

Supplement to the Comment Appendix for Meeting #6

Please note: Proccotol for meeting comments is to include comments received within 48 hours of the meeting date. However, due to the change in meeting dates, we are providing these as a supplement to the comment appendix for meeting #6.

PRIORITY LIST CONSIDERATIONS

1A - Allowed Cultivation Activities Considerations

- **Indoor vs Outdoor grows:** Nevada County should allow both and follow state licensing types to determine the appropriate size.
- **Cultivation Parameters:** Explained below under State License Type Structure
- **Medical Access:** Yes
- **State License Type Structure:**
 - **Type 1 Licenses:** These licenses apply to specialty cultivation sites and are the allowed cultivation activities as per state regulations:
 - **Type 1** or “specialty outdoor”: This license is for farmers seeking to farm outdoor using no artificial lighting in a garden less than or equal to **5,000 square feet** of total canopy size on one premise, **or up to 50 mature plants** on non contiguous plots.
 - According to Alliance Survey 38% of respondents intend to pursue a Type 1 License.
 - **Type 1A** or “specialty indoor”: This license is best suited for farmers wanting to cultivate between **501** and **5,000 square feet** of total canopy size on one indoor premise using exclusively artificial lighting or grow lights.
 - **Type 1B**, or “specialty mixed-light”: This license is for farmers who use a combination of natural and supplemental artificial lighting, at a maximum threshold to be determined by the licensing authority, to cultivate cannabis. This license allows between **2,501** and **5,000 square feet** of total canopy size on one premises.
 - **Type 1C**, or “specialty cottage”: This license is for farmers using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of **2,500 square feet** or less of total canopy size for mixed-light cultivation, **up to 25 mature plants** for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
 - According to Alliance Survey 24% of respondents would pursue a 1C license.
 - **Type 2 Licenses:** These licenses are for farmers cultivating on gardens considered “small” size and should be allowed under cultivation activities allowed as they are appropriate for Nevada County.

- **Type 2**, or “small outdoor,” for outdoor cultivation using no artificial lighting between **5,001** and **10,000 square feet**, inclusive, of total canopy size on one premises.
 - According to Alliance survey 38% of respondents would pursue a type 2 and/or 2B license.
 - **Type 2A**, or “small indoor,” for indoor cultivation using exclusively artificial lighting between **5,001** and **10,000 square feet**, inclusive, of total canopy size on one premises.
 - **Type 2B**, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between **5,001** and **10,000 square feet**, inclusive, of total canopy size on one premises.
 - **Type 3 Licenses:** These licenses are for farmers cultivating on gardens considered “medium” sized.
 - According to Alliance survey, 14% of respondents would pursue a Type 3 license.
 - **Type 3**, or “outdoor,” for outdoor cultivation using no artificial lighting from **10,001 square feet to one acre**, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
 - **Type 3A**, or “indoor,” for indoor cultivation using exclusively artificial lighting between **10,001 and 22,000 square feet**, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
 - **Type 3B**, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between **10,001 and 22,000 square feet**, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
 - **Nurseries:** Type 4, or “nursery” for cultivation of cannabis solely as a nursery. Nurseries typically produce clones, immature plants, seeds and other agricultural products used specifically for planting, propagation, and cultivation of cannabis. Clones are typically produced using artificial light to keep a “mother” plant in the vegetative state. Cuttings are then taken from the mother plant and rooted to make baby plants or clones. The state does not specify how small or large nurseries can be.
 - **Type 5 Licenses:** Type 5, or “outdoor,” means for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
 - Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than **22,000 square feet**, inclusive, of total canopy size on one premises.

- Type 5B, or “mixed-light,” means for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than **22,000 square feet**, inclusive, of total canopy size on one premises.

No Type 5, Type 5A, or Type 5B cultivation licenses may be issued before January 1, 2023

2A - Location of Cultivation Activities Through Land Use

- **Zoning:** Nevada County Cannabis Alliance Survey Findings: When crafting a new ordinance that would allow the commercial cultivation of cannabis, Nevada County officials should consider that a vast majority of growers are already cultivating in land use zones that are appropriate for the activity:
 - 70 percent of growers who responded to the Alliance survey should be immediately eligible for commercial cultivation based on zoning within Agricultural, Residential - RA Rural, Timber Production Zone and Forestry.
 - 53 percent live on Ag land and are ready to participate as regulated farmers in the marketplace.
 - 55 percent of growers wanting to comply say land use is the biggest hurdle.
- **Personal vs Commercial Use in Specific Zones:** The county should differentiate between personal and commercial when legislating land use for cannabis cultivation. Use state guidelines to lead the discussion.
- **Impacts on Neighbors:** Reference considerations 4A, 6A, and 7A.

3A - Amount of Cultivation

- Nevada County should follow state regulations and legislate cannabis cultivation based on square footage as per state regulations. Plant count was intentionally removed from policy as it a unrealistic way to quantify garden size as there are many different growing styles. While preferred by law enforcement for ease of compliance checks, this method of evaluation is not congruent with realistic growing techniques.
- County Agriculture code compliance officers use a device to measure square footage of crops.

See chart below.

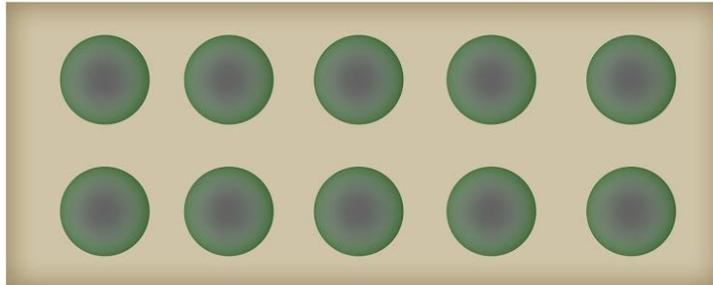
Typical Cultivation Site Designs

Comparing “Big Trees” to Sea of Green growing techniques

Using plant count to determine the size and yield of a cultivation site does not adequately account for different cultivation techniques commonly used in cannabis agriculture.

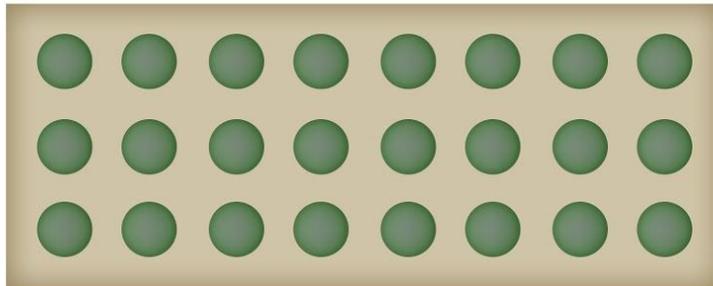
“Big Trees”

10 plants grown outdoors
Average plant height 8-10 ft.
Average yield 7.5 pounds each
75 lbs



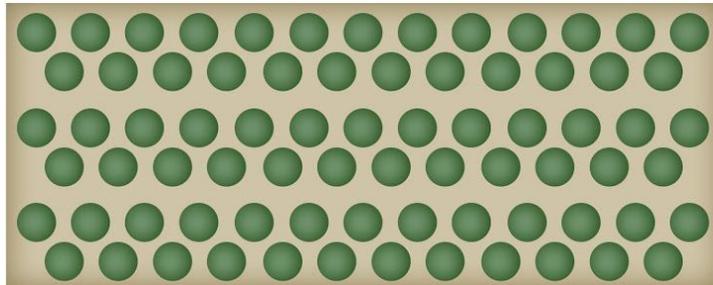
“Trees”

24 plants grown outdoors
Average plant height 6-8 ft.
Average yield 3 pounds each
72 lbs



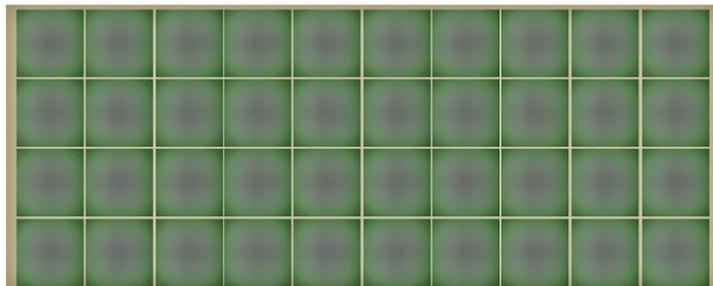
Sea of Green #1

75 plants grown in greenhouse
Average plant height 4-6ft.
Average 1 pound each
75 lbs



Sea of Green #2

40 5x5 ft. trays,
(typically grown indoors)
25 plants per 5x5 ft. tray
1,000 plants
Average plant height 1.5ft
Average 1.5 lbs per each 5x5ft tray
60 lbs



Example cultivation site dimensions: 20ft x 50ft (1000 sq. ft)



CALIFORNIA GROWERS ASSOCIATION- NEVADA COUNTY CHAPTER
<http://www.calgrowersassociation.org/> nevadacounty@cagrowers.org

4A Setbacks from Sensitive Sites

- Safety for Children and Youth:
 - As per state regulations, cannabis activities should be located more than 600 feet of schools, parks, child care centers: *A premises licensed under this division shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued, unless a licensing authority or a local jurisdiction specifies a different radius. The distance specified in this section shall be measured in the same manner as provided in subdivision (c) of Section 11362.768 of the Health and Safety Code unless otherwise provided by law.*
 - State Regulations state it is prohibited to: *Smoke cannabis or cannabis products within 1,000 feet of a school, day care center, or youth center while children are present at the school, day care center, or youth center, except in or upon the grounds of a private residence or in accordance with Section 26200 of the Business and Professions Code and only if such smoking is not detectable by others on the grounds of the school, day care center, or youth center while children are present.*
 - State regulations state it is illegal to: *Possess, smoke, or ingest cannabis or cannabis products in or upon the grounds of a school, day care center, or youth center while children are present.*
 - To further protect children and youth, state regulations state: *By July 15 of each fiscal year beginning in the 2018–19 fiscal year, the Controller shall, after disbursing funds pursuant to subdivisions (a), (b), (c), (d), and (e), disburse funds deposited in the Tax Fund during the prior fiscal year into sub-trust accounts, which are hereby created, as follows:*
 - (1) Sixty percent shall be deposited in the Youth Education, Prevention, Early Intervention and Treatment Account, and disbursed by the Controller to the State Department of Health Care Services for programs for youth that are designed to educate about and to prevent substance use disorders and to prevent harm from substance use. The State Department of Health Care Services shall enter into interagency agreements with the State Department of Public Health and the State Department of Education to implement and administer these programs. The programs shall emphasize accurate education, effective prevention, early intervention, school retention, and timely treatment services for youth, their families and caregivers. The programs may include, but are not limited to, the following components:
 - (A) Prevention and early intervention services including outreach, risk survey and education to youth, families, caregivers, schools,

primary care health providers, behavioral health and substance use disorder service providers, community and faith-based organizations, fostercare providers, juvenile and family courts, and others to recognize and reduce risks related to substance use, and the early signs of problematic use and of substance use disorders.

- (B) Grants to schools to develop and support student assistance programs, or other similar programs, designed to prevent and reduce substance use, and improve school retention and performance, by supporting students who are at risk of dropping out of school and promoting alternatives to suspension or expulsion that focus on school retention, remediation, and professional care. Schools with higher than average dropout rates should be prioritized for grants.
- (C) Grants to programs for outreach, education, and treatment for homeless youth and out-of-school youth with substance use disorders.
- (D) Access and linkage to care provided by county behavioral health programs for youth, and their families and caregivers, who have a substance use disorder or who are at risk for developing a substance use disorder.
- (E) Youth-focused substance use disorder treatment programs that are culturally and gender competent, trauma-informed, evidence-based and provide a continuum of care that includes screening and assessment (substance use disorder as well as mental health), early intervention, active treatment, family involvement, case management, overdose prevention, prevention of communicable diseases related to substance use, relapse management for substance use and other co-occurring behavioral health disorders, vocational services, literacy services, parenting classes, family therapy and counseling services, medication-assisted treatments, psychiatric medication and psychotherapy. When indicated, referrals must be made to other providers.
- (F) To the extent permitted by law and where indicated, interventions shall utilize a two-generation approach to addressing substance use disorders with the capacity to treat youth and adults together. This would include supporting the development of

family-based interventions that address substance use disorders and related problems within the context of families, including parents, foster parents, caregivers and all their children.

- (G) Programs to assist individuals, as well as families and friends of drug using young people, to reduce the stigma associated with substance use including being diagnosed with a substance use disorder or seeking substance use disorder services. This includes peer-run outreach and education to reduce stigma, anti-stigma campaigns, and community recovery networks.
- (H) Workforce training and wage structures that increase the hiring pool of behavioral health staff with substance use disorder prevention and treatment expertise. Provide ongoing education and coaching that increases substance use treatment providers' core competencies and trains providers on promising and evidenced-based practices.
- (I) Construction of community-based youth treatment facilities.
- (J) The departments may contract with each county behavioral health program for the provision of services.
- (K) Funds shall be allocated to counties based on demonstrated need, including the number of youth in the county, the prevalence of substance use disorders among adults, and confirmed through statistical data, validated assessments, or submitted reports prepared by the applicable county to demonstrate and validate need.
- (L) The departments shall periodically evaluate the programs they are funding to determine the effectiveness of the programs.
- (M) The departments may use up to 4 percent of the moneys allocated to the Youth Education, Prevention, Early Intervention and Treatment Account for administrative costs related to implementation, evaluation, and oversight of the programs.
- (N) If the Department of Finance ever determines that funding pursuant to cannabis taxation exceeds demand for youth prevention and treatment services in the state, the departments shall provide a plan to the Department of Finance to provide treatment services to adults as well as youth using these funds.

- (O) The departments shall solicit input from volunteer health organizations, physicians who treat addiction, treatment researchers, family therapy and counseling providers, and professional education associations with relevant expertise as to the administration of any grants made pursuant to this paragraph.
- Restrict access for children and youth:
 - As per state regulations, all cultivation sites should be fenced, locked with signage posted indicating only authorized personnel allowed.
 - Track-and-trace system will ensure that all cannabis produced will remain within the heavily regulated supply chain from seed to authorized patient.
 - State regulations require child-resistant, and childproof packaging for all cannabis and cannabis products. Dispensaries will be required to place all products in child resistant bag before leaving the dispensary.
- Other safety measures that mitigate setbacks: Neighbor variances.
- **Visual screening:** As per state regulations: *There shall be **no exterior evidence of Cultivation**, as determined by visibility of plant material, in public view and/or from a public right-of-way or publicly traveled private road at all stages of growth. An obscuring fence can be used to address this requirement. This will help reduce youth access and crime while increasing public safety.*

5A Setbacks from Neighbors:

- Impacts of odor or other nuisances on neighbors:
 - **All structures used** for Indoor Cultivation shall contain ventilation, air filtration and odor control filters to prevent odor, mold and mildew from escaping the Cultivation site.
- Unusual property shapes and topography can be challenging for compliance: Therefore the ordinance should grant variances to special cases.
- From property line, or from other structures: Setbacks should be established from the closest residential structure and not the neighboring property line.

6A Neighborhood Security and Safety

- **Fencing, Screening, Locked gates, security cameras:** Cultivators can be required to provide security and safety plans that outline the cultivators plans for proper lighting, gates, security protocols and safety measures to prevent fires and other risks.

- **Other home-based business restrictions such as traffic, solid waste disposal, hours of operations, etc:** Cultivators can be required to submit a neighborhood and traffic compatibility plan as part of their permit application, outlining hours of operation and solid waste disposal plans.

7A - Nuisance Mitigation Requirements

- **Lighting** - According to state regulations, “**All lights** used for the Cultivation shall be shielded and downcast. Any lights used from sundown to sunup shall be completely obscured from detection outside the cultivation area. These regulations help to decrease nuisances by restricting nighttime glare.
- **Noise** - According to state regulations cultivation will be subject to existing noise level standards set out in the County code.
- **Odor Control** - **All structures used** for Indoor Cultivation shall contain ventilation, air filtration and odor control filters to prevent odor, mold and mildew from escaping the Cultivation site.
- **Traffic** - All cultivation locations must follow county code traffic restrictions for specified zones areas.
- **Hazardous Materials** -
 - According to Alliance Survey 89% of respondents said they would adhere to state regulations pertaining to pesticide use.
 - Environmental restrictions for the cultivation of cannabis are some of the most stringent in the county. According to state regulations, the use of **Hazardous Materials** shall be prohibited in the Cultivation except for limited quantities of Hazardous Materials that are below State of California threshold levels of 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas. Any Hazardous Materials stored shall maintain a minimum setback distance of 100 feet from any private drinking water well, spring, water canal, creek or other surface water body, and 200 feet from any public water supply well.
 - *In coordination with Dept of Fish & Wildlife there are very strict environmental regulations regarding soil disposal, water storage, runoff, fertilizers and soil, pesticides/herbicide, riparian & wetland protection mngmt etc.*
 - *Restrictions also regarding hazardous Materials management, 72 hr holding period for waste, documentation etc.*

- Any pesticides used in the cultivation of cannabis must adhere to guidelines set out by the California Department of Pesticides. No pesticides (and biological controls) will be used in cannabis cultivation operations unless the pesticides are authorized by the California Department of Pesticide Regulation use. Application of pesticides on outdoor cannabis plants must be done after 6pm and before 6am.

- **Erosion** - Any tree removal for the purpose of cannabis cultivation shall be subject to Land Use and Development Code Sec L-II 4.3.15. (Reference L-V 17.3 for exemption criteria for grading and clearing on AG, AE, and Res AG over 3 acres. Grading of any slope in excess of 30 degrees is subject to Grading Ordinance L-V 3.25 and may require an Erosion and Sediment Control Plan. See L-II 4.3.13. (Reference L-V 17.3 for exemption criteria for grading and clearing on AG, AE, and Res AG over 3 acres.

FINDINGS OF ALLIANCE SURVEY PHASE 1

The Nevada County Cannabis Alliance is advocating for policies that provide clear pathways for 85 percent of the cannabis community that responded to our survey. The data outlines the blueprint the county could follow to tailor a Cannabis Cultivation Business Ordinance that allows current Nevada County cannabis cultivators a pathway to legitimacy.

The data suggests the need for a transition period for those who can but need to come into compliance with building code requirements.

DATA CONSIDERATIONS

- The survey received more than 1200 unique visits with a completion rate of 42 percent.
- A total of 514 unique visitors completed the entire survey.
- 60 percent of respondents use their smartphones to complete the survey. 30 percent used PCs and Laptops while 10 percent used tablets.
- It took an average of 22 minutes, longer than most surveys, for respondents to complete the survey.
- *Intended audience:* Nevada County Cannabis Community
- Nevada County officials were invited to participate in the collaboration of question creation and selecting a professional firm to carry out the survey. Requests were declined by the County.
- *Distribution*
 - Press releases for the survey went out to all major Nevada County and Sacramento/Auburn media outlets.
 - Email blast to over 2000 of Nevada County Cannabis Alliance email list.
 - Regular social media posts to Nevada County Peeps on Facebook and other widely “liked” pages.
 - Phone call and text blasts.

FINDINGS

Demographics

The Nevada County Cannabis community is comprised of a cross section of residents who contribute to the overall community through economic activities, philanthropic efforts and community participation.

- **“I grow cannabis and own a non-cannabis business in the area.”**
 - Cannabis farmers in Nevada County; they are business owners, they vote and they live here.
 - Close to 40 percent of growers who responded to the survey also own local businesses in industries like healing arts, real estate, technology.

- As many as 6 percent owned businesses in the tech industry, and 13% own an Ag business, showing that cannabis farmers are also growing other agricultural crops.
 - Cannabis growers are also part-timers and work in the community.
 - 58 percent of respondents indicated having a non-cannabis job in industries like education, medical, technology, construction, agriculture and professional services.
- **“I have deep roots in Nevada County. I vote, own property and pay real estate taxes.”**
 - Survey results indicate that Nevada county growers are politically involved and represent a cross section of voters. 91 percent of respondents voted in the June and November 2016 elections.
 - 77 percent of cannabis growers who responded to the survey own homes in Nevada County.
 - 93 percent are Nevada County residents, and 43 percent have lived in the community for over 11 years.
 - 33 percent have children in the Nevada County school district.
 - Only 9 percent have been here for less than three years
- **“I am member of the community and contribute to the social and cultural fabric of the county.”**
 - 59 percent of respondents volunteer for a nonprofit organization in the communities.
 - 74 percent of respondents participate in cultural activities
 - 71 percent are involved in some sort of sporting group or league
 - And 65 percent participate in artistic endeavors in the area.
 - 78 percent donate to local charities and causes

Transition and Compliance

Nevada County cannabis farmers want to transition into legitimate businesses as state regulations come into effect. However, the absence of a local ordinance that allows them to seek state licensing has put them in a perilous situation. Many want to begin complying with local building codes, but fear that beginning that process would mean outing themselves to county officials and law enforcement.

- 77 percent said ‘yes’ they would work toward compliance if a transition period is enacted. As many as 98 percent would do the work to become compliant.
- With a 3 years transition period 95 percent of people surveyed are confident that they can comply. If the transition period is reduced to 1 year the confidence plummets to 19 percent.

- 66 percent said they would invest money to become compliant with local and state regulations, and an additional 30 percent indicated they needed more information about local regulations before investing in compliance.
- 49 percent of growers say setbacks are another big hurdle.
- With current setback restrictions only 17 percent of growers who responded would be able to comply with the present ordinance.

Commercial Cultivation Considerations

Nevada County cannabis farmers see the cultivation of cannabis as a small business, and as such they would like to have the same considerations as any other type of businesses.

- 63 percent of growers who responded to the survey grow for both personal and commercial use.
- 74 percent are growing for what we would consider commercial.

Zoning Considerations

When crafting a new ordinance that would allow the commercial cultivation of cannabis, Nevada County officials should consider that a vast majority of growers are already cultivating in land use zones that are appropriate for the activity.

- 70 percent of growers who responded to the survey should be immediately eligible for commercial cultivation based on zoning within Agricultural, Residential - RA Rural, Timber Production Zone and Forestry.
- 53 percent live on Ag land and are ready to participate as regulated farmers in the market place.
- 55 percent of growers wanting to comply say land use is the biggest hurdle.

License Types Considerations

As stated previously, Nevada County cannabis farmers want to become licensed businesses. Here is a breakdown of the type of licenses the local industry would like to see with the state in order to establish well-integrated cannabis industry.

- 54 percent intend to pursue state licensure.
- Due to a lack of local permitting process, 32 percent say they are not sure they can pursue state licensure.
- 38 percent said they would want to pursue Type 1 or Specialty Outdoor that allows up to **5,000 square feet of total canopy**
- 24 percent said they would pursue Type 1C or Specialty Cottage: **2500 square feet of mixed light**
- 38 percent would pursue Type 2 and 2B, **up to 10,000 square feet of outdoor cultivation** or mixed light.

- 14 percent would pursue Type 3 or up to **one acre of outdoor canopy space**.
- There was considerable interest in a smaller percentage of respondents to pursue other business license types such as **nurseries, distribution, manufacturing, processing and testing and dispensary licenses**.

Cultivation Practices Considerations

The Nevada County industry is uniquely positioned to distinguished itself for its sustainable cultivation practices. The Alliance believes local regulations will help identify bad actors who commit egregious environmental violations, while allowing farmers who use best and organic management and cultivation practices to standout in the statewide marketplace.

- 89 percent of respondents said they would adhere to state regulations pertaining to pesticide use.
- 53 percent would support an ordinance that followed of a third-party certification for organic farming practices.



Community Advisory Group (CAG)

Nevada County Cannabis Regulation
Community Planning Process



COMMENT CARD

Date:

8/21/17

Name:

[Redacted]

Address:

Nevada City, CA

Comments:

After attending the last CAG meeting I grew somewhat skeptical of the process. Why invite speakers to the meeting that glorify the negative effects of cannabis cultivation, no one involved in the process pro or con, want to see this take place in the county. Everyone involved in the process knows these issues are real & need to be remedied. It seems like a fear mongering, negative glorification rather than focusing on the potential both monetarily & for land use, on the positive effects a regulated cannabis industry may bring. My peers colleagues & the like want to be stewards of the land just like vineyards, ranchers & vegetable farms that exist already. No one wants ATD being stolen or houses being blown up or illegal grading, etc etc. It seems simple, regulate & have compliant farms, names on a piece of paper & all others are non-compliant. I know deciding the specifics on regulation is no simple task, I applaud you all for the process. But deciding whether licensing is still an option is a waste of time. The fact that its taken this many meetings to gather, relatively known & somewhat useless info, seems futile.

Please turn in your comment card at the end of the meeting or send your comments by email to:

CAGmeetingcomments@migcom.com

Comment cards and email comments received within 48 hours of the CAG meeting will be included in the summary for that meeting. Those received after that time will be included in the next meeting summary.

Individuals or organizations desiring to address the CAG shall address the CAG from the microphone. Speakers are encouraged but not required to give their name and city of residence before addressing the CAG. Please note that completion of this form is voluntary, and shall not affect your right to attend the meeting or participate in public comment. Time limits may be modified at the Facilitator's discretion.

Cannabis Conversation Website

preliminary CAG Comments and Directions Regarding the Revised County Ordinance

August 8, 2017

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

For each topic, please indicate your level of agreement with each statement using the scale provided. Provide comments in the box at the right of each item.

	Topics	Level of Agreement	Comments
1	The County should consider prohibiting outdoor cannabis activity (medical and adult use) in areas zoned R1, R2 and R3.	1	I feel it should be acceptable to grow ones medicine anywhere. If one can have chickens (if ok in R1, 2 & 3) then cannabis, 6 plants or less, should be fine too.
2	The County should consider designating select areas of the County where cultivation for medical and adult use cannabis would be allowed based on land use and zoning.	5	Things can change in the future if necessary
3	The County should consider requiring a permit for any personal grows (medical and adult use) beyond 6 plants.	6	

August 8, 2017

4	The County should consider requiring that a residence be located on cultivation sites.	5	Although, if someone has lived in county & is invested in the county, and they rent a home but own land, I don't see why a cultivation site would be prohibited.
5	The County should consider allowing a transition period for a residence to be constructed if none exists at the cultivation site (if yes, determine if transition period should be 1, 2 or 3 years).	6	2 year seems reasonable
6	The County should consider maintaining setbacks of 600 feet from cultivation sites to any active School Bus Stops, School Evacuation Site, Church, Park, Child Care Center, or Youth-Oriented Facility.	6	Straight forward.
7	The County should consider conducting an environmental capacity analysis to determine the level of cannabis activity that can occur within the County while avoiding significant and unavoidable impacts.	4	I feel it should be on a site by site or site specific capacity, based on layout of land & type of cultivation occurring

August 8, 2017

8 The County should consider limiting the number of medical cultivation permits.

1

If people are compliant, then no limitation should occur.

9 The County should consider limiting the number of adult use cultivation permits.

1

" "

10 If you agree to limit permits, the County should consider developing a permit allocation process based on criteria consistent with County policy for cannabis cultivation. For example, give preference to farms owned by County residents.

6

If limitations are enacted then yes, certain criteria should occur.

11 The County should consider establishing a permit fee and fine structure for non-compliance that is effective and timely but allows a short timeframe for self-compliance.

6

~~Permit~~ Fine should be last resort before using a permit. That is commensurate with other agricultural inspection companies & agencies. Also, the fine & fee structure should be reasonable, NC should not price themselves out of the industry before it develops.

12 The County should consider identifying potential funding sources to implement public education programs on: (i) the responsible use of cannabis by adults; and (ii) the potential harmful effects of cannabis use by those under the age of 25.

2

The state may offer that.

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

Comment 1:

I feel that the major problem with marijuana grows is the smell!!! I have an indoor grow next door to me and there are times-when the wind is from the south -that I have to close my windows and not go outside. What happened to my property rights? In a conversation with a grower at a CAG meeting after the man denied ANY smell finally said "well we can't control the wind". Isn't that just great for the neighbors.

I think that the idea of setbacks is not going to do much, if any good, by the fact that you can drive thru Nevada County and have the skunk smell hit you any number of times. Obviously these grows are not just next to the roadways.

Comment 2:

Dear Committee Members, Over the past few years we have had several incidents of honey oil labs, illegal grows, chemical discharge and associated pot trash in our area. This has led to possible wildfires, water contamination, poisoning of the land by chemicals and the generally trashy waste left by pot growers. We oppose any pot grows in our area under any circumstances. If anything, current regulations prohibiting pot grows should be strengthened not loosened.

Comment 3:

Placer, Yuba, and Sacramento counties don't allow commercial mj growing. Nevada County shouldn't change its current ordinance as it complies with state law and what our neighbors are doing. Big, huge, commercial enterprises belong in warehouses in the desert. Our county, if it permits commercial mj activities will be over-run by trouble, and Nevada County doesn't need any more trouble. Tighten the regulations by adding readily testable metrics then enforce consistently.

Comment 4:

Hello,

I have been a resident of Nevada County for the past 16 years and have been involved in the cannabis industry for the past 10 years. I am a land owner and am raising my children here.

I am interested in staying in compliance in the cannabis industry and urge you to make the transition process graceful and easy. I would like to see certification available as soon as possible to allow us to continue operation with out of county dispensaries. That said I would urge a transition period of 2-3 years to build any facilities or large investments needed.

I am particularly interested in seeing the smaller scale licenses made available in a timely manner, including the Type 1 cottage, type 1 speciality, as well as manufacturing, and transportation. I especially urge you to issue transportation licenses as this is a very necessary component for small business to get their products to legal market in an economical manner.

I would like to see manufacturing allowed on parcels zoned light industrial as well as agriculture with the proper facilities.

I would also like to see gardens allowed on parcels of less than 5 acres to allow small farms and cottage industry size business to continue. Growing on smaller parcels could be limited to parcels that have a certain density of cannabis farmers in the neighbourhood.

I acknowledge the immense amount of work drafting these ordinances and listening to the many and varied voices in the debate. I appreciate this work and your taking into consideration all the many views.

Comment 5:

Dear elected officials,

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

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

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

With these observations stated, I would encourage you to:

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

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

Comment 6:

Please strongly consider allowing patients to be able to grow outside in a 10x10 area each with drivers license residency requirement ... Have reasonable setbacks such as 40 ft from a neighbors parcel or building ...

I say this because allot of people currently growing will not be able to get commercial permits but will still need to be able to reasonably produce cannabis for themselves, Family, or for others such as SILAS. It is more legal now, prop 64 did pass in Nevada County, and regulations will catch up to other states quickly with Californians #1 economy ...

Also for any commercial cultivation I do not recommend any caps or limits as I believe in a fair free market ... where people can enter and exit based on health or needing a break ... I also believe we should default to the state regulations as much as possible to make it so we get as many people into compliance as possible ... with costs and incentive to a legal market place to be attractive and not an off the top regulatory burden.