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Subject: Comments for BOS Meeting 12_11_18

TO: Mendocino County Board of Supervisors

FROM: Mendocino County Growers Alliance

Comments on Agenda Items for Board of Supervisors Meeting 12-11-18

We would like to thank Supervisors Hamburg and Croskey for their service, and the Board as a whole for making the effort to make policy changes to better the substance of the ordinance. This is likely to be the last comment letter we submit prior to the end of the year, so we felt it appropriate to include in this letter. We appreciate the opportunity to offer comments on the agenda items scheduled for the Board of Supervisors cannabis meeting on December 11th.

As always, we would like to recognize the tremendous amount of effort that the county has put into crafting a regulatory pathway for cannabis operators. We would also like to offer our continued commitment to making the regulatory process more efficient and more workable for all concerned. It is of absolute necessity that we remove any instance of duplicative effort; this is important for county budget and workload, and for cultivators who are struggling with dual regulatory schemes and myriad state agencies. We offer the following comments in that light.

- Proposed Amendments to Chapters 6.36 (Cannabis Facilities) and 10A.17 (Cannabis Cultivation)

In general, we support the amendments as proposed, and look forward to seeing the other items that require further investigation brought back at a later date, especially the proposed changes to parcel size requirements around the nursery license.

In the spirit of removing duplicative efforts that cost time and money, we would like to again note that it would be appropriate for the county to recognize the State-required Livescan and move away from also requiring a local Livescan to be done. All commercial cultivation is now required to be conducted under the auspices of a state license, which includes a Livescan process.

Please don't require another LiveScan separate from state's, and even if you do, the proposed scheme is inappropriate. The state does not automatically deny based on prior convictions, it merely states that a limited certain types of conviction could be the basis for denial. They also have an extensive review during the annual licensing process that considers mounds of other info and they have an appeal process. Many people plead to some of the offenses the DA lists as a way to avoid the cost and uncertainty of trial and as an alternative to pleading to criminal complaints (or threats of them) that piled on charges. Finally, the review program would take additional resources and therefore cost applicants more money.

No one can conduct commercial cannabis activity without a state license. The state already conducts a thorough screening process. The proposed changes are unnecessary and costly. I also have grave concern that there would be no process for appeal (the state has such a process) and that the broad discretionary powers granted to the reviewer without a process for consideration of additional factors would result in discouraging people from applying just because they have a prior conviction. Our screening should focus on what people are currently doing, not what they have done in the past.

- California Cannabis Authority FAQ: It is stunning to see a recommendation surfacing around yet another duplicative software "solution". As the county is moving away from multiple track and trace systems via the phaseout of SICPA as METRC comes online, we assume that Mendocino will not venture back down this path again. CCA has authorized BioTrac THC as a potential interface and we would like to note that after speaking with operators who have had to use both BioTrac and METRC in Nevada, the duplicative processes create significant increases in workload and cost. It is frustrating to see the spirit of the CCA proposal, quoted here from the FAQ published in the Board Packet:

"The platform looks for anomalies with individual data sources and also looks at how those sources interact with one another, giving a more complete picture and a higher degree of confidence that what is being reported and what is occurring are truly one in the same. When they are not the same, the platform creates an alert."

In short, we should spend more money and create more effort for cultivators so that we can catch "anomalies". The spirit of distrust has a profound negative effect on the program as a whole, and would never be applied to any other form of business. We respectfully put forth the suggestion that the METRC T&T platform will be sufficient.

Thank you for the opportunity to comment!

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