

From: [Corinne Powell`](mailto:Corinne.Powell@cac@Cannabis)
To: cac@Cannabis
Subject: Proposed cultivation regulations considered by CAC on September 19, 2024
Date: Tuesday, September 17, 2024 1:16:05 PM

[EXTERNAL]: powellintl@aol.com

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CANNABIS CONTROL!

DO NOT: [click links or open attachments](#) unless you know the content is safe.

NEVER: [provide credentials on websites](#) via a clicked link in an Email.

Dear CAC Committee,

I have been an active medicinal patient advocate and cultivator since the 70's. I have been licensed at the State level and/or in Mendocino County since 2016. I have endeavored to comply with legalization and every changing regulations.

In reviewing your recent edits to cultivation regulations, I remain disappointed that the DCC remains insensitive to the differences between small, craft, small batch and high-quality cannabis (for which the Emerald Triangle made California famous!) and the proliferation of large corporations, allowed to vertically integrate license types and functions and produce inferior warehouse weed or biomass purely for extractions, distillates and mono cannabinoid products that no longer have much medicinal effect but a whollup of untested intoxicants.

Small craft cannabis farmers have plead for consideration since Prop 64 passed without the acre cap and the flaws of supply chain structure heavily favored the large, rich and low-quality producers. How can you consider 100s of acres cultivations and 10,000 sf (less than 1/4 acre) cultivations under the same regulatory code. Crazy, not to mention extremely prejudicial.

Topics specific to the proposal:

Tagging plants is a nightmare for small outdoor farmers. I strongly recommend the DCC allows outdoor cultivators to be required to use ONE batch tag for all same strain plants, rather than tag each plant. I strongly recommend a designated area for R&D and seed production and NOT require movement to the mature canopy area. Conceivably, these plant types could be required to make multiple entries in METRC during the life of R&D and seed production plants, only to be destroyed later, not used as mature flower nor entering the supply change. Would wet weights be required, or dead weights. It's extra work for a deminimous amount of material. The words that come to mind are confusing and burdensome.

Re: transporting immature plants and seeds from cultivation license to nursery. Is a distributor still require if the cultivation and nursery licensee are the same? As I'm sure you are aware, MANY cultivators have been stiffed by distributors to the tune of

tens of thousands of dollars or more. Inserting distributors into transactions that should be allowed for cultivators to manage their business with reliability and autonomy must be avoided. Also, I'm sure you are aware that the large cultivation licensees in the state often hold multiple cultivation licenses and distribution licenses, whereas some local jurisdictions allow only one license per parcel. Using a distributor for small farm transactions usually has a fee up to 15%. The same rationale can be applied to transportation of harvested cannabis.

Self-distribution should be easier for small farmers. Not being able to transport to labs truly limits farmer product knowledge, a necessity for farmers to communicate with customers. A \$2 million insurance requirement must be scaled down significantly for the actual cargo anticipated.

If events are extended to 30 days as proposed and AB1111 is signed into law, will cultivators be able to attend more than 8 market events per year? Event fees must be scaled to the number of days of the event, i.e. if a permit now allows for 4 events at \$1000 each, a 30 day event permit might cost \$30.

Striking all generator regulations seems like a backward move in addressing climate change! Also seems like a carte blanche invitation for illegal and expansive cultivation in indoor or hoophouse settings in the southern desert regions. These areas already support the most water and power consumptive types of cultivation and use the most pesticides and fungicides in the industry. Why endorse these cultivators? Smacks of lobbying success.

Pesticides. I do not use pesticides, and I believe that their use should be prohibited completely in cannabis cultivation. Given that my sentiment is not shared by big Ag producers who could not produce a crop without many "icides" and other chemicals, I think previous reporting and/or signed affidavits re: allowable products is sufficient. Another METRC requirement is absurd, particularly when DCC has absolutely no way of knowing what pesticides are actually used without a lab test. Extra work with no verifiable results. It will be of much greater benefit to cultivators and consumers to rectify the mistakes and errors now rampant in testing facilities. The void of clean labs has definitely hurt small farmers and costs are going up in remaining labs.

Although unfortunately omitted from your Proposed Draft, please consider the importance of the following cultivator concerns.

1. Eliminate requirement to tag every plant in an outdoor cultivation.
2. Do not require every immature plant in the immature area to be tagged. Cultivators who produce from seed would be required to tag and retag dozens if not hundreds of plants as they progress in development from pooped seed to gallon containers and on to three gallon (for example) container where they grow into adolescence and express their sex, structure and vitality. Most all planting will be more than 50% male and destroyed. It is best to tag batches per strains in the mature canopy. Requiring immature tags is a complete waste of time and METRC recording attention for immature plants that will never grow to fruition in the mature canopy area.

3. Waive self-transport security requirement and insurance.
4. Allow testing of flower and prerolls prior to packaging. Testing is expensive which leads cultivators to test as much product as they are able at one time. Packaged products, however, are purchased in relatively small amounts like a pound of pound and a half by dispensaries. If a whole tested batch of 10 to 20 lbs of flowers could be tested and then packaged as cultivator determines, smaller amounts of product can be sold without possibility that package expirations will occur before all 10 to 20 pounds of product are sold.
5. Coordinate with small outdoor cultivators to create the equivalence of a Microbusiness license for outdoor, organic cultivations of 10,000 sf or less.
6. Waive the 24/7 surveillance and alarm system from small, outdoor cultivation sites.

I look forward to your discussion on Thursday.

Thank you,

Corinne Powell
Laughing Farm, a MBC