

**THE JAMES FAMILY**

**Box 476**

**2235 London Ranch Road**

**Glen Ellen, CA 95442**

**To Whom it may Concern,**

**We are close neighbors of Mike and Mary Benziger at Glentucky Family Farm and have seen the location they plan to grow cannabis on. They are conscientious farmers and we approve of this project provided they meet all the regulations and permitting requirements by Sonoma and the State of California.**

**Sincerely,**

**Michael James**

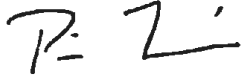
A handwritten signature in black ink that reads "M. James". The signature is written in a cursive style with a large, prominent "M" and a trailing flourish.

PETER and DIANA FERRIS  
1636 LONDON RANCH ROAD  
GLEN ELLEN CA, 95442

To Whom it may Concern,

We are close neighbors of Mike and Mary Benziger at Glentucky Family Farm and have seen the location on their property where they grow cannabis. They are conscientious farmers and we approve of this project provided they meet the requirements of Sonoma and the State of California.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Ferris', with a stylized flourish at the end.

Peter Ferris

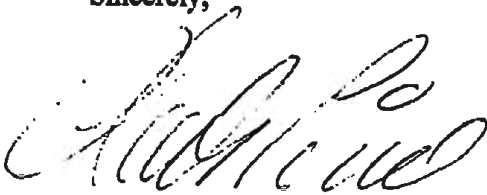
**Charles E. Levine**  
**2221 London Ranch Rd.**  
**Glen Ellen, CA 95442**

To whom it may concern:

My wife Elisa Stancil and I live next door to the Benzigers. We are aware of the cannabis grow on the Glentucky Family Farm. and have seen it first-hand.

We support approval of the cultivation, provided they meet all regulations and permitting requirement for the county of Sonoma and the State of California.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles E. Levine', written in a cursive style.

**Charles E. Levine**

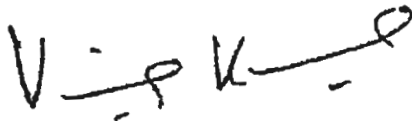
1960 London Ranch Road  
Glen Ellen, CA 95442

May 15, 2018

To whoever it may concern:

We are a close neighbor of Mary and Mike Benziger. We know, have seen and approve of the growing of cannabis on Glentucky Family Farm, provided they meet all the regulations and permitting requirements of the County of Sonoma and the State of California.

Sincerely,

A handwritten signature in black ink, appearing to read "Vivek Khuller". The signature is stylized with a long horizontal stroke at the end.

Vivek Khuller

A handwritten signature in black ink, appearing to read "Purnima Kochikar". The signature is written in a cursive style.

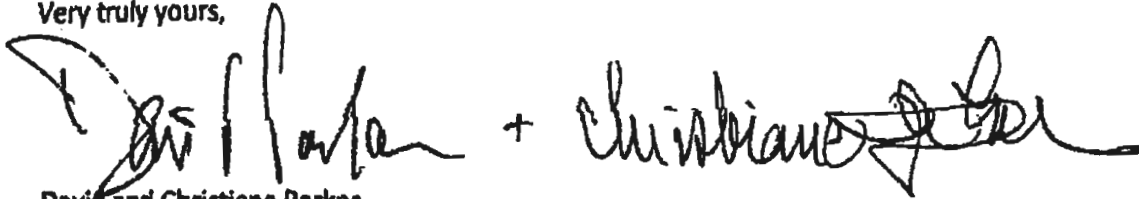
Purnima Kochikar

5/15/18

To whom it may concern:

We know Mike and Mary Benziger. It is without hesitation, therefore, that we approve their limited cannabis growing on the Glentucky Farm. We are confident they will meet all regulations and permit requirements of the County of Sonoma and the State of California.

Very truly yours,

Handwritten signatures of David and Christiane Parker. The signature for David is on the left, followed by a plus sign, and the signature for Christiane is on the right.

David and Christiane Parker

2247 London Ranch Road

Glen Ellen, CA

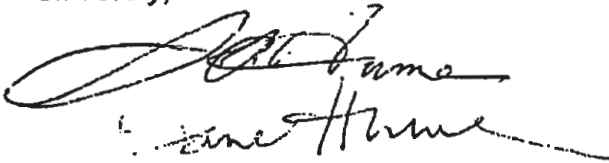
**THE HUMES  
P.O. BOX 75  
2175 LONDON RANCH ROAD  
GLEN ELLEN, CA 95442**

May 16, 2018

Sir or Madam,

We are close neighbors of Mary and Mike Benziger and know about and have seen the location they plan to grow cannabis on the Glentucky Family Farm. As neighbors we approve of this project provided they meet all regulations and permitting requirements by the County of Sonoma and the State of California.

Sincerely,

Handwritten signatures of Stewart and Jane Hume. The signature for Stewart Hume is written in a cursive style with a large initial 'S'. The signature for Jane Hume is also in cursive, with a large initial 'J'.

Stewart and Jane Hume

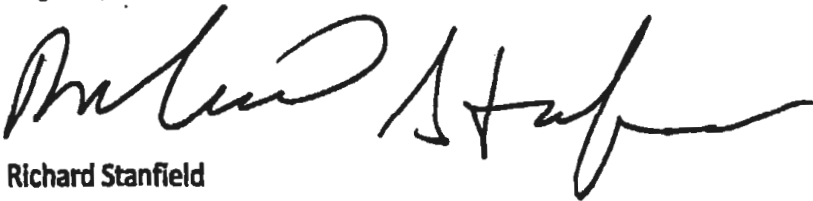
1525  
London Ranch  
Rd  
Glen Ellen  
95442

May 29, 2018

To Whom It May Concern:

We are neighbors to Mike and Mary Benziger. We approve of their plans to grow Cannabis as long as they meet all of the permitting requirements of Sonoma County and the State of California.

Regards,



Richard Stanfield



**JACK LONDON  
STATE HISTORIC PARK**

# JACK LONDON PARK PARTNERS

January 20, 2019

To whom it may concern,

The Benziger property at 2211 London Ranch Rd is separated from the public access areas of Jack London Park by an impenetrable barrier of fallen trees, brush; poison oak and general debris that makes it virtually impossible for visitors to hike through. This vegetation barrier also obscures any views of the 2211 property. The distance from the Benziger property line to where the public access to the trails and the historical features of the park is approx 1015ft as measured by tape and includes this vegetation barrier. Over time some of this area will be cleared of some debris and fuel wood for fire safety. The Park will still maintain a substantial vegetation barrier to prevent visitor access for safety and security reasons. There are no trails or access points in this area.

Sincerely,

Eric Metz  
Director of Operations,  
Jack London State Historic Park

**MIKE BENZIGER  
CHAIR  
LYNNE DEEGAN MCGRAW  
PRESIDENT  
PETER FERRIS  
VICE PRESIDENT  
DONNA MALOW  
TREASURER  
BETSY KUTSKA  
SECRETARY**

**DIRECTORS  
BILL BLOSSER  
GERRY BRINTON  
RICARDO CAPRETTA  
KAREN COLLINS  
KATHERINE CULLIGAN  
SANDY LEONARD  
CHARLES E. LEVINE  
HANK MARTINSON  
MARY MCEACHRON  
WALTER MCGUIRE  
HARVEY SHEIN  
DAVE STOLLMEYER**

**TJISKA VAN WYK**

**TED ELIOT  
CO-CHAIR  
CHARLES E. LEVINE  
CO-CHAIR  
GEORGE ARABIAN  
JANE BALDWIN  
HENRY BEAUMONT  
DIANA BUGG  
MARY CLARK JANIS  
ARLEEN CURRY  
ETHEL DALY  
TERRY FLYNN  
PAUL GENOVESE  
PAMELA GILBERD  
JOHN GURNEY  
MAUD HALLIN  
ANNE HALSTED  
BARBARA HUGHES  
DOUG MCCONNELL  
GARY D. NELSON  
JON PARKER  
STEPHANIE PUGASH  
MARTHA ROSENBLATT  
JUDY SCOTCHMOOR  
STEVE SHAFFER  
ANNE SYMON  
MAURICE TEGELAAR  
CECELIA TICHI  
ISABEL WADE**

707-938-5216  
JACKLONDONPARK.COM  
2400 LONDON RANCH RD  
GLEN ELLEN, GA 95442



**From:** [Deborah Eppstein](#)  
**To:** [Gary Helfrich](#)  
**Subject:** UPC17-0012, 2211 London Ranch Road, Glen Ellen  
**Date:** Sunday, March 10, 2019 8:26:42 PM

---

Dear Gary,

I understand you are the planner for UPC17-0012, 2211 London Ranch Road, Glen Ellen.

I have major objections to this application, and the park setback variance the applicant is requesting. This parcel is adjacent to the park boundary fo Jack London State Park. The odor from his outdoor plants will definitely be smelled in Jack London Park, including on the entry road and in the parking lots, as well as other parts of the park. It is well documented that outdoor grows can be smelled over 1000 ft away, and trees do not stop the odor. The setback variance requires that no offsite impacts will occur. Odor is definitely an offsite impact, as confirmed at the Board of Supervisors meeting on October 16, 2018.

However, separate from the above, this application is not even permit-eligible for this use, as it is under 10 acres. The park setback variance option was approved at the same time the 10 acre minimum parcel size was approved, both effective Nov 15, 2018. Prior to those 2 amendments, this application for an outdoor grow was not a pipeline application. Contrary to what his consultant Paula Blaydes says, as the applicant was not able to have a pipeline application prior to Nov 15, it is against the cannabis ordinance to allow this application for outdoor cannabis cultivation on a 7.3 acre parcel, clearly below the 10 acre minimum required.

I look forward to your reply.

Best regards,  
Deborah Eppstein, PhD

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

**Warning:** If you don't know this email sender or the email is unexpected, **do not** click any web links, attachments, and **never** give out your user ID or password.

**From:** [Nancy and Brantly Richardson](#)  
**To:** [Gary Helfrich](#)  
**Cc:** [Amy Lyle](#); [Bert Whitaker](#); [Lisa.Mangat@parks.ca.gov](mailto:Lisa.Mangat@parks.ca.gov); [Elaine.Knight@parks.ca.gov](mailto:Elaine.Knight@parks.ca.gov); [Vicki.Perez@parks.ca.gov](mailto:Vicki.Perez@parks.ca.gov)  
**Subject:** COMMENTS ON UPC17-0012 -CANNABIS SETBACK REDUCTION - JACK LONDON STATE PARK  
**Date:** Friday, March 15, 2019 2:40:31 PM

---

*SUBJECT: REDUCTION IN PARK SETBACK TO JACK LONDON STATE PARK FOR OUTDOOR CANNBIS GROW- UPC 17-0012*

*Note: Copies to Lisa Mangat, Director of California State Parks, Vicki Perez, Commission Liaison who establishes general policies for the guidance of the Director in the administration, protection and development of the system, Elaine Knight, The Bay Area District liaison in Petaluma, and Bert Whitaker, the Sonoma County Regional Parks Director.*

My name is Brantly Richardson. I am a neighborhood representative to the Cannabis Advisory Group. As such I represent a coalition of concerned citizens whose membership include folks from Petaluma, Penngrove, Bennett Valley, Cougar Lane, unincorporated Sebastopol, Valley Ford and Bodega, Palmer Creek, Graton and Leslie lane. Some of the groups I represent are large such as FOG, Wine and Water Watch, No Pot on Purvine and SOSN with over 600 members, some are smaller groups of residents and others are single persons concerned about a grow in their neighborhood. Our coalition opposed the amendment to the Ordinance that the applicant was successful in promoting and achieving over our objections. I question whether this parcel is eligible for a park reduction setback, as it was not a pipeline project (the application was withdrawn) and was previously not permit eligible for an outdoor grow until the ordinance changed- which now also includes the 10-acre minimum. Thus the 10-acre minimum needs to apply for the outdoor grow. The pipeline amendment does not trump the 10-acre minimum amendment. The application was withdrawn and was never in the pipeline.

This is my first peek at one of the requests for a park setback reduction and I find it woefully inadequate. The medical history and cultivation methods used by the applicant are of no relevance to his request for a park setback reduction and do not belong in such a study. Does this request suggest that applicants with no life-threatening diseases be excluded from consideration? Or that those not practicing biodynamic cultivation be overlooked as well?

Moreover, it is not clear from the written report how far the cultivation site is from the nearest property line of the park. Such information should not be hidden in attached maps. Using the closest commonly used hiking path or gathering area is not an option, the public is not limited to trails, and new trails and facilities may be added in the future. It is our position that no part of the public's land should be impacted by the cannabis operation. All the park property belongs to the citizens of the State of California. It has been documented that even when hidden by trees unacceptable strong odor from outdoor grows can be detected over 1000 feet away. I would like to know how far the cultivation site is not only from the main parking lot but how far from the house where Jack London's wife lived and what is now the museum and main attraction and the Transcendence Theater Co. Broadway Under the Stars outdoor concert venues.

The report is heavy on description of impenetrable vegetation, but it must be noted that although vegetation may screen the property from the public's view it does not absorb odors.

The study also does not show if the cannabis operation will intrude upon any wildlife corridor, such as creek beds, wetlands, riparian areas and natural corridors through developed land. Blocking animal access is

counter to the purpose of any park.

The biotic report appears to be boiler plate to pad the report and looks suspiciously like the one prepared for the applicant's partner, Joey Ereneta, for three more acres of their very special marijuana off Sonoma Hwy. I suggest planner Gary Helfrich compare this report for UPC17-0012 with the planner, Sou Garner ([sgarner@migcom.com](mailto:sgarner@migcom.com)), for UPC17-0048 which was prepared by Wiemeyer Ecological Services. How many times did Hogan visit the UPC17-0012 to prepare such a report?

Finally, the applicant professes a strong commitment to Jack London State Park and should therefore agree that if his cultivation is approved and if odor is detectable from his grow, he will immediately destroy his crop and his permit shall be terminated. He will concur that the reduction in setback granted by the County was a mistake; the County will entertain no mitigations and the applicant will not propose any. If the applicant is convinced odor will not be a problem, he should have no hesitation in signing such a condition.

Brantly Richardson

Please send electronic receipt of this email.

**THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.**

**Warning:** If you don't know this email sender or the email is unexpected, **do not** click any web links, attachments, and **never** give out your user ID or password.

**From:** [Nancy and Brantly Richardson](#)  
**To:** [Gary Helfrich](#); [Amy Lyle](#); [Bert Whitaker](#)  
**Cc:** [Tom Wick](#)  
**Subject:** MORE COMMENTS ON UPC17-0012 -CANNABIS SETBACK REDUCTION - JACK LONDON STATE PARK  
**Date:** Monday, March 25, 2019 1:34:48 PM

---

Mr. Helfrich,

1. Please send an electronic receipt of this Comment for Referral and add your answers to the BZA file when you respond.
2. At what date was the ZPE17-0003 application consolidated in Use Permit UPC17-0012? Why wasn't UPC17-0012 taken off the PRP since the parcel was too close to Jack London State park and did not meet the 1,000 setback requirements?
3. If the applicant enjoyed PRP status for his outdoor grow even though it was a non-permit eligible parcel, would you agree that his parcel didn't suddenly become eligible for a park reduction request after 10/18 because it is only 7.3 acres?
4. Would you agree that the public thought the applicant had withdrawn his application for an outdoor grow after the hearing in the Springs? Here is a link to the newspaper account.

**Controversy and chaos at the Sonoma Valley Citizens Advisory Commission**  
<https://www.sonomanews.com/news/8362619-181/controversy-and-chaos-at-the>

This message was sent via The Sonoma Index-Tribune

5. Why did the applicant's consultant need to ask for the application to be re-activated? At what date did she ask?
  6. It still defies the PRP Resolution and Cannabis Ordinance- it was not Permit Eligible as of Oct 31, 2017, when the PRP application form needed to be submitted, and the PRP rules stated it only could grow until Jan 1, 2018. It thus could not be a pipeline project prior to Nov 15 to continue with under 10 acres.
- Nancy  
Richardson

**From:** Gary Helfrich <Gary.Helfrich@sonoma-county.org>  
**Sent:** Monday, March 25, 2019 8:45 AM  
**To:** 'nrchrdsn@sonic.net'; 'nrchrdsn@sonic.net'  
**Subject:** RE: COMMENTS ON UPC17-0012 -CANNABIS SETBACK REDUCTION - JACK LONDON STATE PARK

Hi Nancy,

Your comment has been received and will be part of the public record provided to the Board of Zoning Adjustments. A number of people have commented that this project was withdrawn, which is inaccurate. The original ordinance required separate permits for the cottage grow (ZPE17-0003) and outdoor cultivation (UPC17-0012). When the ordinance was amended to allow multiple uses under a single use permit, these applications were consolidated into Use Permit UPC17-0012. The Zoning Permit became redundant and was withdrawn. Use Permit UPC17-0012 was never withdrawn.

Gary

**From:** Nancy and Brantly Richardson [<mailto:nrchrdsn@sonic.net>]  
**Sent:** Saturday, March 23, 2019 6:56 AM  
**To:** Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>  
**Cc:** Amy Lyle <[Amy.Lyle@sonoma-county.org](mailto:Amy.Lyle@sonoma-county.org)>; Bert Whitaker <[Bert.Whitaker@sonoma-county.org](mailto:Bert.Whitaker@sonoma-county.org)>  
**Subject:** COMMENTS ON UPC17-0012 -CANNABIS SETBACK REDUCTION - JACK LONDON STATE PARK

**SUBJECT: REDUCTION IN PARK SETBACK TO JACK LONDON STATE PARK FOR OUTDOOR CANNBIS GROW- UPC 17-0012**

For the record it must be noted that this parcel was deemed "non-eligible" in the original Ordinance because it did not conform to the 1,000 foot required setback but Staff mistakenly allowed the applicant to sign up for the Penalty Relief Program while they and the applicant worked behind the scenes to change the ordinance so the parcel would become eligible in the Phase 1 amendment process. After the amendments were adopted in October of 2018 and became law in November of 2019 the parcel was still "non-permit eligible" because the Board of Supervisors passed a 10 acre minimum for cultivation in all zones. This parcel size is 7.3 acres and remains "non-permit eligible" and cannot be considered for a park reduction setback. It was not a pipeline project (the application was withdrawn – the applicant should have been removed from the PRP). The 10-acre minimum is the new law and needs to apply for all outdoor grows including this application which appears to be receiving special treatment. The pipeline amendment does not apply to this applicant. His application was withdrawn and was never in the pipeline.

I request an electronic receipt of this comment.

Nancy Richardson  
4350 Raymonde Way  
Santa Rosa, Ca. 95404

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.  
**Warning:** If you don't know this email sender or the email is unexpected,  
**do not** click any web links, attachments, and **never** give out your user ID or password.

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.  
**Warning:** If you don't know this email sender or the email is unexpected,  
**do not** click any web links, attachments, and **never** give out your user ID or password.



Everett Louie <elouie@migcom.com>

**For entering into the records for UPC18-0037, UPC17-0065, UPC17-0012, UPC17-0085, UPC17-0082, UPC18-0001, UPC17-0089, UPC18-0015, UPC17-0071, UPC17-0037, UPC18-0021, UPC17-0095, UPC17-0041**

**Deborah Eppstein** <deppstein@gmail.com>  
To: Everett Louie <elouie@migcom.com>, Scott Davidson <scott@d@migcom.com>  
Cc: Milan Nevajda <Milan.Nevajda@sonoma-county.org>

Sat, Aug 31, 2019 at 1:29 PM

Dear Scott and Everett,

We were informed that we needed to submit this information directly to the planners to ensure it was entered into the file records. Accordingly, please enter the attached document (PRP summary of ongoing violations July 12, 2019), which was previously submitted to the County Administrator’s Office, into the formal records for the following PRP projects:

- 2260 Los Alamos Road, UPC18-0037**
- 3803 Matanzas Creek Lane UPC17-0065**
- 2211 London Ranch Road, UPC17-0012**
- 4050 Grange Road, Santa Rosa (UPC17-0085)**
- 4065 Grange Road, Santa Rosa (UPC17-0082)**
- 885 Montgomery Road, UPC 18-0001**
- 7955 St Helena Road, UPC 17-0089**
- 8373 Singing Hills Trail (2870 Leslie Rd), UPC18-0015**
- 2815 Leslie Rd UPC17-0071**
- 6101/6105 Cleland Ranch Road; UPC17-0037**
- 3815 Calistoga Road; UPC18-0021**
- 3215 Middle Two Rock Road, Petaluma, UPC 17-0095**
- 2000 Los Alamos Road, UPC 17-0041**

As summarized in the attached document, in addition to the numerous violations, the above applicants also provided false or misleading information in their application to the county, which according to the PRP application they signed, requires that their application be removed from further consideration. All of these applicants were not in compliance with the Land Use Development Criteria and/or Operating Standards and/or Cannabis Business Tax Ordinance, and thus provided false information to the county when they stated under penalty of perjury that they were in compliance. They also provided false information to the state to obtain their state license. The following is what the applicant certified in their application to the county:

I certify that the operation is in compliance with the Land Use Ordinance Operating standards.

I certify that the operation is in compliance with the Land Use Ordinance Development Criteria.

I certify that the operation is in compliance with the Cannabis Best Management Practices.

I understand that I am responsible to pay taxes as required in the Cannabis Business Tax ordinance.

I understand that providing false or misleading information in this Application or at any time during the permitting process will result in rejection of the application and/or nullification or revocation of any issued permit.

I, declare under penalty of perjury that the information provided on this application is true and correct to the best of my knowledge.

Thus, when their public hearing comes up, the above applications should be not only denied but are required to be removed from further consideration. I trust that you, as the planner, will include this in your write up that Permit Sonoma sends to the BZA before the public hearing. If you do not agree with the foregoing and that the above statements signed by the applicant constitute false or misleading information, can you please let me know and if so, the reason?

Thanks,  
Debby

Deborah Eppstein  
801-556-5004

 **PRP summary of ongoing violations July 12, 2019 PDF.pdf**  
230K

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

**I. Introduction**

The **Temporary Penalty Relief Program (PRP)** was established by the Sonoma County Board of Supervisors (BOS) on May 23, 2017 (Resolution 17-0233), *“as an incentive to bring unpermitted cannabis operations, operating under the Transition Period or in permit-eligible locations, into compliance for the purposes of addressing potential health and safety issues,”* and extended and modified on September 12, 2017 (Resolution 17-0319) *“to allow sufficient time for unpermitted cannabis operations located in permit-eligible locations to comply with the Medical Cannabis Land Use Ordinance,”* and to *“enhance cannabis tax revenue.”*

**Some relevant points from the BOS resolutions:**

1. The temporary PRP expires June 1, 2018 (no new applications).
2. The PRP does not apply to building, well, grading, septic or other violations on the property. Operations *“must still meet all applicable codes currently in effect, pay all other permit and development fees, and complete all required inspections prior to a waiver of penalties being granted.”* (Resolution 17-0233, #12, and 17-0319, #3). Thus there can be no unpermitted electrical or no operations in unpermitted buildings for penalty relief to be granted.
3. The property must be on a Permit-Eligible Location as defined in the Cannabis Ordinance.
4. If an operator was on a Non-Permit Eligible Location (eg, if they were too close to a park or school or in Rural or Agricultural Residential), they had to cease all operations after Jan 1, 2018 [Resolution 17-0319, #10(a)].
5. Operators on Permit-Eligible Locations could operate under the PRP (ie, with no cannabis land-use fines) **only** if they **followed all Cannabis Ordinance Development Criteria and Operating Standards**, the Ag Commissioner’s Cannabis **Best Management Practices**, the Cannabis Business **Tax Ordinance**, submitted the initial PRP application by Oct 31, 2017, and **filed a Complete Application by June 1, 2018** (defined as having all the Required Application Materials in the application) [Resolution 17-0319, #10(b)].
6. The initial one-page PRP application required the applicant to *“declare under penalty of perjury”* that the information provided on the application is true and correct; this included **following all Development Criteria, Operating Standards and Best Management Practices**. The Required Application Materials and the Complete Application form state in bold all caps: **‘APPLICANTS PROVIDING FALSE OR MISLEADING INFORMATION IN THE PERMITTING PROCESS WILL RESULT IN REJECTION OF THE APPLICATION AND/OR NULLIFICATION OR REVOCATION OF ANY ISSUED PERMIT.’** The County has not enforced this critical provision.
7. In addition, the PRP shall not apply if the review authority determines that the land use poses a serious risk to the environment, public health or safety. (Resolution 17-0319, #11).



**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

**II. Ongoing Violations**

Despite these clearly stated rules, there are multiple examples of PRP applications where the County, under the direction of Economic Development with support of County Counsel, has blatantly refused to follow the rules enacted by the BOS. Some of these include:

- 1. 2260 Los Alamos Road, UPC18-0037.** The following items have been presented to the county on numerous occasions over the past year, with full documentation, but nothing has been done to terminate this application:
  - a. Incomplete application as of June 1, 2018. The County gave applicant an extension (already violating terms of the PRP Resolutions) until July 29, 2018, to provide the 10 missing documents, but the applicant submitted nothing. PRMD issued a Cease and Desist letter on July 31, 2018, but Sita Kuteira (County Counsel) intervened when the applicant filed for an appeal hearing and determined that since two of his missing items, the hydro-geo report and water monitoring easement, were not needed (despite him being in water zone 4) due to his stated use only of surface water, she over-ruled the Cease and Desist letter, ignoring the other 8 required missing items in violation of the PRP Resolution requiring removal from the PRP.
  - b. Violation of Development Criteria, and Perjury on PRP application as well the application for the state license by applicant stating he was in compliance with all Development Criteria, as follows:
    - (i) Violation of Development Criterion 26-88-254(f)(3). Applicant cultivated in excess of the 43,560 sf on his application, with 46,900 sf in 2017 by satellite photo (650 plants counted), and 64,000 sf in 2018 (800 plants counted). Although Ag measured his cultivation area as 35,203 ft in 2017, this measurement was not in agreement with the criteria in the Cannabis Ordinance which clearly state that the cultivation area is the 'outermost perimeter of each separate and discrete area of cultivation'; we confirmed with the state that each separate and discrete area would need to have been shown as such on the initial site map. The applicant did not request re-measurement in 2018, and despite documentation provided to the County that his cultivation area increased to almost 1.5 acres, no new measurements were made. Thus in addition to violation of cultivation area limits and no increase in cultivation area, the applicant also underpaid taxes by a significant amount in both 2017 and 2018, depriving the county of revenues - and in violation of the PRP for underpaying the cannabis tax.

**Penalty Relief Program Summary**  
**Requirements, Ongoing Violations, and Required Actions**  
**July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

- (ii) Violation of Development Criterion 26-88-254(f)(6). Cultivation site is visible from public right-of-way, Los Alamos Road entry into Hood Mt Park (photos provided). It is again visible in 2019.
  - (iii) Violation of Development Criterion 26-88-254(f)(10). Applicant built an unpermitted building in fall of 2018 including grading, trenching, and electrical in violation of not only County codes, the PRP, and the Cannabis Ordinance, but also his application (see c and d below).
  - (iv) Violation of Development Criterion 26-88-254(f)(12). Illegal tree removal, starting in 2015, and confirmed (satellite photos) after Dec 20, 2016 as specifically prohibited in the Cannabis Ordinance.
  - (v) Violation of Development Criterion 26-88-254(f)(15). Applicant is likely in violation of the Williamson Act due to size of non-ag cannabis operations (see below under d).
  - (vi) Violation of Development Criterion 26-88-254(f)(16), as applicant did not seek or obtain a fire operational permit as required. Los Alamos Road, a 5+ mile dead-end road, one-lane for the upper mile, and does not meet County or State standards for new development in the State Responsibility Area.
- c. Violation of both his application and the PRP resolution concerning unpermitted buildings. Applicant stated in his application that he would not undertake any grading, building or any activity requiring permits unless he had the required permits, yet he built a 3000 sf processing facility in fall of 2018 (also not where shown on his site map). It was only after we provided aerial photo evidence of this that PRMD checked it for safety of wiring, but did not yet assess any fines, and he was not removed from the PRP as he should have been according to the PRP Resolutions. The PRP Resolutions clearly state that applicants cannot have penalty relief if they violate these requirements (see I(2) above). Applicant should have been fined the full land use penalty as he violated many Development Criteria in violation of the PRP yet applicant has been granted penalty relief for the 2 prior years and is continuing now into his 3<sup>rd</sup> year.
- d. Furthermore, the applicant is subject to the **Williamson Act (WA)**. His phase-out will be completed Dec 31, 2022, so he was under the WA Contract when he submitted his PRP application in 2017 and will continue through 2022. Cannabis cultivation is only allowed as a compatible use ‘if allowed by the underlying zoning’, and he cannot place more than 5 acres in non-ag or non-preserve use. Measurements on his site map and Google Earth show far more than 5 acres for the cannabis

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

operations, show that his bee hives and vineyard have been removed, and show only ~6 acres that could be used for grazing, with most of the 40 acres covered by thick forest. Thus he appears to be in violation of the Williamson Act and also in violation of 26-88-254(f)(15), concerning abiding by the *'Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones, including provisions governing the type and extent of compatible uses listed'*.

Furthermore, as RRD was not zoned for cannabis cultivation until Jan 1, 2017, he was been in violation of the Williamson Act since he started cultivating cannabis, at least for 2015-16, possibly 2 years earlier (satellite photo images). The Penalty Relief Program does not forgive violation of the WA contract. His reduced county property tax at least for 2015-16 was obtained under false information, cheating the county out of its tax revenue. Falsification of tax status is criminal.

(e) Both applicant and the County (Tim Ricard) provided false and misleading information to the state to obtain a temporary state license by stating that this application was in compliance with all Sonoma County regulations.

**2. 3803 Matanzas Creek Lane UPC17-0065**

(a) This property was not on a permit eligible parcel in 2017 when it entered the PRP as it did not meet park setback requirements [26-88-254(f)(6)]. According to the September 12, 2017 PRP Resolution, it was not allowed to cultivate past January 1, 2018 (point I(4) above). The county was notified of this parcel ineligibility on March 3, 2018 and numerous later occasions. On March 6, 2018, Amy Lyle agreed that "the property lies within 1,000 ft of a park and is not eligible for outdoor/mixed light cultivation," and copied this conclusion to PRMD Director Tennis Wick and Supervisor Susan Gorin. Despite this conclusion and PRMD's issuance of

1. Notice of Failure to Meet Penalty Relief Program Requirements on July 31, 2018 for, among other things, a failure to submit a complete application by June 1, 2018, and
2. Notice & Order—Unlawful Commercial Medical Cannabis Use letter by PRMD on September 10, 2018 (VCM 17-0503),

Sita Kuteira allowed the applicants to continue operating through harvest in 2018, and to continue operating in 2019. This was again brought to the attention of Bruce Goldstein on May 7, 2019 and Sheryl Bratton on May 28, 2019, yet nothing has been done. Mr. Goldstein has confirmed that he supports Ms Kuteira 100%. Although the Cannabis Ordinance was amended on Nov 15, 2018, to allow applicants on parcels at least 10 acres to apply for a park setback variance which *'may be reduced with a use permit'*, no cultivation under such allowance of a variance could occur until the CUP is issued.

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

(b) Both applicant and the County (Tim Ricard) provided false and misleading information to the state to obtain a temporary state license by stating that this application was in compliance with all Sonoma County regulations.

**3. 2211 London Ranch Road, UPC17-0012**

(a) This property was permit ineligible in 2017 when it applied to the PRP as it did not meet park setback requirements [26-88-254(f)(6)]. Thus the outdoor and mixed light cultivation should have ceased after January 1, 2018. The applicant strongly lobbied for the park variance option amendment, which was adopted on Nov 15, 2018, along with the 10-acre parcel minimum.

(b) Thus this parcel became additionally non-permit eligible as it is ~7 acres, below the 10 acre minimum parcel size requirement approved on Nov 15, 2018. This application could not have been a pipeline project prior to Nov 15 (pipeline projects were grandfathered to allow cultivation on parcels under 10 acres) as it was on a permit-ineligible parcel. Furthermore, as stated above, no setback variance would have made the parcel permit eligible (and only if it were pipeline) unless granted with an issued CUP, which has not occurred and is not even possible due to his smaller parcel size.

(c) This application should have been shut down for outdoor and mixed light cultivation as of January 1, 2018, yet the County continues to allow him to cultivate in the PRP. As above, this information has been provided to the county on several occasions, including to Bruce Goldstein on May 7, 2019 and to Sheryl Bratton on May 28, 2019.

(d) Both applicant and the County (Tim Ricard) provided false and misleading information to the state to obtain a temporary state license by stating that this application was in compliance with all Sonoma County regulations.

**4. 4050 Grange Road, Santa Rosa (UPC17-0085)**

(a) This 14.6-acre parcel is ineligible because the operator, John Chen, submitted false or misleading information to PRMD in the PRP application. Mr. Chen, claimed "I do not have any felony convictions now or in process." In fact, Chen has three felony convictions for offering false instruments filed with the State of California and three felony convictions for presenting payment false claims to the State of California. The suit was brought by then-Attorney General Kamala Harris. Chen was also the executive vice president of the Tung Tai Group, Inc., which was convicted of two counts of an environmental crime (unlawful storage of hazardous waste). The county has had a copy of Chen's plea agreement since October 2018. The county could easily have required Chen to complete the request for a Live Scan Service Form (BCIA 8016) which can be found on the CalCannabis Licensing Service

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

website. The state requirements for disqualification of an individual for cannabis cultivation include a ‘felony conviction involving fraud, deceit, or embezzlement.’”

For providing false or misleading information in his application, according to the PRP application requirements, this application is not only to be removed from the PRP but also removed from any further processing as a regular CUP.

(b) Chen also claimed he began the grow on June 30, 2017, just before the July 5 deadline for eligibility. The parcel was not even conveyed to Bennett Rosa LLC (which Chen owns) until August 30, 2017, almost two months after the deadline. The LLCs of the owner (Bennett Rosa LLC) and operator were registered in mid-July, after the deadline. The County has ignored suggestions to require the operator to produce ordinary business records (contracts, checks, identity of workers who can be interviewed, proof of purchase of plants, work orders, labor contracts). The County allowed the 2018 harvest to be sold despite the fact that the growers lacked State licenses and the marijuana was probably sold on the black market. On Jan 4, 2019, the County planner confirmed to Tim Ricard, who then met with County Counsel, that Chen provided false or misleading information and that this should have removed him from the PRP as well as rejected the application, yet nothing has been done about this.

(c) This grow should also be disqualified because the owner of the property is a convicted felon. Both the applicant and Tim Ricard provided false information to the state of California in a signed document that this property is in compliance with the County Cannabis Ordinance in order to facilitate the initial issuance of a temporary state license. In addition, Ricard stated that the operator is Fernando Martinez rather than John Chen. Chen is named as the operator on the application and all supporting materials, and this substitution seems intended to insure that CalCannabis does not undertake a criminal investigation of Chen. Interestingly, in recent documents of the County, the operator is listed as Sonoma Grange Farms LLC; however the Cannabis Ordinance requires a person as operator.

(d) In addition, this application was incomplete as of June 1, 2018, and was STILL INCOMPLETE on March 4, 2019, with the planner requesting multiple missing items.

**5. 4065 Grange Road, Santa Rosa (UPC17-0082).**

(a) This 4.9-acre property is ineligible because the operator (Brian McInerney) submitted false and misleading information to PRMD in the PRP application. The operator claimed to begin the grow on June 30, 2017, just before the July 5 deadline for eligibility. The county has had in its possession since October 2018 incontrovertible satellite imagery showing that the grow had not begun on July 9, 2017. In fact, the parcel was not even conveyed to Bennett Rosa LLC until August 30, 2017, almost two months after the deadline. The LLCs of the owner (Bennett Rosa

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

LLC) and operator (CL5 LLC) were registered in mid-July, after the deadline. The County has ignored suggestions to require the operator to produce ordinary business records (contracts, checks, identity of workers who can be interviewed, proof of purchase of plants, work orders, labor contracts) to verify whether the grow began on June 30, 2017. The County allowed the 2018 harvest to be sold despite the fact that the growers lacked State licenses and the marijuana was probably sold on the black market.

(b) This grow should also be disqualified because the owner of the property, John Chen, is a convicted felon, as discussed above. Both the applicant and Tim Ricard told the state of California in a signed document on November 29, 2018, that this property is in compliance with the County Cannabis Ordinance in order to facilitate the initial issuance of a temporary state license.

**6. 885 Montgomery Road, UPC 18-0001**

Misty Mountain Services falsely documented their qualification for the Penalty Relief Program. They stated they had 38,484 square feet of outdoor cultivation when in fact they did not start planting any cannabis in this area until after July 5, 2017. They secretly installed two unpermitted greenhouses (2,550 total sf) in the winter of 2017-18, which were **not** included in their Sonoma County cannabis use permit application nor their PRP application. Then they expanded their cultivation **again** in the spring of 2018.

**In addition to falsifying** both their PRP application and their cannabis use permit application, they committed the following Cannabis Ordinance code violations *after* May 2017:

1. Sec. 26-88-256.(f)(8) Biotic Resources
2. Sec. 26-88-256.(f)(12) Grading and Access
3. Sec. 26-88-256.(f)(7) Building Requirements.

This evidence has been presented to the County on numerous occasions, with full documentation, but nothing has been done. A 14-page document of these violations, including aerial photos, was recently sent to Christina Rivera on June 14, 2019, summarized below:

(a) For almost 2 years, County officials have ignored neighbor complaints (18 families impacted) about odor, noise, night light pollution, and security cameras trained on neighboring homes [violation of 26-88-250(f)]. The County failed, neglected, and refused to verify false statements in the grower's Penalty Relief Application Form - including that his plants were in the ground by July 5, 2017- that should have removed this application from both the PRP as well as any further processing.

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

(b) Eric Bell, the operator of Misty Mountain Services, stated he was cultivating 38,000 sq feet of cannabis plants prior to July 5, 2017. However, satellite images and neighbor statements provided to the county have proven this statement is false. There were no plants in the ground before July 5, 2017.

(c) The County has allowed the grower to use power circuits that were installed without permits, exposing neighbors to fire risks. The County has allowed the grower to use unpermitted buildings for its indoor cannabis cultivation operations. Both of these actions are in clear violation of the PRP Resolutions and the Cannabis Ordinance.

(d) Eric Bell built 2 greenhouses without a permit and was cited by the county. He then removed said greenhouses without a permit.

(e) The County refused to shut the grow down despite all of the violations of the PRP and Cannabis Ordinance Development Criteria including illegal grading, terracing, and tree removal. The County and applicant provided false information to the state to obtain the state license. The operator is in his 3<sup>rd</sup> year of cultivation illegally according to the County regulations; penalty relief should have been denied and his application removed from any processing had County officials verified the information provided on falsification of claims of the grower.

**7. 7955 St Helena Road, UPC 17-0089**

This grower joined the PRP only after being cited for his illegal construction and cannabis growing (August 31, 2017).

(a) In August 2018 the grower was removed from the PRP for failure to pay cannabis taxes in the 3<sup>rd</sup> and 4<sup>th</sup> quarter. However he entered a payment plan and was allowed to rejoin he program despite violating the PRP Resolution that *"The operation must be in compliance with Sonoma County Business Tax"*. No Reason was given to the neighbors to explain why this decision was made, which was in violation of the PRP rules.

(b) On December 12, 2018 the operator was given notice that again he was operating outside the PRP rules. Specifically that his water use *".....will result in, or is likely to cause or exacerbate, an overdraft condition in .....Mark West Creek"*. He was given until February 1, 2019 to cease operation due to violation of the PRP Resolution requiring being in compliance with all Development Criteria and Operating Standards of the Cannabis Ordinance. Applicant appealed this decision. Rather than continuing with an appeal hearing for the PRP removal, County allowed the appeal over hydrology to be included in a future CUP hearing and applicant was allowed to continue operating under the PRP, continuing to damage the watershed. No CUP hearing has been scheduled to date.

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

(c) On April 16, 2019 one of the illegal buildings caught fire and caused a massive response by Cal Fire including 4 engines, 4 support vehicles and 2 water tanker trucks. While responding to the fire, code enforcement discovered that the operator had not only continued to use the red-tagged buildings, but had also constructed more new buildings expanding his operation in complete disregard for PRP Rules on following the County building codes and that *"There is no increase in cultivation size"*. This violation was resolved not by removing the grower from PRP as the law dictates but rather by a settlement allowing continued cultivation indefinitely, which was prepared in private with no public input or oversight and in direct contradiction of PRP rules. Fines due for violations were decreased by 75% at a minimum (based on minimum daily fines for the final violations only).

**8. 8373 Singing Hills Trail (2870 Leslie Rd), UPC18-0015**

(a) They have been using water from a pond on their property since they began operating a few years ago. In their application, they falsely stated that they had water rights to the pond. Neighbors sent two emails to the state water board, and were able to determine that in fact, the pond is unpermitted (an on-stream pond) and there are no water rights. So, in fact, the applicants have been using water in a critically-impaired watershed that they have no rights to, for several years. Neighbors sent these findings to the project planner, who confirmed that these comments are included in the file, but there was no response about removal from the PRP or stopping their water use from the unpermitted pond. The applicants clearly are in violation of the PRP as they provided false information on their application so they should not only be removed from the PRP but their application should be removed from any consideration.

(b) The only way for the applicants to legally move forward now would need to be in a new application according to County regulations, in which they were granted water rights from the state, which is highly unlikely given current state policies, and to come up with a sustainable net-zero water use plan, which is what is required under the Cannabis Ordinance. Why are the applicants still operating under the PRP? The County is allowing continued unpermitted water use, in violation of both County and state regulations. This operation should be shut down immediately. How does the County plan to handle PRP applicants that are in clear violation of net zero water use requirements? It's one thing if there is a plan that is open to geologist interpretation and needs to be sorted out through the conditional use permit process. It's an entirely different matter if the water use is clearly not compliant with the ordinance.

**9. 2815 Leslie Road; UPC17-0072**

(a) Applicant received a letter from the County in December 2018 stating that applicant had failed to provide sufficient evidence that the project would not have a negative impact on streamflow and would be removed from the PRP. Applicant appealed this decision. Rather than continuing with an appeal hearing for PRP removal as per County law, the County allowed the applicant to continue operating under the PRP, and said that the appeal over hydrology will be included in the future CUP hearing. Over 6 months



**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

later no CUP hearing has been scheduled, and applicant is allowed to continue depleting the watershed and proceed with his 3<sup>rd</sup> growing season in violation of the PRP rules and Cannabis Ordinance.

**10. 6101/6105 Cleland Ranch Road; UPC17-0037**

(a) On Dec 12, 2018, PRMD notified the applicant that its use of ground water has high potential to reduce dry season stream flow in Mark West Creek/tributaries, and that all ground water extraction must cease by Feb 1, 2019, due to violation of the PRP Resolution requiring being in compliance with all Development Criteria and Operating Standards of the Cannabis Ordinance. They stated they switched to a surface pond source.

(b) Code enforcement recently (end of May 2019) found on a site visit that the applicant had five unpermitted greenhouses (listed 6/3/19 as violations). After being rudely refused entrance to the greenhouses, code enforcement watched from nearby the next morning as the applicants removed plants from the greenhouses, which code enforcement then documented as a clear violation of the PRP. So, after two recent violations of the PRP and the Cannabis Ordinance (increasing the footprint and refusing entry to code enforcement), why is the applicant still allowed to continue operating under the PRP? PRP rules dictate that this applicant should be removed from the PRP immediately, and should be fined the full penalty for unpermitted growing.

**11. 3815 Calistoga Road; UPC18-0021**

(a) Applicant received a letter from the County in December 2018 stating that applicant had failed to provide sufficient evidence that the project would not have a negative impact on streamflow and would be removed from the PRP. Applicant appealed this decision. Rather than continuing with an appeal hearing for the PRP removal, the County allowed the applicant allowed to continue operating under the PRP, and said that the appeal over hydrology would be included in the future CUP hearing. Over 6 months later no CUP hearing has been scheduled, and applicant is allowed to continue in his 3<sup>rd</sup> growing season, continuing depletion of a critical watershed, in violation of the PRP rules and Cannabis Ordinance.

**12. 3215 Middle Two Rock Road, Petaluma, UPC 17-0095**

(a) The applicant, Mr. Dripps, clearly had some kind of illegal grow in an old barn on the Nadale property, and expanded the “use” to the top of the ridge line grow he is using now. Aerial images show the expansion of use.

(b) Neighbors have images of him trucking in water. When challenged by PRMD on this, he told them that he was taking it from one place on the property to another. And, yet neighbors saw him hauling water from off site.

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

(c) His hydrology report states that anticipated water use would be over 1,700,000 from their wells and need to truck in water for their livestock - this is a grave concern. His report also shows that the only way he can support the water use demand will be to build over 10,000 square feet of greenhouses (on the ridge line) and expand use further to collect rainwater for a 10,000 water tank on the ridge. So the only way he can support a grow will be to expand structures and divert more rainwater from the already impacted aquifer. Neighbors are very concerned about his impact on the watershed, and have retained a hydrologist to review the Dripps report. It has been found to be deficient and the County is asking for more info.

(d) Dripps maintains an RV on the site, and two large containers, all in violation of the Cannabis Ordinance. PRMD has not responded.

(e) This is a Williamson Act property. Has the County confirmed that his cannabis operations, including all supporting structures and land, are less than 5 acres?

**13. 2000 Los Alamos Road, UPC 17-0041**

The applicant is operating an indoor grow in a converted barn in remote area of high fire risk and poor road access; the electrical was done without a permit. Although at our request the County recently inspected and confirmed the wiring as sufficient, this is still a violation of the PRP rules.

The access to the property is via Los Alamos Road and then through Hood Mt Park, roads that do not meet County of State fire-safe standards for such development. Thus no fire operational permit can be obtained as required by the County.

**14.** There are more PRP applicants not listed above who have violated the PRP, including some who have intimidated and threatened neighbors such that the neighbors are afraid to discuss with the County except under confidentiality.

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

**III. Other Significant Violations of the Cannabis Ordinance and County Ordinances**

**1. False and Misleading Information Provided by Applicants and the County to State for State License.** All of the above applicants who applied for a state license provided false and misleading information to the state to obtain a temporary state license by stating that these applications were in compliance with all Sonoma County regulations. The PRP rules state that this requires their removal from the PRP as well as no further consideration of their application. In addition County officials (Tim Ricard) tricked the State of California to initially issue the operators a temporary license by providing paperwork stating that all these applications were in compliance with all County regulations, including Development Criteria, which the County knew it was not (documented by multiple letters to the County). We have inquired to the state, who responded that they do not check but rather trust the information submitted by the County as being accurate. **Sonoma County has thus put itself in a position of liability by providing false information to the state in order to allow PRP operations to obtain temporary state licenses.**

**2. Health and Safety.** Many of the above PRP grows also violate a very significant section of the Cannabis Ordinance, 26-88-250(f), which states that any cannabis operation:

“shall not create a public nuisance or adversely affect the health or safety of nearby residents or businesses by creating dust, light, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibrations, unsafe conditions or other impacts, or be hazardous due to the use or storage of materials, processes, products, runoff or wastes.”

This violation has harmed residents by not only deleteriously affecting their health and safety, but has also prevented them from using their yards or opening their windows, and has resulted in reduced property values. All of these deleterious effects are prohibited under the Cannabis Ordinance as well as Sonoma County Code section 26-92-070(a), yet the County has ignored the numerous complains of residents.

**3. Safety Under the Sonoma County Fire Ordinance 6184.**

The County Fire Ordinance has specific regulations on access roads and driveways for new development including width, length, steepness, and requirement for 2-lane roads to ensure safe concurrent civilian evacuation and fire engine access during a wildfire emergency. Many of the PRP grows are in violation of this critical ordinance, and furthermore all of the PRP grows are in violation of the requirement to have a fire operational permit prior to commencing operations [ORD 6245 26-88-254(f)(16) and ORD 6184 Chapter 1(8) (105.6.50) (11)]. Sonoma County has thus

**Penalty Relief Program Summary  
Requirements, Ongoing Violations, and Required Actions  
July 11, 2019**

This summary was prepared with input from Sonoma County residents impacted by these violations

put itself in a position of liability by ignoring these regulations, jeopardizing the safety of residents.

#### **IV. Summary and Action Items**

The Temporary Penalty Relief Program was instituted by the Board of Supervisors in May, 2017, and modified in Sept, 2017 to extend to more recent applicants and to extend the filing deadlines, but in all cases specifically to be a TEMPORARY program, ending on June 1, 2018. As outlined above, multiple PRP applicants are in violation of the PRP, as well as the Cannabis Ordinance, the Sonoma County Fire Ordinance and the Sonoma County Code. The County appears to be conflicted in that one of its stated goals of the PRP was to increase tax revenue to the County, and it even directed that enforcement of the PRP be administered by Economic Development, supported by County Counsel. However, this is no excuse for the County to ignore its own laws.

Sonoma County residents have spent thousands of hours and thousands of dollars compiling the documentation for all the above violations over the past 14 months and providing this to the County, something that the County should have done. The County, including the Supervisors, have been notified many times of these multiple violations of the PRP that require termination of such applications, yet this has been repeatedly ignored. The County has provided false information to the state to obtain state licenses of a controlled substance to further its ability to collect County tax revenue. All of this is untenable. The lack of oversight of these activities has harmed the health and safety of residents, and has further harmed residents by lowering property values. It ultimately is the responsibility of the Supervisors to ensure that the laws of the County are upheld.

#### **Actions:**

1. Any PRP application, including all of those listed above, that has or had violations of the PRP needs to be terminated immediately.
2. The full fines for violating the land use ordinance should be collected.
3. Furthermore, any PRP application in which the applicant provided false or misleading information on their application (most of those listed above) not only needs to be **immediately terminated** but additionally their **application needs to be rejected from further evaluation**. This is the law.

All the above actions are the clear rules stated in the PRP documents and Cannabis Ordinance. To facilitate your getting up to speed, we request to meet with you to review the documentation for each of the above PRP applications without further delay. These applicants should not be allowed to continue cultivation for yet a 3<sup>rd</sup> growing season, in continued violation of County law.



July 7, 2020

To Whom It May Concern:

As the owners of Benziger Family Winery located at 1883 London Ranch Road, Glen Ellen, CA 95442, and neighbors of Mike and Mary Benziger, on London Ranch Road, we are aware of their plans to grow cannabis on their farm called Glentucky Family Farm. We do not object to the awarding of a permit; provided, that, all operations are conducted in accordance with applicable laws and regulations.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Sutton".

John Sutton  
Chief Financial Officer

## Subject: Public comment for tonight's meeting

---



**jonah.raskin@sonoma.edu** <jonah.raskin@sonoma.edu>  
to Pat Gilardi

Wed, Jul 22, 11:55 AM (7 da

You are viewing an attached message. MIG, Inc. Mail can't verify the authenticity of attached messages.

### EXTERNAL

Hi Pat - Thanks, Jonah

Pubic Comment for Item 5 July 22, 2020 agenda

My name is Jonah Raskin. I have lived in Sonoma since 1976 and have written about cannabis for local and national publications for forty years. As an observer of the canna scene and life in Sonoma I wholeheartedly support the Glentucky Family Farm applicat for a use permit for cannabis cultivation. The operation at 2211 London Ranch Road is clean, efficient and environmentally friendly. I believe that Jack London who used cann and said so publicly, would support Mike and Mary Benziger's application. Please grant approval.

Jonah Raskin, [jonah.raskin@sonoma.edu](mailto:jonah.raskin@sonoma.edu)

THIS EMAIL ORIGINATED OUTSIDE OF THE SONOMA COUNTY EMAIL SYSTEM.

**Warning:** If you don't know this email sender or the email is unexpected, **do not** click any web links, attachments, and **never** give out your user ID or password.