

Appendix A: Comment Cards and Electronic Comments



Community Advisory Group (CAG)
Nevada County Cannabis Regulation
Community Planning Process



COMMENT CARD

Date:

Name:

Address:

[Redacted Name] 915960

Comments:

Just to be clear, 30,40,50 plants is a TINY garden for commercial Nevada county growers, in order to survive in this industry, need to at least be allowed 10,000 sqft, which is a small commercial license. We want to comply, help us succeed.

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Cannabis Conversation Website
<https://www.mynevadacounty.com/nc/cda/Pages/CannabisConversation.aspx>

of death from [opioid overdoses](#)⁵ than other states. The apparent effect grew over time: a 20 percent lower rate of opioid deaths in the laws' first year, 24 percent in the third, and 33 percent in the sixth, researcher Colleen Barry of Johns Hopkins Bloomberg School of Public Health and her colleagues reported in JAMA Internal Medicine. In 2010 (the last year for which the researchers had data), there were 1,729 fewer such deaths than expected in medical marijuana states.

A 2015 study drilled down into different aspects of marijuana laws. Medical marijuana dispensaries were associated with a 16 percent (and possibly as high as a 31 percent) decrease in opioid overdose deaths, especially among men, compared to states without dispensaries, said health economist Rosalie Liccardo Pacula of RAND, who led [the study](#)⁶, which has been submitted to an economics journal. The decline seemed to be driven by lower rates of illegal opioid use.



[Read More](#)⁷

[This is your brain on pot: Neuroscientist studies long-term effects of medical marijuana](#)⁷

And a July [study](#)⁸ in Health Affairs found that doctors in states with medical marijuana laws wrote fewer prescriptions for pain meds to Medicare patients than their colleagues in other states. That suggested that the reason for the decline in opioid deaths seen in the two earlier studies might indeed be because doctors are prescribing fewer of the drugs.

The three studies “tell a similar story,” said Pacula: After medical marijuana comes to a state, “fewer people are dying” of opioid overdoses. “If it were just one study, or two, I’d be less confident,” she added. “But now there are three.”

Experts said they were not aware of any rigorous study finding that medical marijuana serves as a gateway to opioid abuse.

Really?

The first question about studies like these is whether states with medical marijuana differed in other ways from states without it. Maybe the pot-tolerant states also had tough opioid monitoring programs, imposed strict oversight of pain clinics, or had better addiction-treatment programs — all of which can reduce opioid abuse and overdose deaths.

When researchers in the 2014 study took into account trends in opioid deaths before the medical marijuana laws, the association between the deaths and laws were just barely statistically significant (meaning the odds were less than 5 percent that the association was due to chance). But they squeaked over that crucial threshold.



[Read More](#)⁹

[Seeking medical marijuana? Don't expect much 'medical' oversight](#)⁹

RAND's finding of a 16 percent drop in opioid deaths following the legalization of medical marijuana dispensaries also held up even after the researchers “put this through the econometric wringer,” said

Pacula: they checked that the results weren't due to existing trends simply continuing, or to other factors (such as changes in unemployment rates or demographics) that might differ between medical-marijuana states and others. The results of the Medicare study also held up after checking for such confounding factors.

“Overall, we find strong, consistent evidence that medical marijuana dispensaries lead to reductions in opioid-related mortality,” the RAND team concluded. Some people who would otherwise be at risk of abusing opioids, perhaps fatally, must have turned to [medical marijuana](#)⁹ instead, Pacula said.

Whether more physicians in medical marijuana states discussed the potential benefits of cannabis, or more patients — aware of the dispensaries — sought it out isn't known, however. “We don't yet have studies tracking what individuals are actually doing,” said Hopkins' Barry.

The verdict:

After a state legalizes medical marijuana, and especially after dispensaries start operating, opioid deaths fall.

About the Author



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Sharon covers science and discovery.

sharon_begley@statnews.com¹¹

[@sxbegle](#)¹²

Tags

Links

1. <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>
2. <https://www.statnews.com/2016/08/22/heroin-huntington-west-virginia-overdoses/>
3. <https://www.statnews.com/2016/06/14/opioids-overdose-heart-death/>
4. <http://archinte.jamanetwork.com/article.aspx?articleid=1898878>
5. <https://www.statnews.com/2015/12/18/opioid-drug-overdose-deaths/>
6. <http://www.nber.org/papers/w21345>
7. <https://www.statnews.com/2016/08/15/medical-marijuana-study-staci-gruber/>
8. <http://content.healthaffairs.org/content/35/7/1230.abstract>
9. <https://www.statnews.com/2016/03/07/medical-marijuana-regulation/>
10. <https://www.statnews.com/staff/sharon-begley/>
11. https://www.statnews.com/2016/09/14/medical-marijuana-opioid/mailto:sharon_begley@statnews.com
12. <https://twitter.com/sxbegle>
13. <https://www.statnews.com/tag/addiction/>
14. <https://www.statnews.com/tag/medical-marijuana/>
15. <https://www.statnews.com/tag/opioids/>

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Community Advisory Group (CAG)
Nevada County Cannabis Regulation
Community Planning Process



COMMENT CARD

Date: July 25, 2017
Name: [Redacted]
Address: Nevada City, Ca. 95959

Comments: Cannabis is a large scale presence in Nevada County. The new laws allow this previously unregulated industry to come into compliance. I want to suggest a 'grace' period for existing farms that wish to come into compliance. This would allow them (the farms) to stay in business and pay for improvements needed to come into compliance. Perhaps a 2 year period would allow existing family farms to get up to speed while being able to pay their bills & employees & taxes. Make setbacks provisional upon approval of neighbors.

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Date:

July 25, 2017

Name:

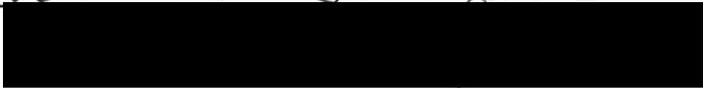


Address:

Nevada City, Ca. 95959

Comments:

The ~~new~~ new ordinance should make it easy for farmers & industry workers to come into compliance. State reg's are hard enough. Make it easy for people to try to be in compliance w/ the laws. The whole purpose of this body of law is to regulate & control. If the rules are difficult locally as well as difficult at the state level then all local farmers will ~~be forced~~ be forced into the black market. Is the purpose of the CAG to eliminate cannabis in Nevada County because that is how the conversation is being slanted towards prohibition.



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7/25/17

Dear CAG members,

I was very disturbed at your July 11th meeting to hear the County Community Development Director refer to the photos he showed as “Mega Grows.”

We have heard these types of comments many times, but usually from our Sheriff and some of our Supervisors. I can't help but feel that Sean Powers has been either coached or at least misled by his superiors. I would expect an open mind and an unbiased approach from his department.

That said, the USDA defines a small farm as grossing not more than \$500,000 per year.

The new state licenses for Cannabis cultivation, due for issuance in Jan. of 2018, start with the smallest, Cottage, at 2500 square feet, specialty at 5000 square feet, and aren't even called 'small' until they reach 10,000 square feet. No mention there of “Mega” grows.

This “refer madness” type of language has no place in the process you folks are involved in.

In order for a small Nevada County Cannabis farm to succeed in the highly competitive, lower priced market that is evolving, they will need permits for 2500, 5000 and even small permits of 10,000 square feet to survive.

License fees, operating costs and taxes are substantial. Prices are dropping. Ask any of the Ag folks in your group.

Please take a reasonable approach as you craft your recommendations and give our farmers a realistic chance to succeed in this now legitimate marketplace.

Thank you for your service.

[REDACTED]
Nevada County resident for 30 years



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COMMENT CARD

Date: 7/22/17
Name: [REDACTED]
Address: [REDACTED]
NC

Comments: N. I. D WATER can we use
it?

N. I. D. putting round up in
water.

Why NOT Let Farmers that
grow Food Get a Fast TRACK

I have a 50 ACRE Farm-
why do I have to build a
house?

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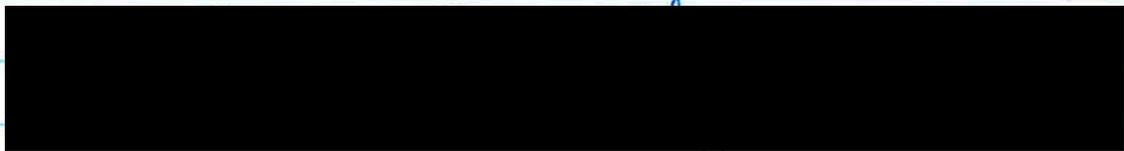
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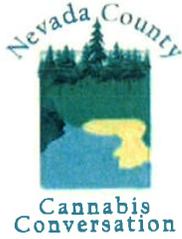
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Are there going to be
clear guidelines on the
process to transition from
the legal structure of LLC/non-profit
entities to the licensing model?

Related to that, what would
the timing be on the
transition from one model
to another?





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COMMENT CARD

Date: _____
Name: _____
Address: _____

Comments:

Regarding resources; fees in the license process as well as local taxes on the farmer's end, would be a viable way to receive funding for regulation enforcement.

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The following comments were submitted by email to cagcomments@migcom.com:

Comment 1:

Dear Sirs:

As has been evident from the recent Nevada laws, dispensaries are now in chaos because they have run out of cannabis and only deliveries are from alcohol related delivery systems. This is an example of what will happen in Nevada city with only one dispensary. In addition, the State of California is going to cut back the number of dispensaries now in operation. What will this do to demand? The black market will kick in and pick up the slack since dispensaries will not fill the needs of their citizens. Nevada City cannabis committee needs to follow with the larger cultivation farms, not limit to 2500 square feet, this is totally laughable. Colorado has no limit to their cultivation, yet California still lags behind, California and Nevada City should be leading this parade in the USA, not Colorado...

Comment 2:

Love your informative emails & usually respond to all the surveys, which I did again, even though we found ourselves moved 50miles away after 18yrs in Placer County & unable to grow. Would most likely take part in the mixer but once again I am priced right out. I understand \$25 may not seem like much but some of us can barely afford our monthly expenses let alone extraordinary expenses. So once again we will be no shows. Keep up the great work & consider making the \$25 donation to participate a non requirement.

Comment 3:

LOS ANGELES: "Highlights of the proposed changes that we made are:

-A licensing system instead of Certificates of Compliance and limited immunity

-Reduction of sensitive use buffer zones from 800ft to 600ft

-Allowance of Type 7 Volatile Manufacturing license type

-Allowance of Mixed-Light Cultivation license type

-Measurement of distances from building to building, not the more restrictive property line to property line

-Allowance of certain Type 6 manufacturers in Commercial Zones" #LosAngeles #Regulating

<http://www.greenfrontier.com/la-cannabis-task-force-ufcw-770-ucba-submit-land-use-ordinance-redlines-los-angeles-department-city-planning/>

Don't allow permit bottle necks ... temporary permits need to be issued ...

<http://www.ukiahdailyjournal.com/general-news/20170714/mendocino-countys-cannabis-program-under-fire-as-applications-pile-up>

Comment 4:

Hello

Reason for no voluntary road payments ...

I moved out this area to get away from bureaucracy ... Maybe residents should go back to being responsible to fix the part of the road thats in front of there own house ...

I am retired with my wife and we travel out less than 10 times a month ...Do not have trash service or propane, or have anyone come to my property delivering or even visiting for that matter ...

I also have to maintain 800ft+ of roads I hardly use ... due to the size of my large parcel ... never mind spending \$\$ slowly on my my parcel to no longer be a fire hazard. The place is a \$\$\$ pit ...

I grow food and cannabis for little to no cost for sick people depending on need ... I am on a retirement income ... California born and local.

My Cause

<http://cannabiscurescancer.com/>

With the BOS (Board of Supervisors) dragging their feet at any potential legal commercial cannabis use there is not much incentive to invest any more \$\$\$ than I already have ... Since we are obviously not wanted ... and sometimes raided ... I really hope I do not have to move after living in my current house for 5+ years ... There is nowhere to go ...

Also even if the county does opt to allow legal commercial cannabis cultivation to get inline with the new state laws it will cost ten's to hundreds of thousands of dollars ... Most cannabis farmers are expanding sizes due to price free falls and are still just making enough to pay bills and taxes ...

Also with the amount of cannabis the BOS might allow legally in the future being highly constrained it is doubtful these potential legal farmers will even be able to make a profit to have a future.

Till the county gets some sane laws and allows legal responsible growers here that feel safe enough to definitely set down roots ... You will likely see more of these problems caused by large growers who have multiple parcels, major expenses, semi trucks to move plants, and every thing else you can think of to skirt the current ordinance that is a ultimately a ban.

The previous owners of this parcel on [REDACTED] where forced to block off this road easement due to prohibitionist threats ... still not reopened ... I can't get fire insurance now ... so friendly ...

So not having fire protection on the house that was the ugly duck of the block and unlivable when purchased is a major concern. I have put plenty of time and labor (sweat equity) in to making my parcel livable (major investment) and look acceptable to my nearby neighbors. They are easy to get along with (Non growers love my veggies, and also help maintain my road in exchange) ... and thats all that matters to me for now ...

Guess there is nowhere left in California to be left alone in seclusion.

I hope the Board of Supervisors comes to a realistic resolution soon ... as it makes sense to me to regulate legal activities rather than continue to promote unregulated activities that perpetuate prohibitionist propaganda.

Then maybe these roads being blocked off can be reopened (Unlikely, as a house and greenhouse has been built since adding to the permanency) and road maintenance cost issues could be worked out ... Then I would not have to use your portion of the road ever ... Yet still may opt to make Voluntary Payments.

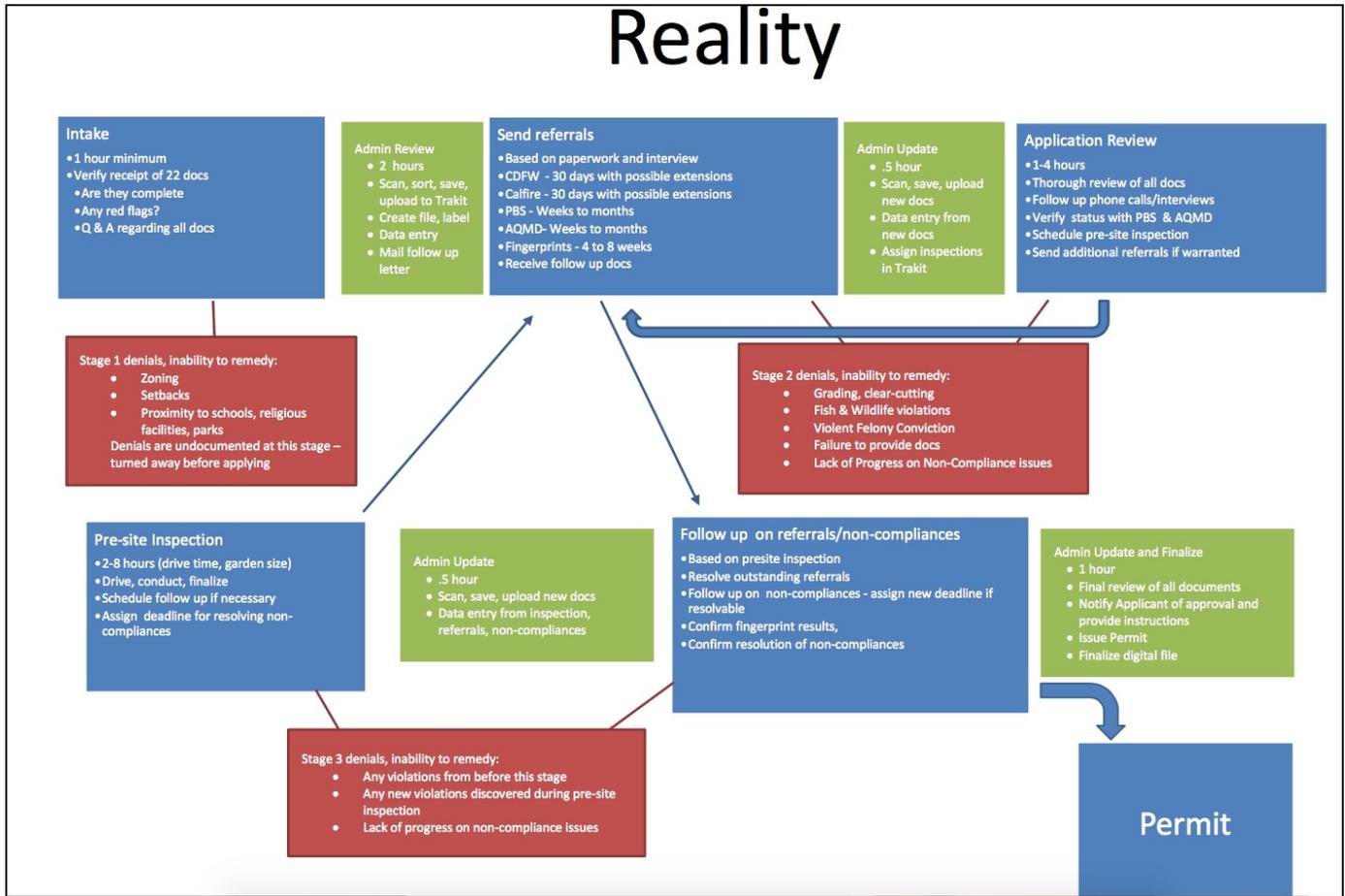
No need to respond because I rarely check this email ... and I already regret trying to communicate in writing this ... I am one to prefer keeping my mouth shut with the amount of chronic pain I am forced to live with ...

Comment 5:

Why did Mr Hurd respond to the article in the Union about a week ago. I thought that the CAG members were not to have any to do with the media or any communication about MJ while on the CAG. Didn't he have agree to that.

Comment 6:

<https://mendocino.legistar.com/View.ashx?M=F&ID=5318197&GUID=B2573546-9682-477D-ACEE-1D4CDF373DF0>



Comment 7:

I strongly oppose commercial cannabis in Nevada County for several reasons:

- 1) No matter how much regulation, there will still be a black market and associated crime.
- 2) Examples in other places where there is commercial cannabis have proven that the revenue promised is not as great as is projected because of the unintended consequences of the existence of the product in the first place.
- 3) Pollution of the soil, water and air will happen even with regulations. I don't want this pollution in Nevada County any more than it is already.

Comment 8:

Why is it that it seems the only people at the meetings are MJ supporters. Could it be that the anti MJ people are working. Seems to me that since our bordering counties don't allow grows if we do allow growing they will certainly come here. I would also like to know what happened with the big grows that we were shown at the last meeting.

Comment 9:

Ban Personal Outdoor ... No state Grant \$\$\$ to enforce commercial grows ...

[http://www.canorml.org/news/Under Prop 64 locals that ban outdoor cannabis cultivation or commerce will lose tax dollars#grantloss](http://www.canorml.org/news/Under_Prop_64_locals_that_ban_outdoor_cannabis_cultivation_or_commerce_will_lose_tax_dollars#grantloss)

Comment 10:

Understanding the county's residential zoning designations is critical. The zoning is very simple, yet can be easily confusing as well. There are four residential zoning designations in Nevada County that are primarily for residential purposes. These are **R1 (Single family)**, **R2 (Medium Density)**, **R3 (High Density)** and **RA (Residential Agricultural)**. Under the Nevada County General Plan that defines zoning and related parameters, the Residential Agriculture designation has two sub districts: **RA Estate** and **RA Rural**.

RA Estate is generally located near the cities in the county and the county's description states for RA Estate: "the single-family dwelling is of primary importance and agricultural uses are secondary."

RA Rural is generally located more distant from the cities in the county, and the county's description states for RA Rural: "agricultural operations and natural resource related uses and residential uses are of equal importance."

The confusion seems to be around the "RA Estate" and "RA Rural" designations. Both include residential uses, and for RA Estate residential is of primary importance. Thus, there should be no dispute that commercial or large grows (larger than the six personal use indoor plants allowed by State laws under Proposition 64) should be prohibited for R1, R2, R3 and RA Estate zones. A case could be made for more than the six personal use plants in RA Rural zones, but in my opinion even RA Rural should not allow these grows, as residential uses are of equal importance to agriculture and need to be protected.

Comment 11:

Hi, I live in a rural part of grass valley. I'm a home owner and a great neighbor. I've been cultivating for 11 years and a great neighbor with a handful of us in the area. We all have parcels that are 2.5 acres.

I grow organically and respect my land and love cultivating. I have horrible arthritis and cannabis helps relieve my joint pain. I'm very worried about all of the changes.

I want to comply with all of the changes.

It's hard for me to attend meetings due to my arthritis.

Cultivating is a passion and take great pride and dedication to provide clean pesticides free cannabis. I'm unable to work a regular job due to my injuries & arthritis. If I'm able to cultivate it will be deviation.

Please consider us homeowners on smaller parcels to continue. I shop locally and support my community.

Comment 12:

MIG,

Thank you for your great work so far. As a manufacturer, I am eager to start hearing much more discussion among the group regarding all the other license types beyond cultivation. I am glad that some CAG members have read the laws on regulation and licensure, and I agree we need to keep the conversation within the realm of what is allowed under state laws; the local regulations do not need to stipulate limitations that are already required for licensing of applicants.

At the July 11th meeting, and others, I heard concerns around a need for the county to have punitive fines for those out of compliance, as a means to give us an incentive to be compliant with the regulations. To clarify, the new licensing requirements are already signed into law. The incentive to be compliant is the possibility of obtaining and retaining a state license. My understanding is that operating a cannabis business without a license is going to carry the threat of imprisonment and felony status.

Please let the public know what we can expect as far as discussion of manufacturing, nurseries, distribution, and dispensaries.

Comment 13:

CAG members,

When all is said and done and you are ready to finalize your recommendations; I believe you would do well to see if a prospective grower is able to accomplish all of the requirements in the ordinances by having a flow chart or check off list that a prospect could use to make sure he/she will be in compliance with all of the county ordinances before an investment in time and money is made.

If for example step #8 in the ordinance check list conflicts with step #3 to come into compliance then a change in the ordinance needs to be made so that prospective grower is able to comply. In short, is it possible to comply with all of the provisions of the ordinances or are the ordinances written in such a way that it is impossible to comply

An example might be the current setback ordinance wherein a parcel of land of a certain acreage allows a certain number of plants BUT those plants must be a certain distance from the property line which makes the shape of the parcel the determining factor in whether or not a garden is allowed.

The phrase "Catch 22" comes to mind when trying to comply with the existing ordinances.

Comment 14:

An LA Times article on July 26, 2017 at 2:20 pm (author Patrick McGreevy) reports on comments made at a meeting at the Sacramento Press Club on July 26.

Hezekiah Allen, executive director of the California Growers' Assn. said at the conference "We are producing too much," adding state-licensed growers "are going to have to scale back. We are on a painful downsizing curve."

He said some marijuana growers may stop, while others just won't apply for state permits.

Speakers at the conference put the over production at 5 times, 8 times, and as high as 12 times the domestic CA consumption. New state regulations ban exports, so legal production quantities will be forced down.

The message to Nevada County growers, CAG members and Supervisors is clear: the number of legally permitted plants in Nevada County must be reduced substantially. Also, the optimistic forecasts of high fee and tax revenues are unrealistic pie-in-the-sky predictions.

Here is a link to that article: <http://www.latimes.com/politics/essential/la-pol-ca-essential-politics-updates-california-producing-pot-surplus-1501101923-htmllstory.html>

Attached and part of this CAG comment is a PDF copy of the article.

(See Attachment A1, beginning page A-17.)

Comment 15:

Dear Members of the Community Advisory Group,

I would like to thank the members of the Community Advisory Group for their hard work on the important project of advising the Board of Supervisors on establishing sensible permanent cannabis regulations in Nevada County. I was unable to attend the meeting this week on Tuesday, July 25th due to work commitments, and I ask that my brief comments (below) be considered as part of the public comments for that meeting.

My name is [REDACTED] and I am a proponent of sensible regulation of the local cannabis industry. Creating a legal marketplace will not only increase local tax revenues, but also drive prices down for consumers and discourage black market activity by depressing profits and increasing the risk of being caught. In particular, establishing a framework for cannabis industry businesses to exist and be regulated makes it much easier to verify that plant counts, environmental and product quality issues, and taxation and licensing rules are followed. As law enforcement and any delivery-based service providers can attest (propane, PG&E, tree services, gravel delivery) cannabis is already in backyards and clearings in every corner of Nevada County. Prohibition failed to eliminate cannabis from our region even during the height of the "war on drugs", with tens of millions of dollars being spent on CAMP (Campaign Against Marijuana Planting) annually, and millions more by local narcotics task forces throughout the state.

Regulation presents a sensible alternative. Individuals who opt-out of the regulatory process (licensing) will be easier to identify by law enforcement, and those who are licensed will be more readily checked for compliance. As a small business owner I am not interested in participating in any unlicensed activity, but I would like to have the opportunity to compete in this emerging, regulated marketplace. Specifically, I am personally interested in the Group's recommendation to allow cottage nursery licenses in Nevada County. Moreover, I would like to direct CAG members to the comments I submitted at the previous meeting on July 11th, but was unable to present in person, and which are concerned with the set-back issues facing my property; and the provision for cottage nursery licenses more broadly.

Thank you for your consideration.

JULY 26, 2017, 2:01 P.M.

Los Angeles Times

California has too much pot, and growers won't be able to export the surplus



Patrick McGreevy

A leader of California's marijuana industry warned Wednesday that the state's cannabis growers produce eight times the pot that is consumed in the state so some will face "painful" pressure to reduce crops under new state regulations that will ban exports after Jan. 1.

ALSO: Candidate Gavin Newsom dominates donations from growing pot industry aiming for influence

Some marijuana growers will stay in the black market and continue to illegally send cannabis to other states, which is also not allowed under federal law, said Hezekiah Allen, executive director of the California Growers' Assn.

"We are producing too much," Allen said, adding state-licensed growers "are going to have to scale back. We are on a painful downsizing curve."

He said some marijuana growers may stop, while others just won't apply for state permits.

Allen made his comments to the Sacramento Press Club during a panel discussion that also included Joseph Devlin, chief of Cannabis Policy and Enforcement for City of Sacramento, and Lori Ajax, chief of the state's Bureau of Medical Cannabis Regulation.

Devlin said estimates he has heard put California production at five times the state consumption; one consultant in the audience said the number may be 12 times what is consumed in the state.

Ajax agreed with Allen that some cannabis cultivators may have to scale back while others may never apply for a state license.

“For right now, our goal is to get folks into the regulated market, as many as possible,” Ajax said. But, she added, “There are some people who will never come into the regulated market.”

Those people, she said, will eventually face enforcement actions for growing marijuana without a state license.

Medical marijuana use was approved by California voters two decades ago. Voters in November approved the legal sale and possession of an ounce of marijuana for recreational use.

<http://www.latimes.com/politics/essential/la-pol-ca-essential-politics-updates-california-producing-pot-surplus-1501101923-htlstory.html>