

ADDENDUM TO MINORITY CULTIVATION REPORT

DEFINITION OF CANOPY

Do not differentiate between “immature” and “mature” plants when using square footage to define the area allowed for cultivation.

1. All immature plants will become mature in the future. Every grower would like only mature plants ready for harvesting to be considered as their working canopy.
2. Not counting immature plants adds to the area being cultivated by an unknown amount. The door for more cannabis on each parcel should not be opened. This is not a simple case of semantics. Applicants agreed to a set amount of cultivation when they took out an application and now want larger cultivation areas in the guise of changing definitions.
3. Larger cultivation areas will negatively impact the neighbors and the environment. Allowing immature plants to be excluded from the canopy (only a partial alignment with State law) and ignoring a complementary one (see “taxation” below) will inflame the neighborhood groups.
4. The cumulative negative impacts of multiple larger operations may require a new MND or CEQA. Doing this on a case by case basis is not an adequate solution. Accurately define allowable cultivating areas and don’t introduce “unknowns”.
5. Discerning the difference between immature and mature plants at different points in the harvest cycle would be a nightmare for Code Enforcement.

TAXATION ON CANOPY

Abandon taxation by square footage and instead align with the State law and tax on the total dry weight of flowers and trimmings. Taxing on canopy is not fair or efficient. One grower may have 2 times the yield of another on the same 10,000 square foot canopy and pay only half the taxes.

RUSH TO ALIGNMENT?

The timing of alignment is not urgent because the current California State Cannabis Regulations are not permanent and are subject to changes resulting from public and agency comment and current unresolved litigation. The County should wait until final regulations are adopted by the State to align County policy with changes made during the state process. No need to realign quickly now and face another go-around of realignment down the road.

The excuse of economic hardship has a false ring to it. Sonoma County is much more permissive than most of the State.