

Cover Letter:

Hello,

My name is Caslin Tomaszewski, and I am the Executive Director of the Calaveras Cannabis Alliance (CCA), formerly known as Collective Patient Resources. We are a non-profit advocacy organization that has been in operation for over 6 years and currently represents hundreds of cannabis cultivators in Calaveras County. CCA is very active in our community, both in terms of advocating for growers rights and advocating for the ethical behavior of growers.

As an organization, CCA is pro-regulation, and actively advocates for the implementation of fair and sensible regulation of our industry. Specifically, we support the regulation of Cannabis Cultivation as Agriculture, as part of the same general orders that regulate all other crops and which do not discriminate between cannabis and other crops in application, cost, or enforcement. We also actively advocate for the creation and distribution of Best Management Practices (BMPs) and recommended pesticide listings to guide cultivators in their well-meaning efforts to comply with all regulations and to foster the good will of the public.

In accordance with these goals, we are committed to following all existing laws, regulations and BMP's, we are not opposed to registering with the Board either directly or through existing coalitions, and we are willing to pay a reasonable fee to fund these programs. However, we also believe such practices must be enacted with a special consideration towards the unique situation of the emerging California Cannabis Industry, addressing the unique challenges of

ushering individuals from a once criminally prohibitive environment into a regulatory one. Towards this goal, we have drafted for the board the following:

- Description of the current state and disposition of cultivators in Calaveras County in regards to regulation as CCA sees it
- Suggestions for edits and changes to the Draft Order for clarity, fairness, and workability
- Suggestions for implementation strategies

It is our hope that the board takes serious note of these points, as we at CCA sincerely believe that failure to address these concerns will lead to poor voluntary enrollment, and a much more difficult road for the WQCB in regards to compliance than is perhaps necessary.

Thank You for your time, and please consider the Calaveras Cannabis Alliance at your complete disposal for any future correspondences on the issue of Cannabis Cultivation.

Respectfully,

-Caslin Tomaszewski

Statement:

We at CCA believe that recent years have seen an ever widening division in the community of cannabis cultivators. On one side of this gap exists a forward-thinking, community-conscious group of growers who embrace impending legalization, and who have put serious effort towards conducting themselves in an ethical manner in regards to their local communities and environment. On the other side of this gap resides a style of cultivation supported by the enduring criminal element within cannabis culture, in which growers apply very little ethics or forethought to their cultivation style, endangering their local communities and environment.

For the first group (our group), volunteering for regulation is a no-brainer: in general, our camp has long advocated for legitimacy in the eyes of our government, and we understand that this privilege comes with corresponding regulation. However, along with our grateful participation, we would also like it to be known that we firmly believe that *we are not the ones The Water Quality Control Board needs to worry about*. The worst offenders in regards to the issues addressed in the Draft Order are those who have a long-entrenched tradition of shirking the law, and we are quite certain that the passing of this ordinance will change nothing about that camp's willingness to offer themselves up for regulation.

In addition, it is important to note that among those of us on the ethical side of this division, there are many who, although entirely willing to come into compliance, are at a disadvantage when it comes to legal or bureaucratic literacy. Most cultivators reside in very isolated rural areas and have operated outside of any type of regulation whatsoever

for most of their adult lives. The unprecedented degree of isolation created by the legal environment surrounding cannabis has left the cultivator with little to no opportunity to develop aptitude for any type of official language or process whatsoever, and thus, we believe, saddled the grower with a unique handicap in regards to the pursuit of their own legitimization that cannot be overemphasized. For these well-meaning growers, facing an ordinance as broad in scope and as complex as this one may be prohibitively daunting.

Towards mediating these concerns, CCA makes the following suggestions:

1. If the WQCB wishes to assimilate cultivators who up until this point have had absolutely no experience whatsoever with complying with regulations, we believe it is important that the WQCB provide educational materials (drafted in layman's terms) in order to guide the well meaning but bureaucratically illiterate cultivator on their path to compliance. We believe it critical that these materials be:

- Drafted in a format that is easy to read and understand for the layman
- Available all together and in full on one web page which is easy to find and navigate
- Distributed in print
- Whenever possible, taking the form of a flowchart which guides the applicant to what is required of them by the WQCB via the answering of simple yes and no questions
- Paired with workshops and community meetings

CCA has read the outreach materials drafted by the WQCB thus far, and while they constitute an excellent start, we believe that much

more should be done. We are quite confident that failure to do this will lead to low levels of voluntary enrollment.

2. If ethical growers offer themselves up for regulation in good faith, incurring all of the added man hours and expenses related to coming into compliance, therefore increasing their bottom line and affecting their competitiveness in the market, we believe it fair and necessary that the Water Quality Control Board take strong, proactive measures to bring cultivators attempting to operate OUTSIDE of this regulatory environment into compliance. CCA believes this effort should be well-planned and comprehensive in scope, and that enforcement actions should be reported in such a manner as to be easily accessible to voluntarily compliant Cannabis Growers. Failure to do this may alienate the most ethical and forward-thinking growers, as many of them are wary of a situation in which the state is content to let them foot the bill for the damages done by their non-compliant counterparts.

3. CCA understands that local coalitions exist that act as intermediaries between farmers and the WQCB, and are financially supported via the dues of their members. In the Draft General Order, the WQCB stated that it would be open to the same type of intermediation taking place on behalf of cannabis growers. Considering that such coalitions are already in place for our region, and are not crop-specific, we request that the WQCB make it its official position that these intermediary coalitions should open their membership to legal cannabis growers.

4.If the WQCB drafts a list of recommended pesticides, CCA believes it imperative that the Central Valley WQCB not simply cut and paste the pesticide listing recently adopted by the North Coast WQCB, as this listing not only fails to include some of the most effective organic pesticides currently in use by cannabis cultivators, but fails to list entire pest species all together, and in some cases specifically recommends pesticides for particular pests that have been shown by numerous studies to be either largely ineffective against those pests or completely unusable in our climate. For example, of the 3 pesticides listed for control of russet mites on the North Coast recommended Pesticides list, two are known to cause damage to plants in temperatures over 100 degrees (comprising over half of all summer days in some areas of Calaveras) and the third has been shown by numerous studies to be ineffective against russet mites.

Specifically, CCA suggests the following edits to the suggested pesticides list:

- A. Adding more pests/infections to the list for outdoor growing, including but not limited to:
 - a. Entire family of Tarsonomid mites (including not only Russet mites but also Cyclamen and Broad mites)
 - b. Thrips
 - c. Botrytis (bud rot)
 - d. Fusarium and Verticillium (fungal root rots) and other root rots
 - e. ground squirrels
 - f. rabbits

- B. Adding more organic products to the list of recommended pesticides and fungicides, including but not limited to:
- a. Streptomyces ray bacteria (Mycostop)
 - b. Metarhizium anisopliae (Met 52 ec)
 - c. Isaria fumosorosea apopka (PFR 97)
 - d. Spinosad
 - e. Pyrethrum insecticides
 - f. Trichoderma harzianum and Trichoderma virens (Root Shield)
- C. Updating the recommended treatment guidelines for specific pests with more effective options pulled from the list above

Additionally, considering that the recommended pesticide listing excludes substances which require a pesticide applicator license, we believe that this list should be adopted into the general order in conjunction with the creation of a program which aims to make pesticide applicator licenses attainable by cannabis cultivators, so that Cannabis Cultivators are afforded the same allowances in regards to pesticides as any other farmer.

If the above adjustments are not made, we feel confident that the recommended pesticide listing will not only be completely unworkable in a practical sense due to its limited focus on pesticides which have poor efficacy, but will be seen as a policy which places disproportionate limitations on cannabis cultivators compared to other farmers, and as such will be largely ignored.

5. In the Overview section of the Draft General Order, it states that gardens “under 12 immature or 6 mature plants and under 1,000 square feet” are exempt from regulation via the General Order. However, this exemption is not reiterated in any of the descriptions of the 3-tier system issued by the WQCB, including the one offered in the General Order itself. To our knowledge, all descriptions of Tier 1 issued by the WQCB state that it encompasses all grows under 5,000 square ft, which is misleading, and may lead to small growers filing applications unnecessarily. For this reason, CCA suggests reiterating the under 6 plants/1,000 Square foot exemption to regulation wherever the tier system is described, especially on the NOI form.

6. In the NOI, growers are required to state whether they have acquired a grading permit for any grading they have completed/intend to complete. The form states that if the applicants answer “no”, they cannot be issued a permit by the WQCB. However, CCA is aware of at least one county in the Central Valley Region that either offers conditional exemption from, or does not at all require, grading permits. As you can imagine, CCA considers the acquisition of permits that do not exist, or are not required by local government, as being an unfeasible requirement for compliance to the General Order. CCA thus recommends that this section of the NOI be edited to include a third possible answer of “my project is exempt from permitting per my county’s regulations” to accommodate growers in those counties where these situations exist.

