responsibility you bear. Stay with the State and have a good reason when we stray from it.
- There were many questions about funding at the last meeting. If you are a County and you ban outdoor cultivation, will you be ineligible for state funding? Advocating for personal outdoor grows and commerce can make us eligible for funding or else we will have to rely on our own resources.

- The state regulatory framework is complex to say the least. The regulations will function as a natural screen for those not able to meet the requirements. The ordinance shouldn't be so complex that it drives away anyone but the most well-resourced.
- Give us something to comply with, and have it allow us to compete in the market. 10,000 sq. foot is not a huge grow. Personal grows should have a completely different set of rules.
- The process allows for traits and growing practices that define the appellation of origin. They would need to have local and state licenses to push forward. We hope to get the license for these soon. Question: Where are we in the state appellation process and is there any process for us if the County doesn't grant local licenses?
- A member of the community invited CAG members to come see his grow site as a best practice. The state's process is going to be very difficult, yet currently cannabis is a huge part of the economy. He asked that the County have respect for the work that has been done. If the County creates a bunch of hoops to jump through in order to get in line just to do the same with the state, you are encouraging the black market. Also, make the system self-reporting, like our taxes.
- I live across the street from a grower. We smell it and can't open our windows due to the smell. We have grow houses that light up the sky at night. Grow it where it's not in the face of the neighbors, and won't impact neighborhoods.
- Thank you to CAG members who are using the binders provided by the Nevada County Cannabis Alliance. Also, the Alliance recently completed a survey and we are in the process of analyzing the results.

4. Review of Upcoming Meetings and Next Steps

Daniel announced that August 8th is the next meeting, and that the CAG will continue with items they didn't get to during this meeting. The CAG is on the BOS' agenda for September 5. The next CAG meeting following that will be on September 12.

No wallgraphic notes were taken during this meeting. Comment cards and comments submitted via email by participants are attached as Appendix A.



Nevada County Cannabis Regulation Community Planning Process

Summary of Community Advisory Group (CAG) Meeting #6, August 8, 2017

Prepared by:



Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710

August 2017

Introduction

On Tuesday, August 8, 2017, Nevada County convened the sixth meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the sixth of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Joan Chaplick, MIG facilitator, opened the meeting and led the group in the Pledge of Allegiance. She welcomed the CAG members and members of the public to the meeting. All 16 members of the CAG were in attendance. Approximately 18 people attended along with representatives of local media.

Joan reviewed the meeting agenda and objectives, which were to:

- Present information about cannabis as it relates to public health, water resources and natural resources
- Review issues related to inspections, monitoring and enforcement; and
- Recap and review topics discussed to date.

2. Presentations on Topics of Interest

Water

Rem Scherzinger, General Manager, Nevada Irrigation District (NID), provided a presentation on the District's water supply issues and other issues related to cannabis cultivation. Key elements of his presentation include:

- Raw water systems issues include:
 - Safety and theft
 - Wells and ground water use (which can be problematic near large growth)
 - Crop reporting—each crop will need to be identified including area and ETO (evaporation) per crop, in order to report water usage to State Water Board, supporting its effort to better control water usage
 - Capacity fees
- The District is currently updating master plans for raw waters. This includes changing water allocations. The changes will depend on cannabis's designation as either an agricultural or industrial crop, and modifying quantity and quality of water demand.
- Currently, the NID is going to run out of water in 2032.
- With a treated water system, the Urban Water Management Plan needs to be updated to account for the shift in water consumption associated with indoor grows of 6 crops per household.
 - The NID now requests households to sever water connection between home and growing area (such as garage) if they are engaged in commercial or production activity. Severing the connection allows better tracking of the gallons per capita/per day targets for a single-family home.
- Watershed impacts include: pollutants; water quality (for all users); and water rights (imported vs. riparian rights). All waters in the local system are imported water, not riparian, and therefore cannot be taken.

CAG questions regarding Rem's presentation included:

- Question about the new regulation concerning severed water connections for single family homes, including the cost of installing such a system.
 - Response: It was estimated that the cost would be from \$15,000 to \$50 000 per household.
- Questions concerning the estimates for water consumption associated with indoor crops.
 - Response: NID is using what they consider to be an accepted number for average cannabis plant water use of 6-15 gallons per capita per plant per day.

Public Health

Dr. Kenneth Cutler, Nevada County Public Health, gave an overview of the current state of knowledge about cannabis' impact on public health, particularly on youth. Key elements of his presentation included:

- Knowledge about cannabis is still evolving a great deal as more research is conducted.
- Cannabis use is prevalent. A survey taken in 2015 showed that 22 million people aged 12 or over had used cannabis in the past month. The most prevalent use was among those aged 18-25 (19.8% use in the past month). Ninety percent of users say they use cannabis primarily for recreational purposes.
- He explained cannabinoids (which are found in plants and can be synthesized) and the body's endocannabinoid receptors for these compounds. The receptors are located in the brain and elsewhere.
- The known health effects of cannabis include:
 - Evidence that cannabinoids can successfully decrease chronic pain. There are many other symptoms that can be treated with the use of cannabis.
 - Cannabis can impair driving.
 - Where use is legalized, unintentional overdose injuries in children have increased (Colorado saw some decrease after legalization in 2015). Emergency room visits increased in Colorado after legalization, mainly in tourists, and have since started to decrease.
 - In mental health: use likely increases the risk of schizophrenia, social anxiety and depression. Alternatively, individuals with schizophrenia who use cannabinoids may have better performance on learning and memory tasks.
 - There is moderate evidence that cannabinoid use can increase the likelihood of developing a substance use disorder for other drugs.
- Impacts on youth include:
 - It is associated with psychosis and addiction in youth.
 - A survey of local high school students revealed that cannabis use is common in 11th graders, and that they say it can be easily found. Only a quarter of respondents think it can be harmful.
- Policy considerations from a public health standpoint include:
 - The issue of geographic distribution of selling and production points. For instance, we know that certain areas have been disproportionately affected by alcoholism because they have more liquor stores.
 - Quality control and consumer protection is needed, including testing for concentrations of pesticides or heavy metals and accurate information on potency.

- Law enforcement is a concern.
- Age restrictions: the brain is still developing until the age of 25; some public health officers are recommending use be restricted to those over 25.
- Taxation can be a disincentive, particularly for teenagers.
- Consider time and date restrictions (as with alcohol).
- Warning labels for pregnant women and youth help, particularly with tobacco.
- Consider prohibitions on billboards and other advertising in sensitive places, limitations for delivery services.
- Regulate delivery of cannabis: where it can be sold, by whom, etc.
- Consider if edibles and food production are taking place on the same site; safety concern for accidental ingestion.
- A well-regulated industry can have a positive public health effect. The need is to focus on youth use prevention, maternal use and preventing unintentional injury.

The CAG's questions regarding Kenneth's presentation included:

- What are the symptoms of a cannabinoid overdose injury in a child?
 - Response: Rapid heart rate, anxiety etc.
- It's important to differentiate between "does" and "could" when discussing effects (positive and negative) of cannabis. It's also important to differentiate between the risks of non-medicinal use and medicinal use.
- Products developed by pharmaceutical companies are very few and limited now. Other cannabinoids would have to be studied.

Natural Resources

Jerry Karnow, formerly a Game Warden for California Fish and Game, gave an overview of the Fish and Wildlife Service's mission and his experience seeing the impacts of cannabis cultivation on habitat, water, wildlife and fisheries. Karnow was explicit that he was not speaking on behalf of the State and that he was sharing his personal experiences.

- The mission of the Department is to protect habitat, water, wildlife and fisheries. Their main focus is on protecting habitat and water, since these are essential to having a healthy wildlife population. They also provide public safety, as often they are the only law enforcement agency in the areas where they operate.
- Investigating illegal cannabis cultivation, in terms of water pollution or water diversion, is one of the most dangerous jobs Game Wardens must do.
- Negative environmental impacts include: poaching wildlife; water pollution; habitat destruction; poisoning of terrestrial wildlife; illegal campfires and fire causing activity; and unpermitted electrical fire danger.

- There is a cannabis enforcement team consisting of about 40 wardens, as well as other positions to enforce cannabis cultivation and investigate illegal practices and negative environmental impacts.

Questions and comments from the CAG regarding Jerry's presentation included:

- What is the best way to address the issues mentioned?
 - Response: regulate them the same way you would regulate the wine or other industries.
- Negative impacts of an unregulated market place can be fixed with more regulation.
- Are there studies of the watershed's carrying capacity?
 - Response: The work is underway and being conducted by the state pesticides lab.
- Is flyover inspection part of the warden's role?
 - Response: There are flyovers done probably 3 times a year; they are also used for other investigations.
- Does Fish and Wildlife investigate along with the sheriff's department?
 - Response: Yes, we investigate the grows for illegal water use, for instance, sometimes in partnership with other agencies.
- Is it true that Mexican cartel grows are the most environmentally damaging? Is it also true with other types of grows?
 - Response: It depends, but there are sometimes problems with smaller grows in single family homes. Cartel grows are extremely damaging, but others have smaller issues (such as illegal chemical storage, or illegal campfires). There are some growers who have good practices and are good stewards of the land.

Enforcement

Micah Arbaugh, Deputy Sheriff, Nevada County Marijuana Ordinance Enforcement (MET) has worked on the cannabis enforcement team for five years; in that time, he has seen both the ordinance and enforcement change. He presented the work of the cannabis enforcement team from an on-the-ground sheriff's point of view.

- Types of grows include both outdoors and indoors, but outdoor grows represent 90% of investigations. The complaints ramp up in August when the smell is strong.
- In his work, he is stuck between people who hate cannabis and those who love it. There is almost not middle ground.
- The complaint process proceeds as follows: after a complaint is received, the sheriff prepares a research packet with parcel size, plant count, etc. A marijuana inspection notification and inspection letter is issued, and if no one answers this letter, an inspection warrant is issued. Then the team goes to inspect the grow with the goal of helping bring the grower into compliance. They will issue a citation depending on what

the violations are, and the grower will then have 7 days to comply before the violations go forward.

- Since January 2017, there have been 152 complaints: 24 unfounded, 28 parcels self-abated, 9 in compliance, and 42 posted.
- Overflights are done in some cases.
- Cannabis at school is big concern, with 78% of cannabis consuming students dropping out.

CAG questions for Micah included:

- Are gate notices put on properties that haven't received complaints?
 - Response: Yes, if the person complaining doesn't know the exact address, the sheriff will post on all gates in the area.
- How do you like the complaint-driven process? Is there a different scenario?
 - Response: We need to bridge the gap between growers and people that hate cannabis.
- What about enforcement of setbacks?
 - Response: it's too hard to measure setbacks; plant count is specific and easier to determine compliance.
- Do you investigate light pollution complaints?
 - Response: Light pollution complaints are hard to investigate.
- As a school officer, what did you encounter in terms of cannabis?
 - Response: there is a very clear correlation between attendance, grades, and cannabis. There is cannabis on school campuses. Kids often steal it from parents who are growing, and also vape pens starting to show up now.
- How much time and effort does a sheriff put into going after issues such as water theft?
 - Response: A sheriff will work the civil side and call code enforcement at NID to cover their specialty. Sheriffs will call NID often. To enforce the civil ordinance, the sheriff will primarily go into homes.
- What is the percentage of complaints for which you need a warrant, and how much does it cost?
 - Response: No inspection warrants have been approved to go forward.
- How many abatement warrants have been issued and how much does it cost?
 - Response: None have been issued this year. We are still trying to figure out what other counties are doing to streamline the inspection / warrant process.
- Do you reinspect after the seven days have passed?

- Response: The complaint will go away after the grower has come into compliance; in those cases, we will not inspect again because the sheriff is too busy.
- Is current staffing sufficient?
 - Response: The sheriff's department is slammed and cannot keep up. They are trying to do what they can to facilitate both sides (pro and against cannabis), especially in the summertime.
- How would you address the problem, since you see everything on the ground?
 - Response: He has a good relationship with most growers, but there is a serious problem between the diverging opinions— those that are in favor and those that hate it. There is also a big difference between local back yard growers and the really big grows.

3. Review of Issues Related to Inspections, Monitoring, and Enforcement in the County

Sean Powers, Community Development Director, explained the code compliance and inspection process at the county level.

- The current policy is complaint-driven. That approach is chosen because it is more manageable.
- Types of compliance issues include: building, solid waste, environmental health, abandoned vehicles, sewage compliance, open wells, etc.
- The goal to enforce all codes, aiming for self-abatement. If self-abatement is not achieved there are administrative citations, and an abatement process.

The CAG's questions and comments for Sean included:

- How long does it take to get through the planning process and what is the cost?
 - Response: Every project is unique; it depends on what outside resources need to be brought in. It varies from a week to 9 months.
- When will the CAG get into making recommendations?
 - Response: The recommendation work will start at the next CAG meeting. There will be a Board of Supervisors meeting to check in with the CAG process. CAG members are encouraged to attend. The meeting is on September 5 at 9 am at the Board Chambers.
- The CAG has asked for specific information, such as what is going on in other counties, or questions regarding over-production. When will that information be sent to CAG members?
 - Response: We will review the information requests and determine what information would be most helpful to the process.

- What will be presented to the BOS? The CAG doesn't have recommendations yet; we're nowhere near ready for that.
 - Response: We are asking the BOS for recommendations as to what to prioritize in the CAG's discussion about recommendations.
- It is important for the ordinance to cover all license types; that should be shared with the BOS.
- It is too early to make recommendations when we have no information about the state of law regionally and about the economic state of cannabis.
- The CAG hasn't yet had the opportunity to discuss the information given to them so far in the various presentations in the previous sessions; it would be important to have those discussions among CAG members. There should be an opportunity to debate.

Joan closed the discussion and moved on to the public comment period.

4. Public Comment Period

The following comments were contributed by members of the public:

- Why hasn't the Board of Supervisors provided all the facts, especially an economic impact report?
- Expressed frustrated about misinformation presented during CAG meetings.
- Expressed disappointment with the speakers being in such opposition, and with lack of information about the economics of cannabis. Consider that 60% of cannabis revenue will go to youth programs. I'm in favor of a better regulation.
- Identified as a cannabis user and grower that is in favor of better regulation.
- The best approach is rational regulation. Legalization will create good stewards and dedicate resources to eradicating bad actors.
- Doesn't understand why CAG members are not given enough time to ask questions and discuss. This is bad for the process.
- Expressed a commitment to using good environmental practices and conservation efforts. Better regulations are needed to enforce better environmental practices.
- Want to see regulation with environmental controls. There are good actors in the county that are stewards of the environment and would like to comply with regulations that are well thought-out. Also concerned with the information the CAG has received so far; it is focused on negative impacts without mentioning topics such as economic impact.
- Concerned about groundwater and wildlife with regards to cannabis and its environmental impacts.

- Represents the Nevada County Cannabis Alliance. It's important that the final regulation is feasible and cost-effective. Particularly concerned with severed water systems and their cost. Water is a great concern when it comes to cannabis production and has been very much studied. The importance of discussion during CAG meeting must be highlighted.
- Disappointed that no one from the fire service has presented to the CAG. In a fire started by cannabis or honey lab that explodes, first responders are the first on the case. Including funding for fire service should be considered in this process.
- A CAG member noted that public comment should not single out or be directed at a specific CAG member.

5. Next Steps

Joan thanked everyone for their time and reminded everyone that the next CAG meeting is on September 12th. The BOS meeting takes place prior to that on September 5th.

There were no wallgraphic notes taken during this meeting. Comment cards and comments submitted via email by participants are attached as Appendix A.



**Nevada County Cannabis Regulation
Community Planning Process
Summary of Community Advisory Group (CAG)
Meeting #7, September 12, 2017**

Prepared by:



Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710

September 2017

Introduction

On Tuesday, September 12, 2017, Nevada County convened the seventh meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

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This is the seventh of a series of meetings that will be conducted between May and September. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, MIG facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. All 16 members of the CAG were in attendance.

Daniel reviewed the meeting agenda and objectives, and asked the CAG for adjustments to the CAG meeting #6 summary. Several CAG members requested a correction on page 4 regarding the number of gallons of water needed per plant per day for indoor cultivation of cannabis.

Daniel then presented general principles for developing the recommendations, which included the following:

- Be concise
- Respect and incorporate the opinions of fellow CAG members
- Focus on forward progress
- Spend time on CAG dialogue and discussion of the issues
- Summary will include CAG member qualifying comments

- CAG will provide general direction for policy setting

2. Directions and Recommendations for Major Topics

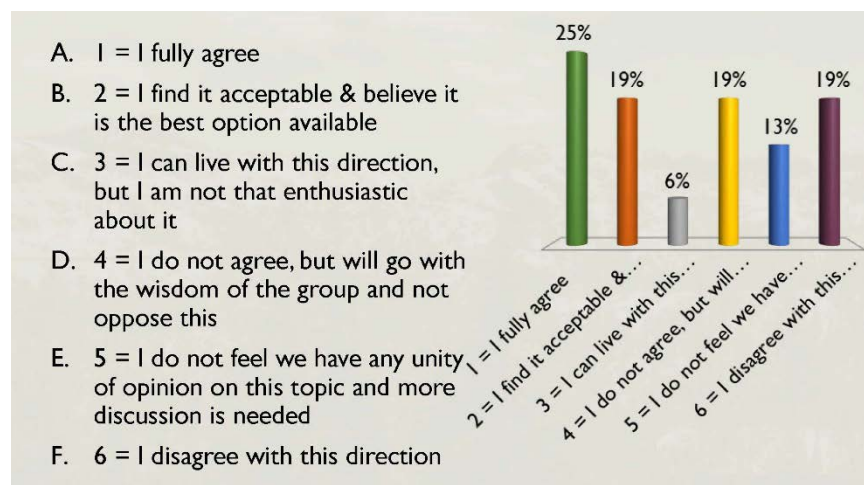
Daniel then led a discussion of directions and recommendations for major topics to be considered, as confirmed by the Board of Supervisors at their September 5, 2017 meeting. Using an electronic polling system, he asked CAG members to indicate their opinion regarding the topic on the following “level of agreement” scale:

- 1 = I fully agree
- 2 = I find it acceptable and believe it is the best option available
- 3 = I can live with this direction, but I am not that enthusiastic about it
- 4 = I do not agree, but will go with the wisdom of the group and not oppose this
- 5 = I do not feel we have any unity of opinion on this topic and more discussion is needed
- 6 = I disagree with this direction

On occasion, the topic was rephrased at the request of CAG members, and in those cases, Daniel repolled the topic. Also, some topics were simply voted on with a show of hands.

The following presents the results of the polling for each question and a summary of the discussion points. Some comments have been grouped and combined to reduce duplication of the responses.

Topic 1: Protect residential quality of life and prohibit outdoor cannabis activity in areas zoned R1, R2, R3.

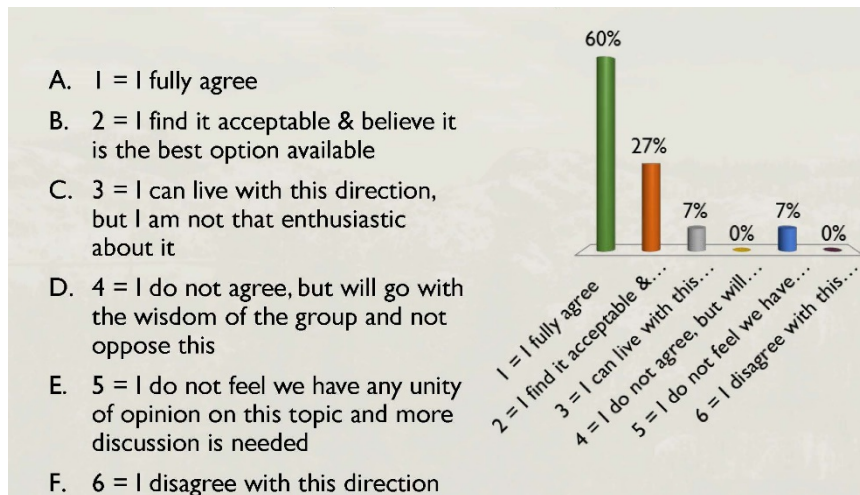


Comments and questions from CAG members included:

- Many CAG members agreed with prohibiting outdoor cannabis activity in R2 and R3.
- Several CAG members recommended distinguishing between R1 and R2-R3, believing outdoor cannabis activity could be allowed in R1 only if cultivated for personal use.
- It was recommended that the R1 question be discussed further, considering other elements such as parcel size, number of plants, slope and setbacks.
- Several CAG members insisted that the discussion about R1 should clearly distinguish personal use from commercial use.
- Several CAG members agreed with the statement as is, believing outdoor cultivation is not appropriate in any of the R-zones and that the ordinance should remain as simple as possible.
- The issue of guaranteeing appropriate security was brought up during the discussion.
- It was recommended that the group consider limiting the number of plants allowed outside in R1.
- Several CAG members identified the odor problem as central to the question, recommending considering different way to mitigate odor.
- One CAG member disagreed with the statement, recommending that the CAG consider where plants will be planted if they are banned here and the needs of those cultivating cannabis for medical purposes.
- Question from a CAG member: What is the range of R1 parcels in terms of size?
 - Response: Typically, R1 parcels range from ¼ to 2 acres.
- One CAG member was curious about the number of plants needed for medical purposes, thinking 8 joints a day seems like a lot.
 - Answer: For medical purposes, it is not a question of joints per day but other derivatives that are made from large quantities of cannabinoids that are the equivalent of up to 70 joints a day.
- Several CAG members explained that there are other modalities to ensure sufficient cannabis is available for medical purposes.
- A CAG member raised the question of the role of HOAs in regulating what is allowed in certain areas.

Topic 2: Make no distinction in the regulation of cannabis that is grown for medical, adult, or recreational uses or for personal use or commercial sale. Align Nevada County cannabis regulations with some of the license categories established by the State of California.

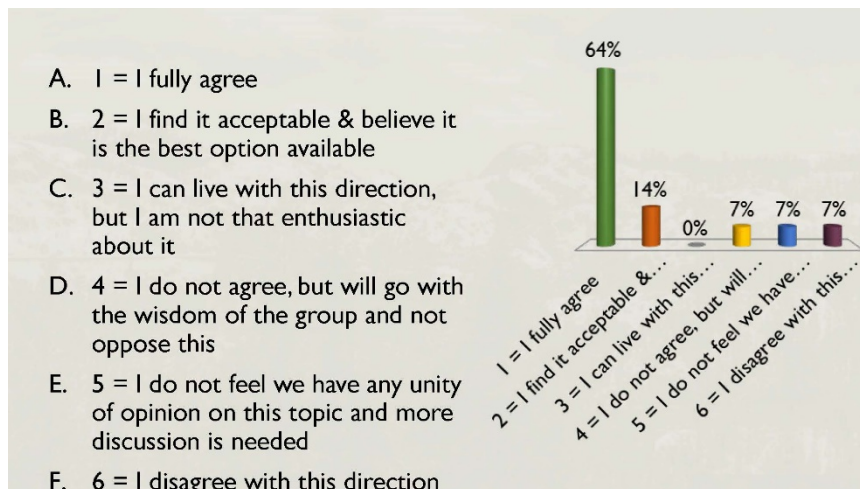
Several CAG members asked to separate the question into two parts. Daniel repolled the question based on the following statement: “Align Nevada County cannabis regulations with some of the license categories established by the State of California.”



Comments from the CAG members included:

- One CAG member stated that, although generally agreeing with this statement, they thought that there shouldn't be large farms in the County.

Daniel then repolled the question based on the following statement: “Make no distinction in the regulation of cannabis that is grown for medical or non-medical use.”



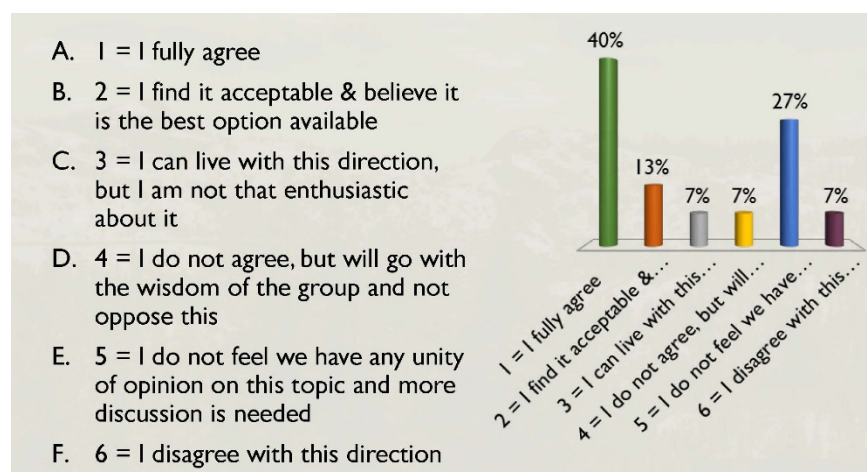
Comments from CAG members included:

- One CAG member recommended differentiating between strains of plants for the purpose of odor.

Daniel restated the second part of the question and asked for a show of hands from CAG members in agreement with the following statement: “Make a distinction in the regulation of cannabis that is grown for personal use or for commercial use.”

The group agreed fully on the need to distinguish between personal and commercial use.

Topic 3: Designate select areas of the County where cultivation areas of up to 5000 sq. ft. would be allowed. Small size cultivation sites will be defined as up to 5,000 square feet of total cultivation on one site.



Comments from CAG members included:

- Several CAG members were concerned with the fact that the statement does not align with state licensing categories. They asked for clarification on the definitions of small, specialty and medium size cultivation based on state definitions.
- One CAG member asked for clarification on whether this cultivation would be outdoors or in greenhouses.
- One CAG member raised concerns that the selection process would be political, but noting they would agree with the statement if the areas are designated with objective criteria.
- One CAG member recommended considering specialty and small cultivation as an economic opportunity for the County.
- It was mentioned that it is crucial to allow 5,000 sq. ft. grows in the County if the goal of the ordinance is to encourage growers to come into compliance.

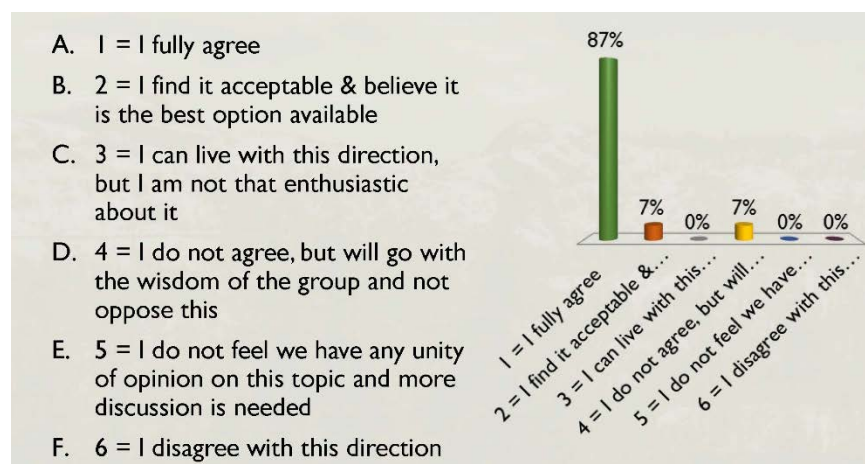
Topic 4: Develop a land use and zoning recommendation to limit the size and number of cultivation sites in designated areas and to prevent over-concentration of cultivation sites in any one area of the County, especially in areas zoned RE and RA.

There was no vote taken on this topic.

Comments from CAG members included:

- Several CAG members were concerned with allowing cultivation in RA and RE zones as they remain residential zones and are not fit for commercial cultivation.
- Other members believed that there is no reason for restricting commercial cultivation in RA and RE zones. Those zones were created with the intention of allowing people to start a business.
- Regulation based on parcel size makes more sense. Pushing cultivation into agricultural areas only will be problematic when trying to bring growers into compliance.
- One CAG member asked for clarification on types of businesses allowed in the RA zone.
 - Response: The definition of businesses allowed on RA is complicated and the planning department is struggling with the definition. It may be a small business, home-based business or light commercial use, not a full-blown retail shop.
- It is important to consider use permits, and think about the distinctions between types of use permits (conditional, discretionary, etc.).
- Several CAG members proposed encouraging vertical integration within the cannabis industry in the County.

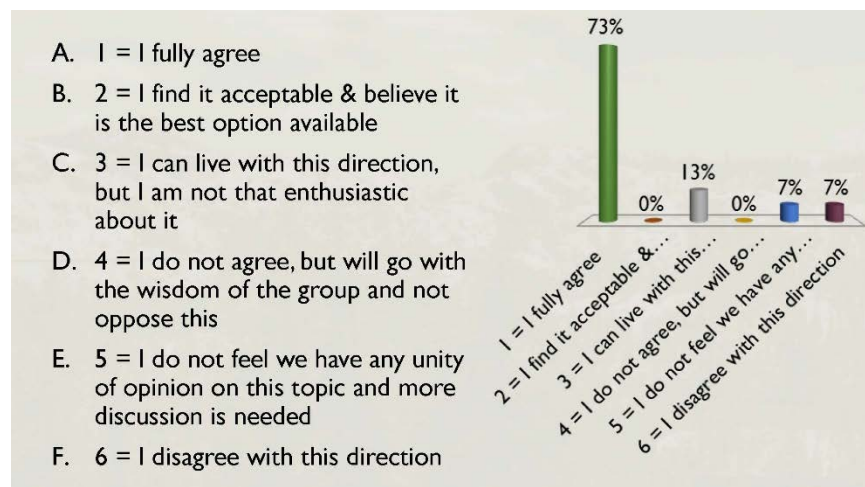
Topic 5: Conform to State regulations for regulation of cannabis with respect to water supply and quality and environmental protections.



Comments from CAG members included:

- The regulation should consider the uniqueness of the County in terms of water regulation, and we should consider very closely what the state regulations are.

Topic 6: Designate an area through land use for a testing lab to provide product quality assurance for medicinal use of cannabis.



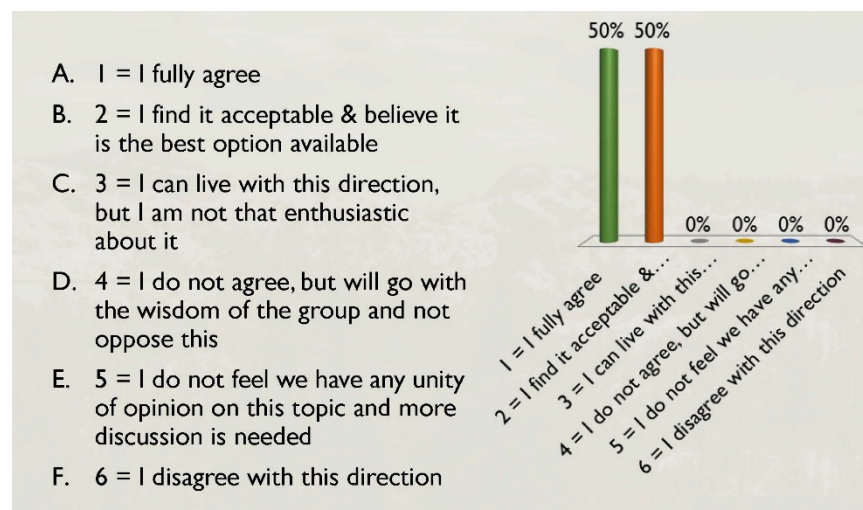
Comments from CAG members included:

- One CAG member disagreed with the statement, explaining that testing labs might not be needed in the County if there is sufficient volume of labs in the region.
- One member recommends distinguishing between two types of testing labs: a smaller in-house pre-screening lab, and larger full-blown state-licensed labs. They

recommended considering zoning appropriate for the two types. Also, there is a clear economic advantage to having a local testing lab, as it increases ease of business.

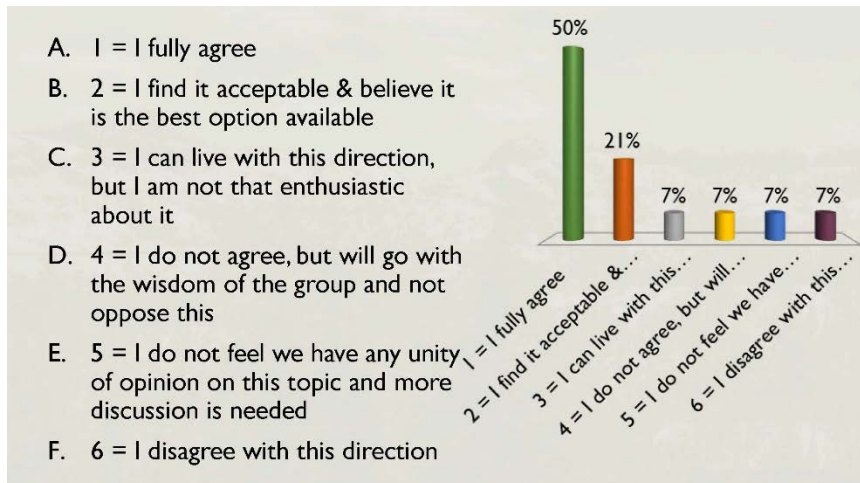
- It was argued that the County can have an impact on cultivation, but cities are more appropriate for testing labs.
- Several members explained that testing labs ensure the safety of the community, and it is therefore important to allow them in the County.
- One CAG member argued that a full-blown testing lab requires a major capital investment and doubts that there will be such investment in the County. However, a smaller pre-screening testing lab will be necessary in the County.
- Full-blown labs should be allowed in industrial areas because of traffic impacts. The smaller ones should be allowed in agricultural zoning.

Topic 7: Develop a permit application process based on criteria consistent with County policy for cannabis cultivation. For example, give preference to small scale farms owned by County residents.



There was 100% agreement among CAG members regarding this statement.

Topic 8: Require a permit for any personal grows beyond 6 plants.



Comments from CAG members included:

- Several members expressed some confusion about the statement, asking to clarify whether the statement is referring to commercial cultivation.
- There was concern with the cost of such a permit.
- Several members disagreed with the statement if it meant allowing more than 6 plants for personal grows.

Topic 9: Require that a residence be located on cultivation sites. Allow a transition period for a residence to be complete if none exists at the cultivation site.

Several CAG members recommended discussing each part of the statement separately. Daniel asked CAG members to vote on only the first sentence of the statement: "Require that a residence be located on cultivation sites."



Comments from CAG members included:

- Several CAG members disagreed with the statement that the cultivator must be the owner of the land.
- One CAG member explained that if the ordinance adequately addresses the issues of sanitation and safety, there is no reason to require a residence on the cultivation site.
- Several members were of the opinion that requiring the grower to be resident of the County is fair, but requiring a residence adds significant cost to growers.

Daniel then invited the CAG to discuss the second part of the statement: “Allow a transition period for a residence to be complete if none exists at the cultivation site.”

- Several members agreed with the statement as long as the transition period is short.
- Several comments recommended there be some lenience or business friendly accommodations for those trying to come into compliance, as they already have many new requirements to comply with.
- One CAG member recommended considering a slow transition based on proven steps towards compliance.
- One CAG member raised concern about growers that are bouncing from County to County without coming into compliance, suggesting that the ordinance should therefore be written in a way that can address the problem of the non-compliant growers.
- A CAG member asked: how to regulate when the grower owns or lives on an adjacent property?

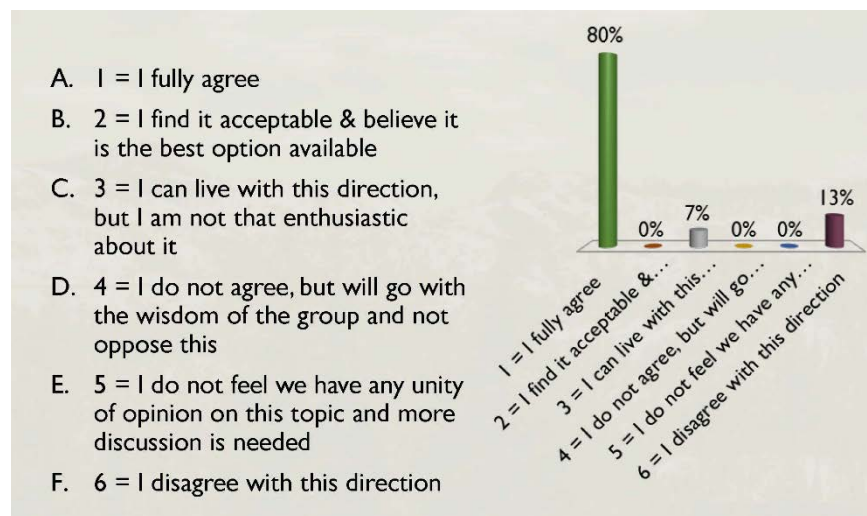
Topic 10: Maintain setbacks of 600 feet from cultivation sites to any active School, School Bus Stop, School Evacuation Site, Church, Park, Child Care Center, or Youth-Oriented Facility.



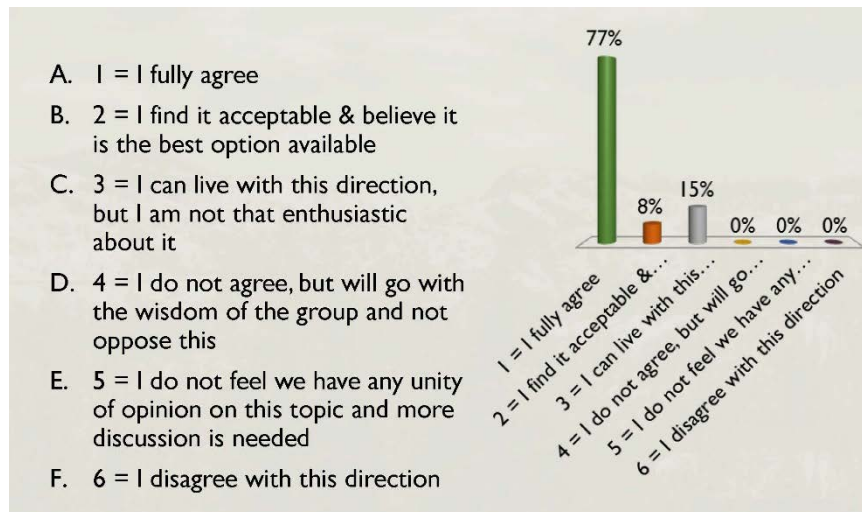
Comments from the CAG members included:

- There was a lot of discussion about whether the State regulation had been changed to 1,000-foot setbacks. Most of the discussion, and the vote, occurred while the group thought the State regulation called for 1,000 feet. However, upon further research, Sean declared the State regulations in the recently adopted trailer bill language was actually 600 feet for schools. The State trailer bill lists use and advertising with setbacks of 1,000 feet.
- Several CAG members disagreed with including bus stops in the setback requirements.
- One CAG member recommended that school evacuation sites be removed from the setback requirement.

Due to the confusion about the setbacks included in the State regulations, Daniel decided to repoll the question based on the following statement: “Conform to State regulations regarding setbacks, requiring 600 ft. setbacks from cultivation sites to any active school, park, child care center or youth-oriented facility.”



Topic 11: Provide a cure or grace period to allow time for grows with non-cultivation ordinance violations to be corrected and brought into compliance.



Comments from CAG members included:

- One CAG member asked why a transition period was needed.
 - Response: it depends on the violation. Certain violations might not have a transition period.
- One CAG member noted that the context of the industry needs to be considered, understanding that it has been completely unregulated until now, so it will need time and incentive to come into compliance.

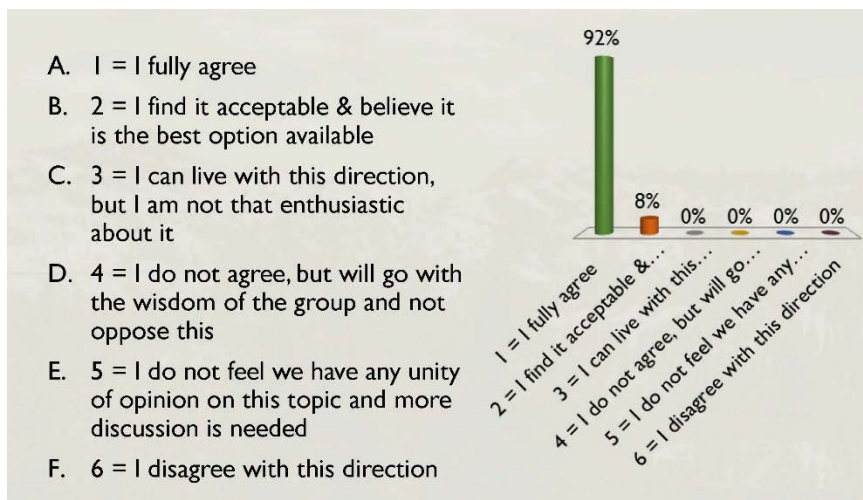
Topic 12: Implement the three-step permitting, inspection and enforcement process recommended by County staff at CAG meeting #3.



Comments from CAG members included:

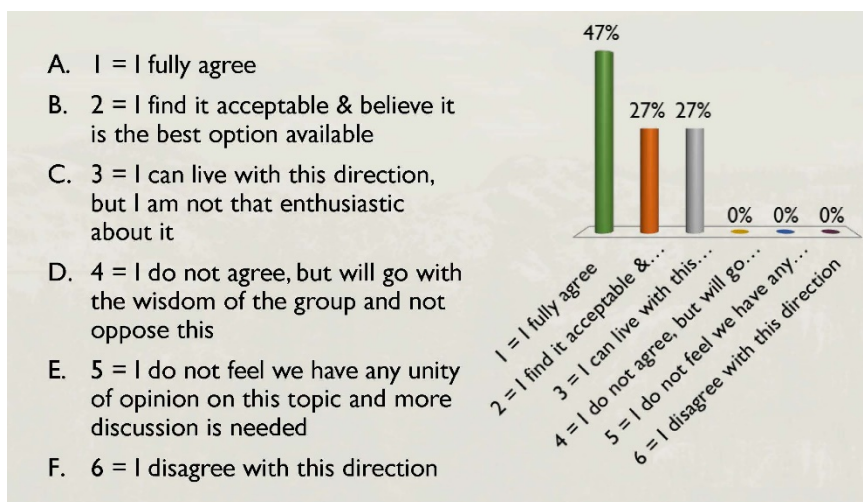
- One CAG member was concerned with the live scan requirement that doesn't seem to make sense in this case.
 - Response: This topic is still unclear; more research is needed.

Topic 13: Develop a recommendation for safe product distribution and transport.



CAG members agreed with the statement.

Topic 14: Designate select areas of the County where specialty cottage size cultivation areas of up to 2,500 sq. ft. are allowed.



Comments from CAG members included:

- Several members expressed support for Type 1 and Type 2 licenses in the County, recommending further discussion on Type 2 licenses (up to 10,000 feet).

3. Public Comment

The following comments were contributed by members of the public:

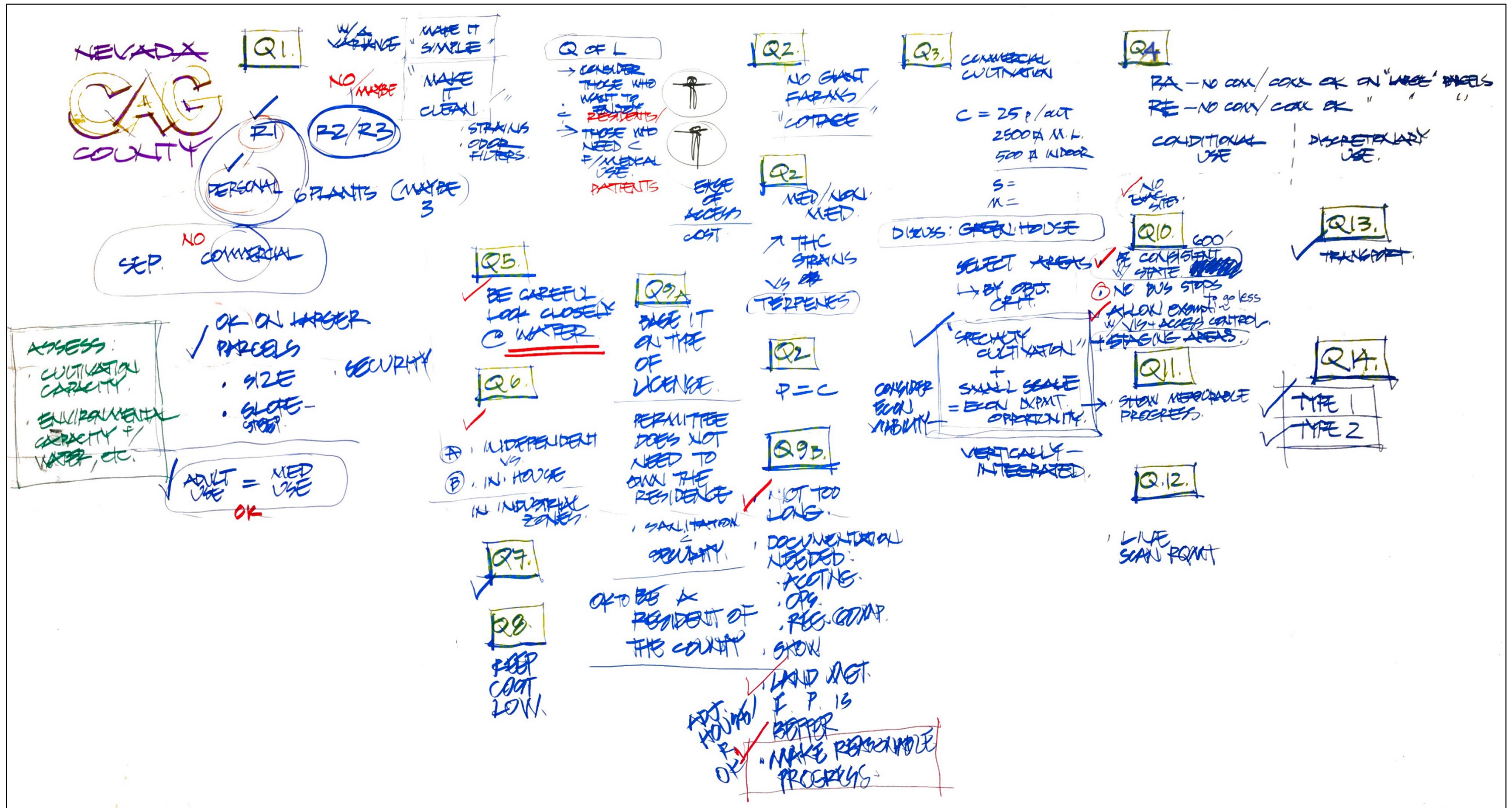
- This is a political process and regulations will probably change in the next few years.
- If the purpose of regulation is to bring people into compliance, it makes sense for the County to make it as simple as possible for people to comply with State law.
- I implore Nevada County not to reproduce a “war on drugs” system, and hope the County will consider the great economic benefit of allowing cultivation.
- It’s important to make the process simple, specifically in terms of setbacks, and make discretionary allowances in certain conditions.
- As a medical user, I believe there is a need for more than 6 plants. I’d like to raise the question of commercial grows having allowable personal use.
- Today the speaker is a fully compliant grower, but to be in compliance many changes to her property had to be made. I question whether the odor actually smells bad or some are just reacting to the smell as morally wrong.
- The environmental impact of cannabis cultivation is very important and should be considered more seriously.
- It is important to have compassion for those that are sick in our community.
- I live in an RA zone and believe the zoning is intended to allow agricultural activity as long as it is of light impact. It’s important to consider the entire supply chain and business chain.
- One member of the public shared a process graphic they had created with the CAG. Currently building compliance is at 20% in the state. Based on this, the speaker advocated for a transition period to encourage compliance. They noted that setbacks for outdoor grows are completely out of line with what is happening currently.
- I recommend staying close to state law to ease the process, and discussing how to make the cannabis industry successful.
- I am against adding restrictions and in favor of adding testing facilities. I encourage following state regulations for the purpose of simplicity, in favor of a 3-5 year transition period.
- I advocate for Type 1 and Type 2 to be allowed in the County, or else 85% of growers won’t be able to comply with state law. A transition period is of great importance to this industry that has been out of compliance for years.

- I recommend encouraging compliance as we go forward. Would like to clarify that RA allows for small vineyards and tasting rooms. It's important for the CAG to discuss 10,000 ft. grows.
- Incentives are needed to encourage growers to come into compliance. The experience so far is that many aren't inclined to come into compliance. The grace period is very important.
- It's reasonable to allow for 2% of parcels to be for commercial cultivation; could have variable setbacks with different fees. Mixed-light licensing is needed in the County.

4. Next Steps

Daniel thanked everyone for their time and reminded everyone that the next CAG meeting is on October 10th.

Wallgraphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.



Nevada County Cannabis Regulation Community Planning Process
CAG Meeting #7
September 12, 2017



**Nevada County Cannabis Regulation
Community Planning Process
Summary of Community Advisory Group (CAG)
Meeting #8, October 24, 2017**

Prepared by:



Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710

October 2017

Introduction

On Tuesday, October 24, 2017, Nevada County convened the eighth meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the eight of a series of nine meetings that will be conducted between May and November. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, MIG facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. All 16 members of the CAG were in attendance; Tom Cross joined the group a half an hour into the meeting.

Daniel reviewed the meeting agenda and objectives, and asked the CAG if any adjustments were needed to the CAG meeting #7 summary. No corrections were requested by the CAG.

Daniel then reviewed the general principles for developing the recommendations, which included the following:

- Be concise
- Respect and incorporate the opinions of fellow CAG members
- Focus on forward progress
- Spend time on CAG dialogue and discussion of the issues

- Summary will include CAG member qualifying comments
- CAG will provide general direction for policy setting

2. Directions and Recommendations for Major Topics

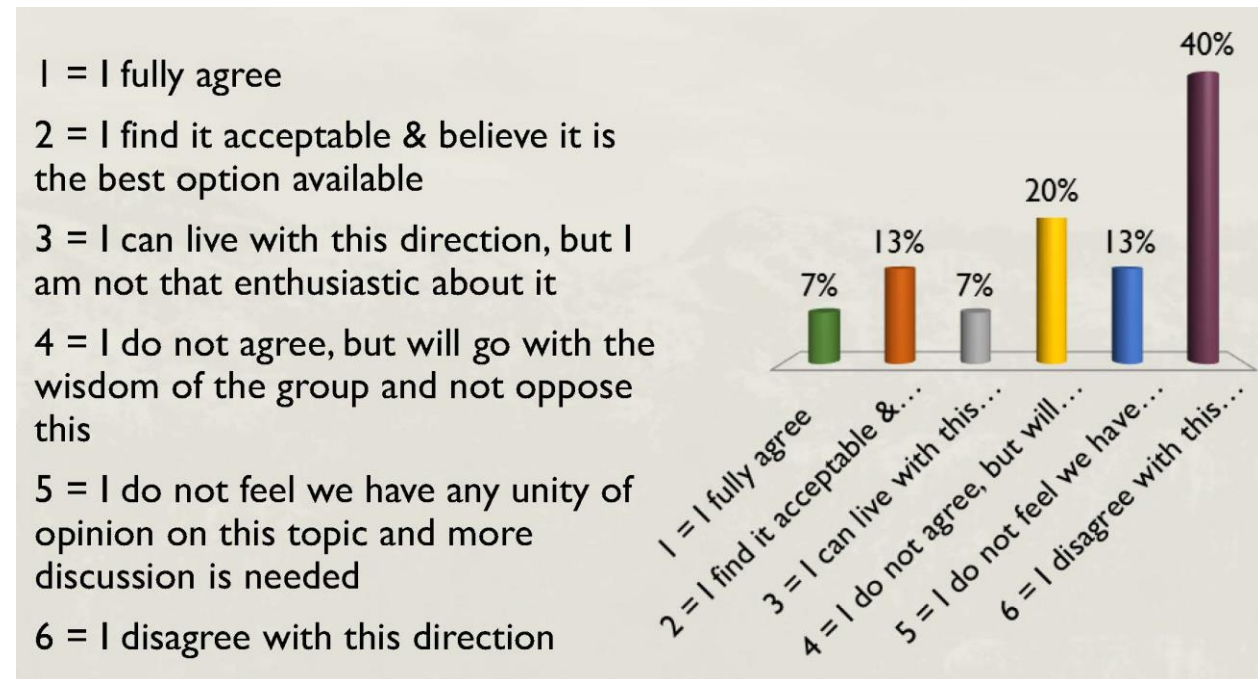
Daniel then led a discussion of directions and recommendations for major topics to be considered, as confirmed by the Board of Supervisors at their September 5, 2017 meeting. Using an electronic polling system, he asked CAG members to indicate their opinion regarding the topic on the following “level of agreement” scale:

- 1 = I fully agree
- 2 = I find it acceptable and believe it is the best option available
- 3 = I can live with this direction, but I am not that enthusiastic about it
- 4 = I do not agree, but will go with the wisdom of the group and not oppose this
- 5 = I do not feel we have any unity of opinion on this topic and more discussion is needed
- 6 = I disagree with this direction

On occasion, the topic was rephrased at the request of CAG members, and in those cases, Daniel repolled the topic.

The following presents the results of the polling for each question and a summary of the discussion points. Some comments have been grouped and combined to reduce duplication of the responses.

Question 15a: The County should have a minimum parcel size of 2 acres for outdoor cultivation.



Comments and questions from CAG members included:

- Many CAG members insisted that the question should clarify whether this regulation would apply to cultivations for personal use or for commercial use. CAG members also recommended that the question specify the zoning districts this regulation would apply to.
- Several CAG members disagreed with the statement because they believe outdoor cultivation is not appropriate under any conditions.
- Several CAG members disagreed and recommended setting a higher minimum acreage for outdoor cultivation.
- Several CAG members disagreed with this direction because they believe outdoor cultivation for personal use should be allowed on parcels less than 2 acres.
- The group discussed the possibility of establishing neighbor waivers to allow outdoor cultivation.

Daniel repolled the question based on the following statement: “The County should have a minimum parcel size of 3 acres for outdoor cultivation.”

1 = I fully agree

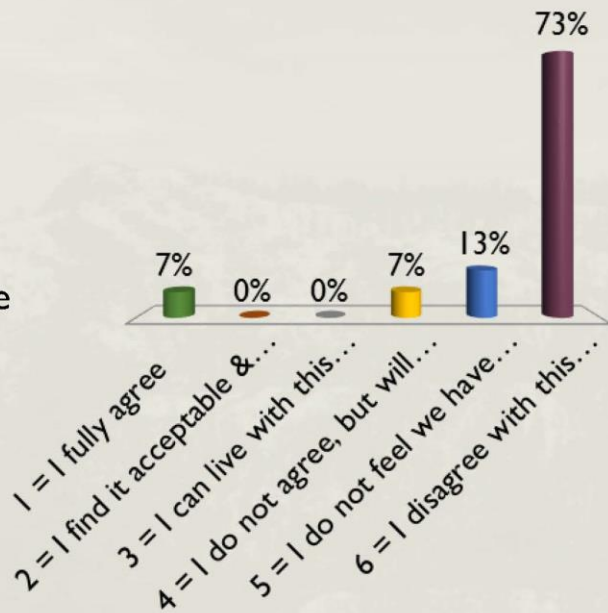
2 = I find it acceptable & believe it is the best option available

3 = I can live with this direction, but I am not that enthusiastic about it

4 = I do not agree, but will go with the wisdom of the group and not oppose this

5 = I do not feel we have any unity of opinion on this topic and more discussion is needed

6 = I disagree with this direction



Comments and questions from CAG members included:

- Many CAG members disagreed with the statement for the same reasons than for the previous question.
- Several CAG members were concerned with outdoor grows for personal use having such high acreage limits.

Daniel repolled the question based on the following statement: “The County should have a minimum parcel size of 1 acre for outdoor cultivation.”

1 = I fully agree

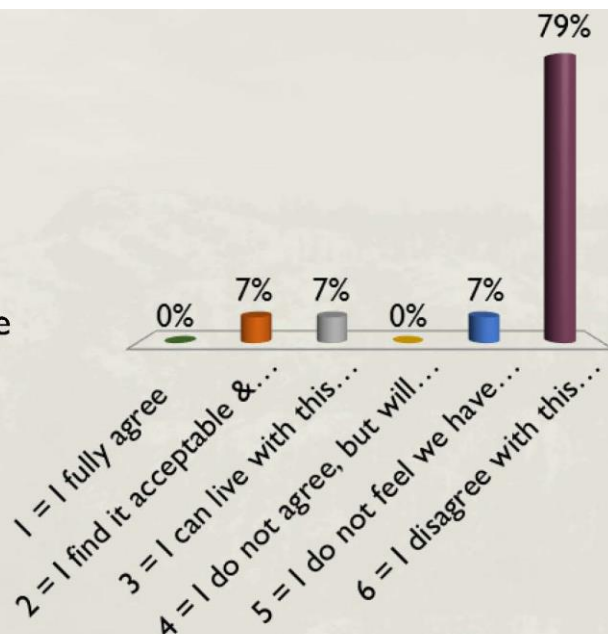
2 = I find it acceptable & believe it is the best option available

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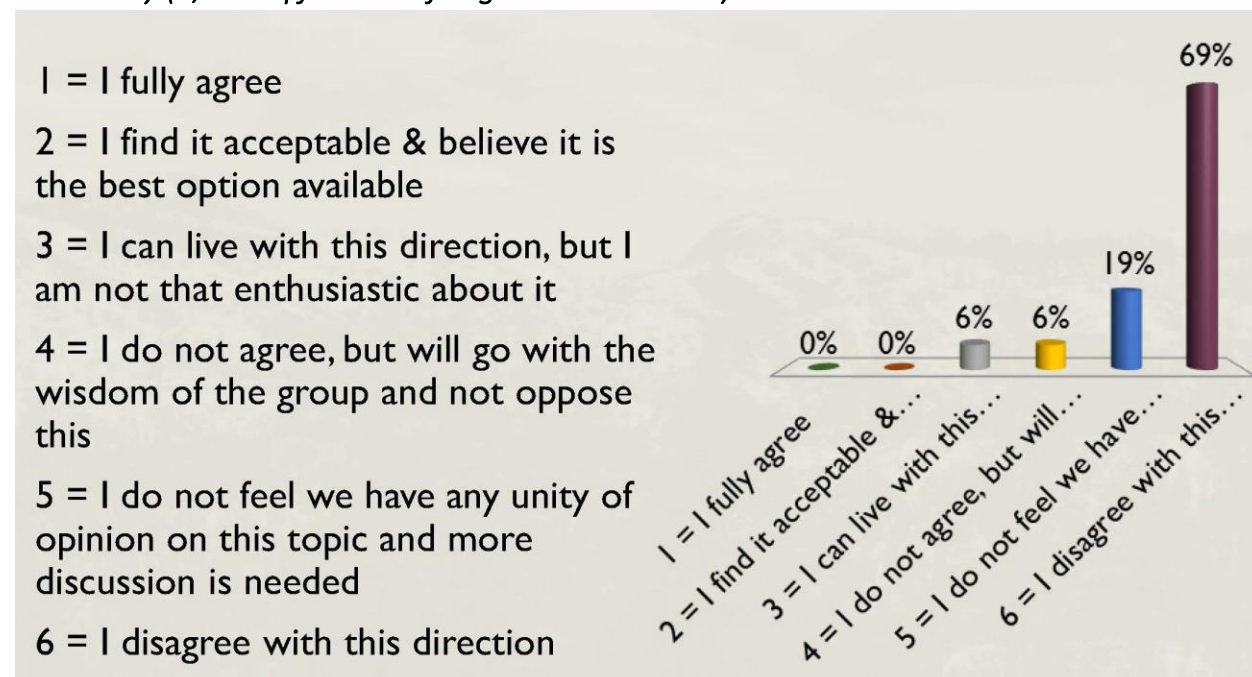
6 = I disagree with this direction



Comments and questions from CAG members included:

- Many CAG members disagreed with the statement for the same reasons than for the previous question.

Question 16: Establish 5,000 sq. ft as the maximum allowed area of outdoor cultivation in the County (5,000 sq ft = size of avg basketball court).



Comments from the CAG members included:

- Many CAG members disagreed with the statement because it did not specify the zoning districts it would apply to.
- Several CAG members disagreed because they do not want to prohibit Type 2 licenses in the County. They believe larger cultivations should be permitted in certain designated areas.

Question 17: Establish 50 plants as the maximum plant count for an outdoor cultivation area on a property.

Daniel decided not to conduct a vote on this question because of the CAG members' concern that the question should specify the zoning districts this regulation would apply to.

Question 18: Establish 150 feet from the property line as the absolute minimum setback for cultivation.

1 = I fully agree

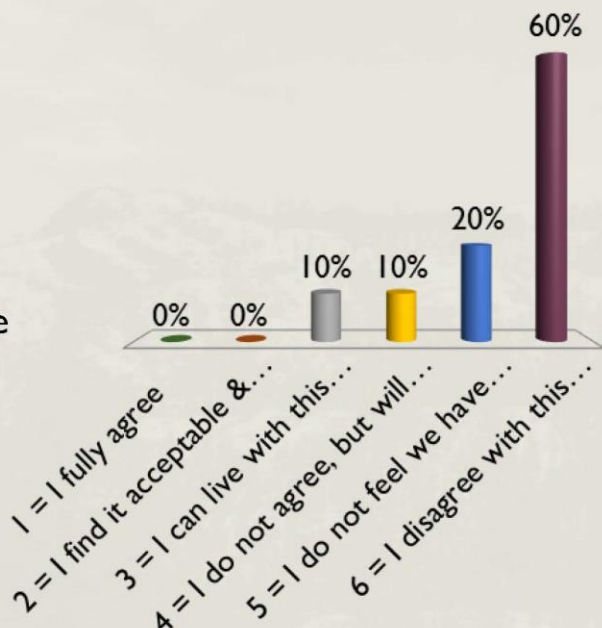
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6 = I disagree with this direction



Comments from CAG members included:

- One CAG member asked whether the term “minimum setback” means that it could increase in certain cases?
 - Response: No, the intent of this question was to vote on a blanket setback.
- Several CAG members recommended that the setback be calculated from the impacted site, such as the personal residence, rather than from the property line.
- One CAG member recommended establishing setbacks proportional to the number of plants or the size of cultivation.
- Several CAG members disagreed with the statement because they believe a 150’ blanket setback is much too large and would prohibit all outdoor cultivation in certain cases (one CAG member referred to page B73 of the CAG binders to illustrate this point). They recommend more reasonable setbacks in order to encourage growers to comply with the regulation.
 - When pressed to define a “reasonable setback,” a few CAG members recommended 50 to 75 ft.
- Several CAG members believed that minimum setbacks should depend on whether the outdoor cultivation is intended for personal use or for commercial use.
- One CAG member recommended establishing a variance process to take account of the specific geographies of certain sites.

- Several CAG members were opposed to the idea of measuring setbacks from residences because of the uncertainty and inconsistency it can lead to.
- One CAG member expressed concern with the general hypersensitivity to smell that has emerged during the discussions, recommending that odor should not be the focus of the discussion.

Question 19: Require the established setback from the property line for outdoor cultivation increase with the size of the property.

1 = I fully agree

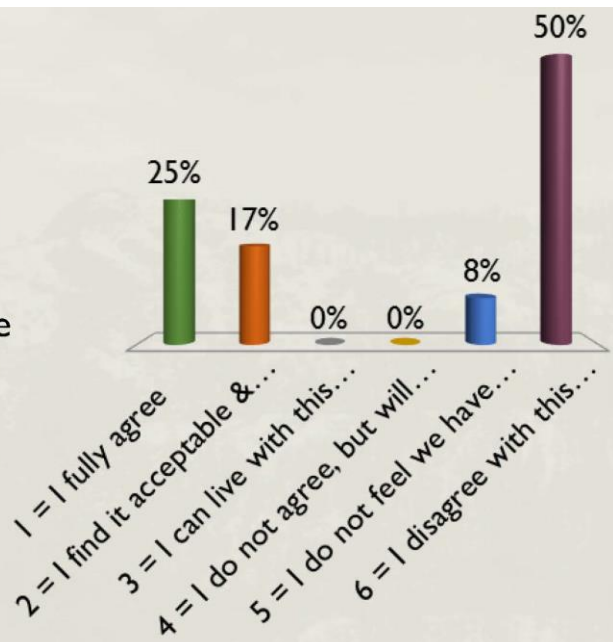
2 = I find it acceptable & believe it is the best option available

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5 = I do not feel we have any unity of opinion on this topic and more discussion is needed

6 = I disagree with this direction



Comments from CAG members included:

- One CAG member recommended that the setback should consider the size of the cultivation rather than the size of the property.
- One CAG member thought outdoor cultivation should follow a good-neighbor approach and should consider the growing techniques used.

Question 20: On properties zoned R1, allow personal cultivation of up to 6 plants outdoors.

1 = I fully agree

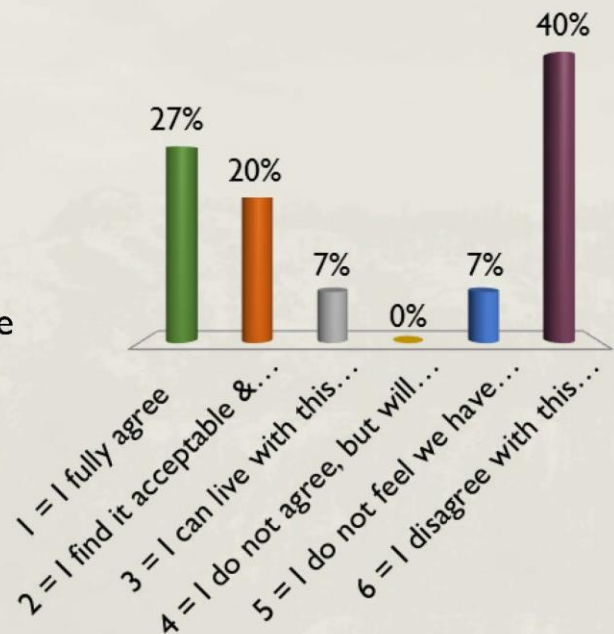
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4 = I do not agree, but will go with the wisdom of the group and not oppose this

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6 = I disagree with this direction



Comments from CAG members included:

- Several CAG members agreed with the statement because of their preference for the use of natural sunlight rather than artificial light.
- Several CAG members disagreed with the statement believing that all outdoor cultivation should be prohibited in residential zoning districts for security and quality of life reasons.
- Several CAG members recommended adding a minimum parcel size to the statement, such as 1 or 2 acres.
- One CAG member recommended limiting the number of plants allowed outdoors to 2 or 3 plants and requesting a neighbor waiver before being allowed to grow plants outdoors.
- One CAG member recommended looking at Davis' regulation, which limits cultivation to below the fence line.
- One CAG member specified that Alta Sierra is not an HOA and therefore depends on County codes for the regulation of cannabis.

Question 21: Require that a residence be located on cultivation sites.

1 = I fully agree

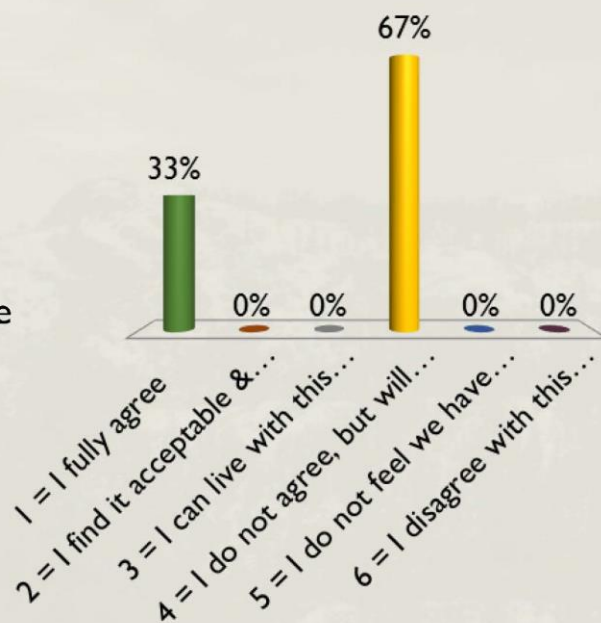
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5 = I do not feel we have any unity of opinion on this topic and more discussion is needed

6 = I disagree with this direction



Comments from CAG members included:

- One CAG member asked whether similar requirements exist for other agricultural cultivations.
- One CAG members disagreed with the statement because it would discourage growers to comply with regulations and it would encourage concentration of grows in certain areas.
- One CAG members inquired about the situation in which the same grower owns two contiguous parcels: could he live on one and grow on the other?
- One CAG member recommended that such a requirement only apply to larger grows.
- Several CAG members preferred establishing a residency requirement rather than a residence requirement.
 - One CAG member inquired whether it was legal to enforce a residency requirement.

Question 22: Designate areas of the County where cultivation areas equivalent to that covered by a Type 1 State License are allowed. (specialty/up to 50 plants/ 5,000 sq ft max.)

1 = I fully agree

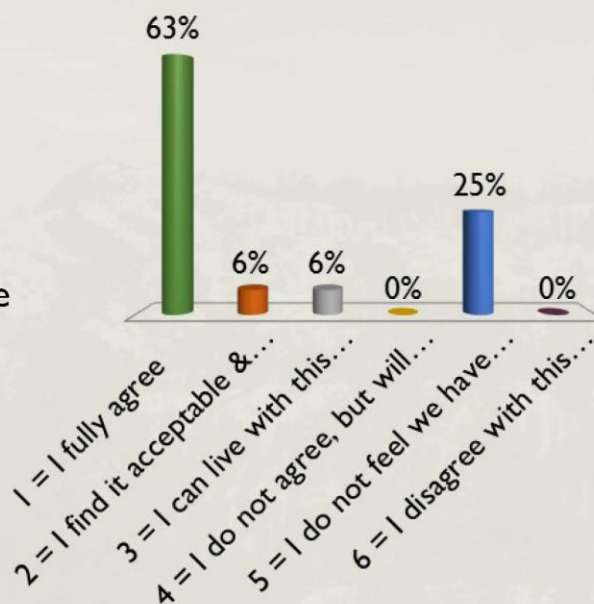
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4 = I do not agree, but will go with the wisdom of the group and not oppose this

5 = I do not feel we have any unity of opinion on this topic and more discussion is needed

6 = I disagree with this direction



Comments from CAG members included:

- One CAG member was opposed to allowing commercial grows in the neighborhood commercial zone.
- Several CAG members agreed with the statement but disagreed with the zones identified in the table distributed to the CAG.
 - Sean clarified that County staff would study the areas that would be appropriate to allow such cultivations.

Question 23: Designate areas of the County where cultivation areas equivalent to that covered by a Type 1 State License are allowed. (small/5,001 to 10,000 sq ft)

1 = I fully agree

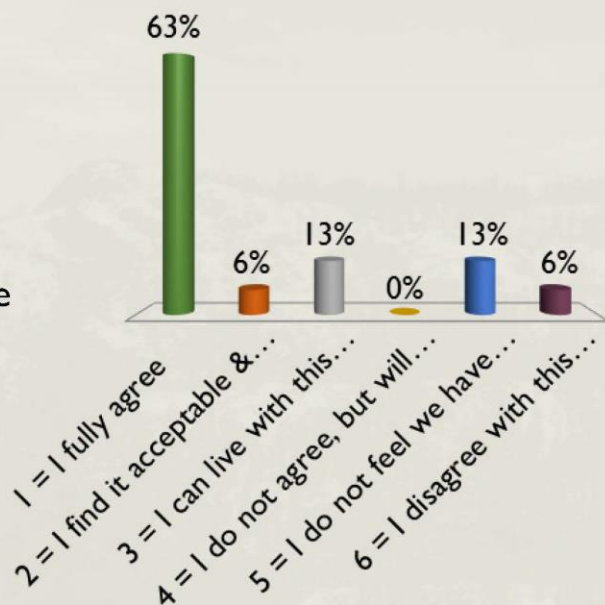
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Comments from CAG members included:

- One CAG member was against cultivation of that scale because of the nuisance it would create for neighboring properties.
- One CAG member asked whether there would be a minimum acreage for such cultivation.
- Sean responded that the minimum acreage would probably be 5 acres or more.

Question 24: Allow Nurseries, up to one acre, with the ability to transport plants (Type 4 State License types).

1 = I fully agree

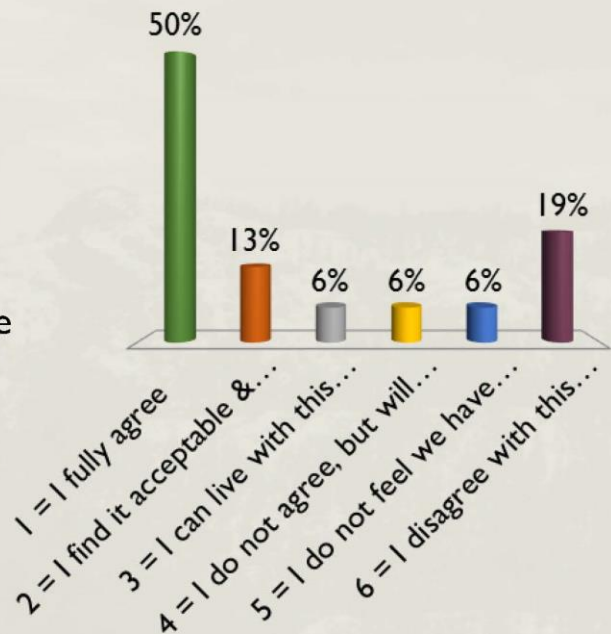
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6 = I disagree with this direction



Comments from CAG members included:

- Several CAG members requested additional clarifications in order to determine their position on the subject, such as size of nursery and number of plants.
- One CAG member explained that nuisance is not an issue because plants in nurseries do not reach maturity and therefore do not flower nor do they have an odor.
- Several CAG members agreed with the statement because of the importance of nurseries for the medical production of cannabis.
- One CAG member was concerned with the environmental impact of a 1 acre nursery, would recommend allowing smaller nurseries.
- One CAG member was concerned with the zoning districts the nurseries would be allowed in.

Question 25. After establishing a track record with Type 1 & 2 license types, consider adding full commercial business retail and manufacturing State License types.

1 = I fully agree

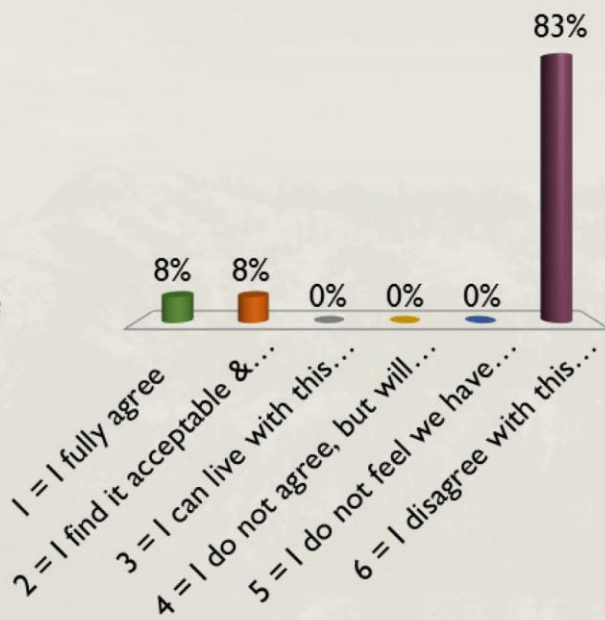
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Comments from the CAG members included:

- One CAG member asked to clarify whether this statement applies to Type 3 licenses only or all other types of licenses?
 - Sean clarified that the statement would apply to all types of licenses.
- Several CAG members disagreed with the statement because they believe manufacturing and processing is essential to a well-regulated and sustainable local industry. Certain activities should be allowed to create a full supply chain.
- Many CAG members agreed with Type 3 licenses being phased but disagreed with prohibiting distribution, testing and manufacturing licenses.
- One CAG member requested multi-tenant cultivation be allowed (several small farms working together on one parcel).

3. Public Comment

The following comments were contributed by members of the public:

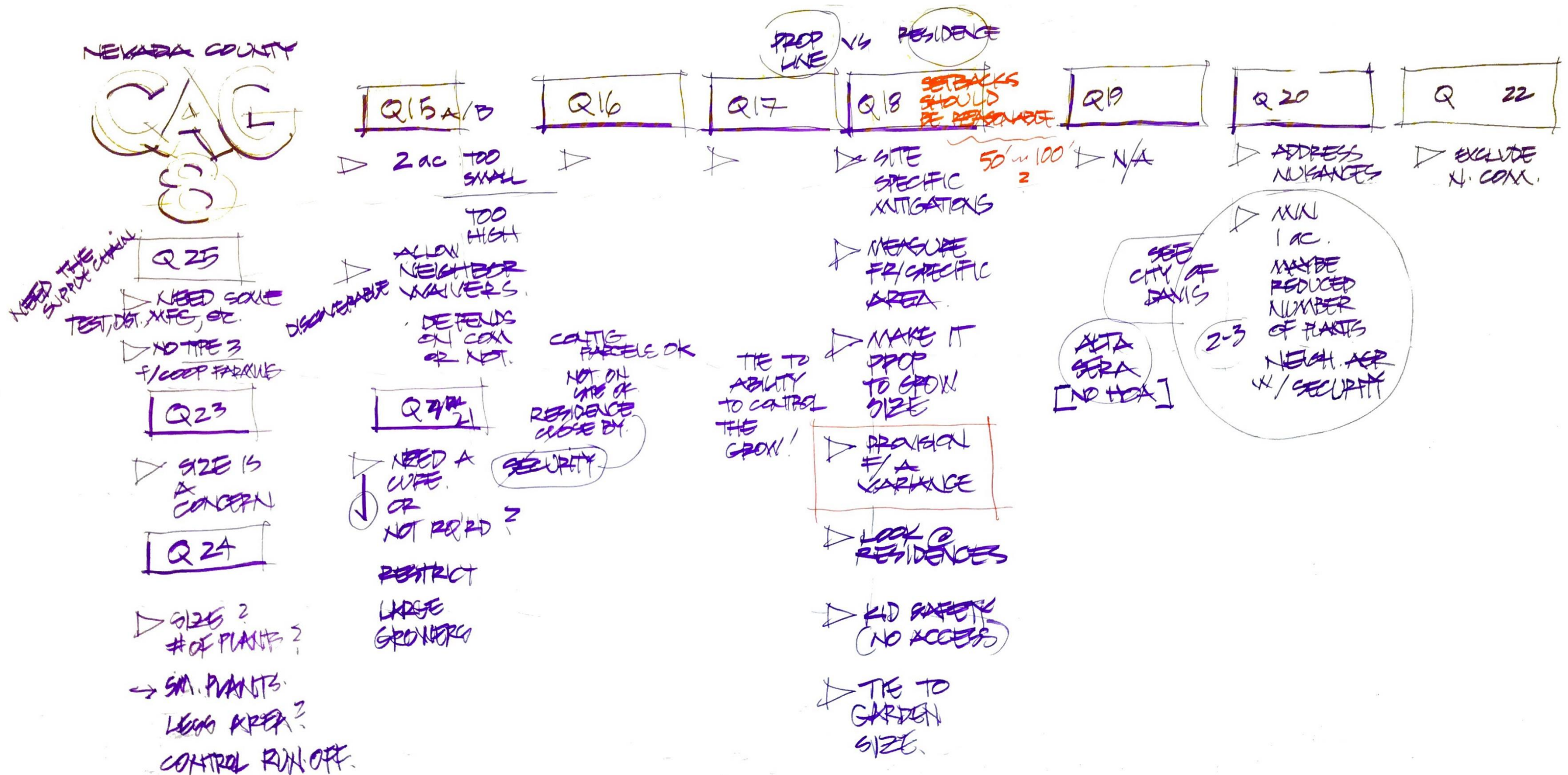
- Suggested setbacks should be proportional to the grow size.
- Opposed to prohibitionist policy, highlighted that cannabis nuisance is only 2-months a year.
- Frustrated with the process and its length, spreadsheet is prejudicing the conversation, recommended distributing worksheets and having more specific and clear questions.
- Reiterated the need for a three- year transition period to come into compliance, against high setbacks, and in favor of all license types to be allowed.

- Highlighted need to encourage growers to come into compliance.
- Thought the CAG lacked data to make an informed decision at this point, suggests limiting percentage of parcel for cultivation.
- Advised looking into variance overlays (like Mendocino) and residency requirements in Trinity County. Supports creating a blue ribbon commission to develop the recommendations.
- Encouraged outdoor cultivation in the County with 30 ft setbacks from property line, allowing a method for preliminary approval with temporary licenses, and insisted on positive economic impact.
- Advocated for 10,000 sq ft grows in the county and recommends a 3-5 year transition period.
- Insisted on addressing the needs of the sick people that depend on cannabis.
- Advised the CAG against creating financially burdensome regulations, regulations should be similar to small agricultural operations.
- Advised looking at the financial reality of the industry.
- Recommended discussing collectives, delivery services and other important issues that haven't been addressed.
- Supported creating a blue-ribbon commission to complete the work of the CAG, allowing more focused discussion of certain issues.
- Suggested that 6 plants do not create a nuisance, the smell isn't a problem and isn't illegal.
- Suggested MIG and the County are dominating the CAG, not allowing the CAG sufficient time for discussion.
- Recommended considering alternative ways of growing, such as permaculture.
- Concerned that there isn't sufficient time for the CAG to finish their work and recommends creating a blue ribbon commission with a panel of experts to assist the county in establishing recommendations.

4. Next Steps

Daniel thanked everyone for their time and reminded everyone that CAG meeting #9 will potentially be held on November 7th.

Wallgraphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.



Nevada County Cannabis Regulation Community Planning Process

CAG Meeting #8

October 24, 2017



**Nevada County Cannabis Regulation
Community Planning Process
Summary of Community Advisory Group (CAG)
Meeting #9, November 7, 2017**

Prepared by:



Moore Iacofano Goltsman, Inc.
800 Hearst Avenue
Berkeley, CA 94710

December 2017

Introduction

On Tuesday, November 7, 2017, Nevada County convened the ninth meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the ninth in a series of meetings that will be conducted between May and November. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

1. Welcome and Introductions

Daniel Iacofano, MIG facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. Fifteen of the 16 members of the CAG were in attendance, Michael Mastrodonato was excused.

Daniel reviewed the meeting agenda and objectives, and asked the CAG for adjustments to the CAG meeting #8 summary.

Comments:

- One CAG member requested that the results of the before and after votes be included in the summaries for both meetings 7 and 8, some polling results seemed to be missing from the last two summaries.

2. Review Areas of Potential Agreement related to the development of the revised Cannabis Ordinance

Daniel then led a discussion on areas of potential agreement related to the development of the revised Cannabis Ordinance. Daniel reviewed the CAG's responses to the worksheet, summarized in tables by license type. He then reviewed general areas of agreement concerning different elements of the ordinance, including: general considerations, allowable activities, permitting, inspections, monitoring and enforcement, and process.

Daniel then asked the CAG for comments regarding the information presented. Comments included:

- Many CAG members appreciated how the worksheet results highlighted central tendencies, believing that these tendencies will be a good basis for further discussion, possibly in the context of a blue-ribbon committee. Several CAG members acknowledged how far the conversation has gone in clarifying what a regulated process might look like.
- Many CAG members expressed concern about the statement on minimum setback, suggesting that bus stops be included in the minimum setback regulation. Others requested additional information about setbacks around bus stops, such as an official map of bus stops.
 - Response from Daniel: Daniel reminded the group that prior conversations had identified other ways of achieving the security of children at bus stops, such as fencing and other security measures.
 - Response by other CAG members: Several CAG members expressed opposition to including bus stops in the setback regulation, explaining that they are only used at specific times of day and of the year and that growers can provide strong security measures.
- Many CAG members were concerned about enforcement and the lack of resources for adequate enforcement of the regulations.
- Many respondents requested a breakdown of survey results that shows results with a higher level of detail.
- Several CAG members were concerned with the length of the process, insisting on the need for a timely delivery of the new regulation.
- Several CAG members discussed the idea of requiring a legally permitted residence on all cultivation sites, others preferred requiring that growers be County residents.
- Several CAG members asked for clarification about whether permits would be required for personal outdoor grows, many expressed opposition to such a requirement but would consider easily accessible Conditional Use Permits.

- Several CAG members were disappointed that the CAG had not discussed the caregiver/patient model and recommended that the County create a system for non-remuneration arrangements cultivation that do not require a permit for the cultivation of cannabis for medical use for up to 5 patients.
- One CAG member reminded the group that there is a difference between medical and adult use of cannabis and we should clarify that the statement about not distinguishing the two only applies to taxes and regulation.
- One CAG member insisted that the ordinance needs to be reviewed within a year.
- One CAG member expressed concern with the worksheet results for R1, insisting that most lots are small and outdoor cultivation should not be permitted.
- One CAG member thought the CAG should discuss larger grows in order to include a recommendation specific to larger cultivation sites.
- One CAG member raised the issue of balancing permitting fees to allow growers to come into compliance while collecting sufficient funds to for enforcement.
- One CAG member insisted that the idea of the industry self-policing and encouraging compliance is an important part of the process, and that the process should encourage organizations that can support self-compliance.
- One CAG member reminded the group that the ordinance does not need to fit the needs of each individual grower, but instead growers have the responsibility to fit with the new ordinance. The process shouldn't be interpreted the other way around.
- One CAG member insisted that the trust issue between the County and the growers needs to be addressed with the new ordinance.
- One CAG member encouraged the County to allow collective growing arrangements for patients, and recommended using the CUP process to accommodate exceptions for smaller acreages or larger grows.
- One CAG member cautioned the group about allowing cultivation in industrial zones because of the real estate pressure caused by the cannabis industry.

3. Public Comment

The following comments were contributed by members of the public:

- The state has created a structure already onerous for a grower, we need to support growers that want to move ahead and provide local outlets for quality products. The County should concentrate on quality merchandise instead of quality.
- CAG should suggest a reasonable pathway to help growers come into compliance, including a grace period.
- Type 2 cultivation is the minimum needed for a small cultivation to succeed. It would be helpful to allow non-contiguous cultivation and to allow and regulate the entire supply chain, especially transport and manufacturing.

- According to a specific regulation, if personal outdoor grows are allowed the county can receive grants for enforcement. Highlights research about the impact of legalization on cannabis consumptions by teens.
- Hopes the CAG's work will result in a reasonable ordinance, encourages the public to talk to their supervisors. Insists that the purpose of regulation is to encourage growers to enter the regulated market place.
- Insists on the odor problems associated with outdoor grows, from personal experience of an 8 plant grow 250 ft from their house. A permit needs to be issued for any plants grown outdoors, and none should be allowed in R1.
- Thanks to the CAG for their evolution through the process, insists that there are many areas in the county where large grows would be appropriate. The tax revenue from such grows could help with the cost of enforcement.
- Maybe the sheriff doesn't need to be fully responsible for enforcement. Encourages the county to approve licenses for all the steps of the supply chain.
- Encourages allowing agriculture cooperatives to operate on some larger parcels, and exploring other solutions for increased neighborhood safety and security.
- Explains that a 5000 sq ft grow on a 1 acre property represents 1/8th of the property. Encourages the development of an ordinance that is stable and sustainable.
- Explains need for cannabis in the county as a solution for the opiate crisis.
- Need to consider lot line adjustments in the ordinance.
- Outdoor grows need to be allowed, the odor should not be a concern.
- Need to realize that most farms represent people's livelihoods and their investments.
- As a grower and business owner, wants to collaborate with the county in his business activities, with social responsibility at the heart of his work.
- The need for manufacturing and distribution is very important to the whole process, especially considering the needs of patients that cannot smoke a joint.
- In terms of enforcement, the ordinance needs to encourage growers to comply. Also bus stops should not be included in the setback regulation.
- Recommendations concerning residential areas are too strict, especially for those growing for medical use. The ordinance needs to respect the patients' rights.
- Has a lot of faith in small businesses looking for opportunities in the county, it is important that the county recognizes the many opportunities that can branch off of these initial activities.
- Compliance means having all growers become responsible members of the business community. Many resources exist to help the county with enforcement. The blue-ribbon commission should be selected by the CAG members themselves.
- In favor of the neighbor waiver idea for outdoor grows because many growers have good relations with their neighbors.

4. Closing Remarks

Daniel then invited the CAG to make closing remarks.

CAG member closing comments:

- Thanked the CAG members and County staff, recognizing that it has been a steep learning curve.
- Hopes the CAG will be able to review any recommendation that will be presented to the Board of Supervisors. Expressed being impressed with the public attendance and input received throughout the entire process.
- Thanks to everyone who participated in the process. Highlights on the importance of allowing a vertically integrated supply chain, but insists that this should not be allowed in industrial zones because of the economic challenge it could cause. Every product that comes in to the county should be tested to avoid bringing diseases into the county.
- Applauded the rationality of most members, recognizing that it's been a respectful process. The CAG has the responsibility to review the report that will go forward to the board and there should be another meeting to discuss the report.
- Pleased that the process has brought the community together through dialogue and shared knowledge. Hopes a comprehensive ordinance will come out of the process and that the CAG can review recommendations that will be brought to the Board of Supervisors.
- Thanked everyone for the positive learning experience. Believes the supervisors will listen to the recommendations from the CAG.
- Thanked the CAG, acknowledging that it's been an important experience, especially by learning about other concerns. Referred to a study that demonstrates that teen and child use of cannabis has dropped every year since legalization in other states. Encouraged the County to veer away from restriction for restriction's sake, and look at how Nevada County can be leader in simultaneously addressing nuisance and the growers' needs. Explained that bus stops were left out of the state regulations for a good reason: the difficulty to check between active and non-active bus stops, and vulnerability to law suits. Highlighted the need for testing labs and the whole supply chain.
- Thanked everyone, appreciates the knowledge gained through the process. Encouraged all members of the CAG to continue the discussion freely to hash out some details. Recommended focusing on the growers that aren't ready to comply rather than those that want to come into compliance. We should rely and trust the respectful growers to regulate the industry and encourage the other growers to come into compliance.
- Encouraged by the process and by the work done by the alliance to reach out to the community and hear concerns. Believes the County is showing leadership in its approach to drafting the ordinance. Struck by the business mentors that have come to speak at public comment looking for a professional way forward and recognizing the need to change certain practices. Would like to see more mentoring and more opportunities to build trust between the community and growers. Agrees that a final review of recommendations would be beneficial.

- Highlights the importance of bringing rivers and water into the discussion, and the County should not simply rely on the state for those regulations. Encourages good communication with neighbors as they can be allies in the process and recommends a transition period of 3 to 5 years. Thanked the young growers that came to speak during public comment. Also, insisted on the importance of considering the needs of patients.
- Thanked all participants. Reminds the CAG that there are some very bad actors in the County and that the reality on the ground is not well understood by the CAG. Many violations to the regulation in other areas such as Sacramento are getting worse and are very problematic. Insists that adequate enforcement tools are needed, including large fines, to protect the neighborhoods. Acknowledges that allowing cultivation in certain areas is necessary to put the pressure off the neighborhoods.
- Thanked the CAG and the community for sharing their public comments which have been very helpful. Thankful to have heard the positive stories through the community comments, but doesn't understand why the anti-cannabis folks did not come to make public comment. Believes the worksheet should have been at the beginning of the process as a basis for further discussion to come up with a more specific recommendation.
- Wished there had been more critical dialogue between CAG members. Insists on the importance of supporting anyone that needs cannabis for medical use and encourages allowing collaboratives for the cultivation of cannabis for medical use. Still concerned about not distinguishing between medical and recreational cannabis, and would like to better understand reason for not distinguishing. Thankful to have learnt to become non-judgmental and be open-minded through this process and would like to keep connection with other CAG members in the future.
- Recommends that the CAG reviews the recommendations in an open meeting setting in order not to be in violation of the Brown Act.
- Applauds everyone for their wonderful job defending and explaining their positions. Appreciates having been able to talk through disagreements but believes there are still elements that deserve further discussion.

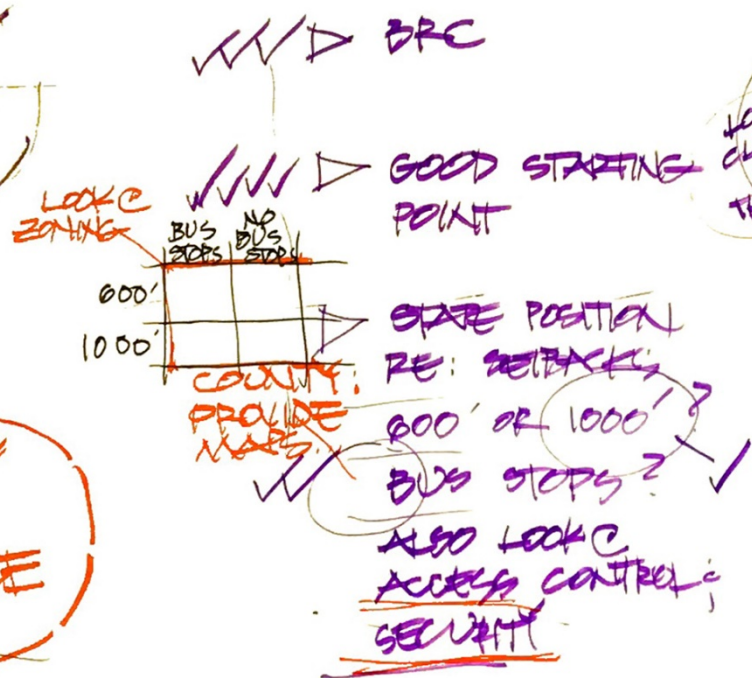
5. Next Steps

Daniel thanked everyone for their time and reminded everyone that although this is the last CAG meeting it is not the end of the public process to develop a new ordinance.

Wall graphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.

CAG

PATHWAY TO COMPLIANCE



- TYPE 1 SPECIALTY OUTDOOR SKIN INDIVIDUAL DATA
- TYPE 2

- RESIDENCE ON PROP.
- GROW - LOTS GET BACK
- R1?

- MEDIUM GROWS...
- SUPPLY CHAIN?
- WHAT IS 5000 D? IN RELATION TO A 3 ACRE PAPER 1?

- REVIEW IN A YEAR "ADAPTIVE MGT"
- IF NO REV, THEN WHAT? HOW TO ENFORCE? PLAN B?

A BUDGET IS NEEDED.

- FOREST MGT PLAN

- NEED A RESIDENCE ON/OR ADJACENT.

- INDUSTRIAL LAND MAY BE SHORT SUPPLY
- G.H. IND.

PERMIT INSPECTION

GRANTS? SELF-SUSTAINABLE, MUST BE

SET THOSE DOING IT RIGHT, REDUCE COST...

HOW DO WE ENSURE COMPLIANCE?

INDUSTRY SELF-COMPLIANCE

*CHARGE FR L.E. TO C.D. INSPECTION.

OVERALL PHILOSOPHY

ENC. OR NOT?

ELON RULE

LOOK @ IND. TABLES

TYPE 7, 10, 11 ADDRESS SUPPLY CHAIN

PERSONAL GROW

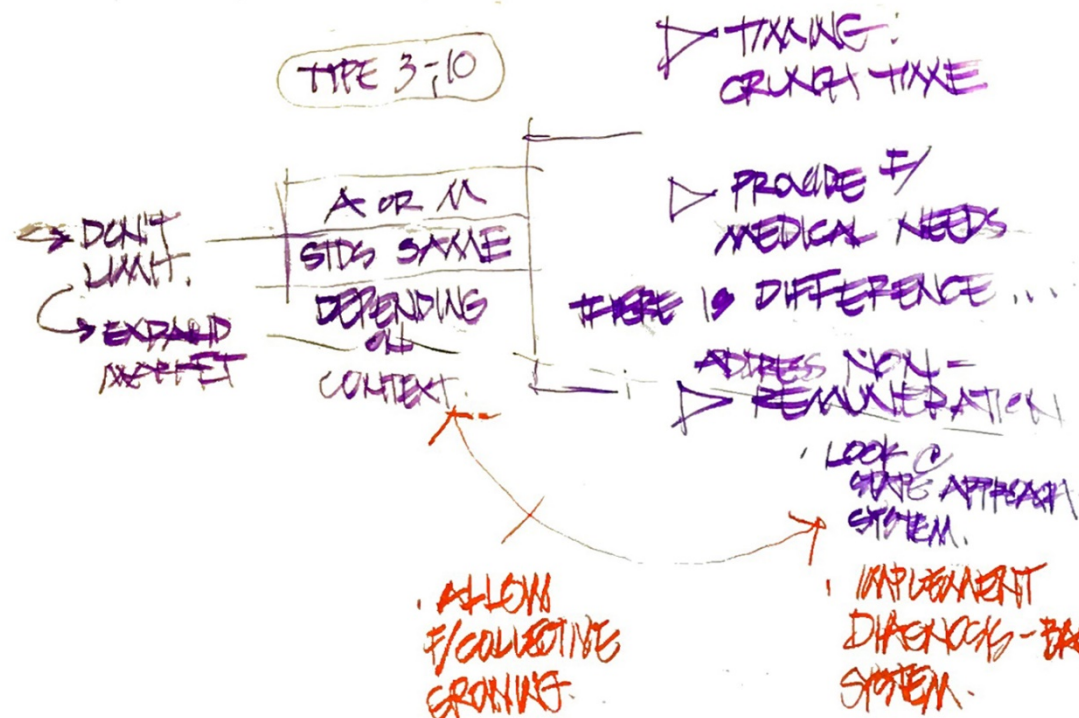
CUP?

NOT THE SAME AS COMM.

R1, R2, R3 NO PERMIT F/2 PLANTS

IF PERMIT SHOULD BE LOW OR NO COST.

ALLOW/NOT NECESSARILY PERMIT.



Nevada County Cannabis Regulation Community Planning Process

CAG Meeting #9

November 7, 2017

Appendix E

CAG Application Form



COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY

950 MAIDU AVENUE SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9851 <http://mynevadacounty.com>
Sean Powers, Community Development Agency Director

APPLICATION FOR THE COMMUNITY ADVISORY GROUP (CAG) TO GATHER COMMUNITY INPUT AND
PROVIDE RECOMMENDATIONS FOR THE NEVADA COUNTY CANNABIS ORDINANCE

APPLICATION ONLINE <https://www.mynevadacounty.com/nc/cda/Pages/CannabisConversation.aspx>

APPLICATIONS ARE DUE MAY 2, 2017 BY 5:00 P.M. - LATE SUBMISSIONS WILL NOT BE ACCEPTED

DELIVER IN PERSON OR MAIL TO THE COMMUNITY DEVELOPMENT AGENCY ADDRESS ABOVE
POSTMARKS WILL NOT BE ACCEPTED - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

SCANNED PACKETS: EMAIL TO ComDevAgency@co.nevada.ca.us OR FAX (530) 265-9851

NAME: Last:

First:

Physical Residence Address (Must be a resident of Nevada County):

Street:

City:

Zip:

Mailing Address, if different from residence address:

Street:

City:

Zip:

Phone number:

E-Mail Address:

Supervisory District (1-5):

Find your District: <https://www.mynevadacounty.com/nc/bos/Pages/Find-Your-Supervisory-District.aspx>

Applicant Expertise:

- Applicant self-identifies as a representative of one of the following categories: (choose one)
 - ☐ Cultivator
 - ☐ Cannabis industry
 - ☐ Environmental
 - ☐ Local business owner
 - ☐ Public safety
 - ☐ Patient advocate
 - ☐ Physician or medical professional
 - ☐ Public health
 - ☐ Community advocate
 - ☐ Local agency
 - ☐ Education
 - ☐ Community Youth
 - ☐ Religious or Faith-based
 - ☒ Other as suggested by applicant _____

A resume or additional sheets may be attached containing any information that would be helpful in evaluating your application. Letters of recommendation and references for support are encouraged, but not required.

- Please provide a narrative that describes your experience or expertise related to the category you selected.
- Please provide your last two years of employment history, if any, including name, address, phone number and e-mail address of your employer and a brief description of your job duties. If self-employed, please provide the business address, phone number, and a brief description of your business.
- Please describe your relevant qualifications to serve on the Community Advisory Group.
- Please explain why you wish to serve on the County's Community Advisory Group.

- Are you now or have you ever been affiliated (as an officer, owner, director, trustee, partner, advisor, consultant, etc.) with any cannabis businesses? If yes, please explain. Yes ☐ No ☐

- Do you own real property, personal property, financial holdings, or receive income from any source which might present a potential conflict of interest, or appearance of conflict of interest, with your requested appointment? If yes, please explain. Yes ☐ No ☐

Communication Style and Openness to Other Perspectives

- Please provide a short paragraph describing your interest in and willingness to be open to other perspectives and new information.

Association/Organizational Experience

- Please describe any experience you have participating in a group advisory, committee or decision making process.

- Please list any of your past or present affiliations with associations or organizations.

References

- References. Please provide contact information for two individuals who can serve as a reference for the expertise and capabilities you describe in this application.

Contact #1 Name:

Contact #2 Name:

Contact #1 Address:

Contact #2 Address:

Contact #1 Phone:

Contact #2 Phone:

Contact #1 Email:

Contact #2 Email:

- Type of license or certificates, issued/received dates, and expiration date:

Member Availability and Expectations

- We expect there will be 8 CAG meetings that are each about 2.5 hours long. Are you available to attend meetings scheduled on Tuesday afternoons sometime between 2pm and 6 pm?

Yes ☐ No ☐

If not, when are you available to attend meetings.

Member protocols

I hereby submit my name for consideration to serve in an advisory capacity to the Nevada County Board of Supervisors. In doing so, I understand that:

1. Persons serving on the Community Advisory Group must agree to follow and abide by all guidelines and protocols established by the County regarding civil discourse, active listening and communication, media protocols and, when appropriate, confidentiality.
2. Persons serving on the Community Advisory Group must agree to attend all meetings of the CAG unless excused by the Community Development Director for good cause. Consistent attendance by members of the CAG is critical to the success of this process.
3. Persons serving on the Community Advisory Group shall be volunteers and shall serve without compensation. Reimbursements for certain required incidental expenses will be allowed only at the discretion, and with pre-approval, of the Community Development Agency Director.
4. Persons serving on the Community Advisory Group will be required to complete a Fair Political Practices Commission (FPPC) Form 700, Statement of Economic Interest disclosing their personal assets and income.
5. Persons serving on the Community Advisory Group are appointees of the Chair of the Nevada County Board of Supervisors and serve at the will and pleasure of the Board.

I declare, under penalty of perjury, under the laws of the State of California, that the information in this application and all information submitted with this application are true and correct.

NOTICE ON COLLECTION OF PERSONAL INFORMATION

The County of Nevada collects the personal information requested on this Community Advisory Group application in accordance with Labor Code section 3363.5. The County uses this information to identify and evaluate applicants seeking appointment to the County's Community Advisory Group and to maintain official records of volunteers. Submission of the requested information is voluntary; however, the County cannot consider your application unless you provide all of the requested information.

We make every effort to protect the personal information you provide us. The information you provide may be disclosed in response to a Public Records Act request (Government Code section 6250, et seq), to another government agency as required by State or Federal law, or in response to a subpoena, search warrant, court or administrative order.

Appendix F

CAG Member Roster

SIGNATURE PAGE FOR CAG ORGANIZATIONAL FRAMEWORK

As an appointed member of the Community Advisory Group (CAG), I agree to adhere to all principles, protocols, practices and procedures described in this CAG Organizational Framework. I understand that my failure to adhere to any one or more of these elements may result in my dismissal from the CAG by the Chairman of the Nevada County Board of Supervisors.

Name:

Signature:

Date:

- | | | | |
|-----|------------------------------|--------------------|------------------|
| 1. | <u>JONATHAN COLLIER</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 2. | <u>PAMELA D. SWARTZ</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 3. | <u>LELAND FRENCH</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 4. | <u>ERIN TARR</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 5. | <u>Don Bessee</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 6. | <u>Debra Weistar</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 7. | <u>FORREST HURD</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 8. | <u>Shanyu W. Turner</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 9. | <u>Mark Schaefer</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 10. | <u>RICH JOHANSEN</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 11. | <u>TOM CROSS</u> | <u>[Signature]</u> | <u>5/23/17</u> |
| 12. | <u>Cathy Peterson</u> | <u>[Signature]</u> | <u>5/23/2017</u> |
| 13. | <u>Robert Erickson</u> | <u>[Signature]</u> | <u>5/23/2017</u> |
| 14. | <u>Rosemary Metrailler</u> | <u>[Signature]</u> | <u>5/23/2017</u> |
| 15. | <u>Michael MASTROGIACATO</u> | <u>[Signature]</u> | <u>5/23/2017</u> |
| 16. | <u>Matthew Shapiro</u> | <u>[Signature]</u> | <u>6/13/2017</u> |
| 17. | <u>Jim Drew</u> | <u>[Signature]</u> | <u>7/25/2017</u> |