

Legalized Cannabis Does Not Mean All CA Marijuana Farms Are Legal

Simply because the majority of California voters said yes to Prop 64 and therefore ushered in recreational cannabis use for age 21 and over does not mean everyone in the Golden State is embracing legalized marijuana. Nor does it mean that all Californians who support the new law (set to go into effect on January 1st) or support decades-old medical legalization are seeking the appropriate legal channels before cultivating the potentially profitable crop.

For instance, in Calaveras County ...

Two years ago a severe wildfire changed the landscape of a portion of Calaveras County, wiping out whole subdivisions (over 100 homes in all) as well as densely treed areas. Rather than rebuild, some homeowners opted to sell the land to cultivators interested in legally growing medical cannabis for dispensaries. The growers themselves, not having county permits in hand at the time of property purchase, were taking a risk in snapping up Calaveras land with the intent to cultivate cannabis for the legal market. Some growers didn't wait for the county's OK but just used their green thumbs to start cultivating.)

Although medical marijuana has been legal in California for two decades, and although the law permitting recreational use is less than a month away from going live, individual counties and municipalities still have the right to outlaw cannabis cultivation or use within their borders. There is no guarantee a local area will embrace cannabis, or continue to embrace it in the long run. (The new law gives cities and counties the right to ban marijuana.)

Legal marijuana farmers add around \$10M in taxes and fees to the county

Last year Calaveras County (pop. around 44,000) legalized medical marijuana, perhaps as a move to collect tax revenue from growers already working the land without the authorities' blessing. Officials reported that the county received more than triple the number of grow applications they had anticipated by their 2016 cutoff date (nearly 800); around 200 were approved, the same number declined, and the remainder are still in the processing stage.

In all, legal cannabis cultivators pay the county around \$10 million in taxes and fees, and though contested in the past, some of that goes toward enabling the Calaveras County Sheriff Department to root out illegal marijuana farms.

At this point, Calaveras cultivators may be looking forward to applying for a recreational grow permit in January when recreational use becomes legal in the state, but a prerequisite for a state license is a local permit...and therein may lie the rub. Obtaining a county permit may not be possible in the near future, if canna-opponents have anything to say about it.

“It has changed our way of life.”

Bill McManus heads up a group whose goal is to prohibit cannabis in Calaveras County. “The environmental impacts are atrocious,” he told the *Associated Press* and (reported in *The Cannabist*), referring to the many pot farms that have sprung up in the area since 2015. “It has changed our way of life.”

It's true that not everyone is a fan of the accouterments of a marijuana grow operation (like grow lights, noisy generators, the in and forth of water trucks, and temporary dwelling sites for itinerant workers, not to mention the unmistakable odor of the crop itself). And police have reportedly found evidence of pesticides banned in the U.S. in some of the cultivation operations they've raided.

Further, opponents of any sort of cannabis cultivation or use say that legal or not, grow sites tend to attract criminal activity.

Pro-pot supervisors shown the door

Last January, Calaveras County voters booted four-fifths of the county supervisors who had voted yea to legalizing cannabis. The current majority (four out of five) has said it will do away with marijuana legalization and replace it with complete prohibition. However, the supervisors have not yet had the opportunity to prove that with a vote — county cultivators (who argue that their green-grow efforts are boosting the local economy with the universally beloved kind of green) have threatened to sue the supervisors, and those threats have postponed the vote on the matter.

The county sheriff's department guesses that beyond the hundreds of legally operating, county-permitted farms, there are over 1,000 illegal grow sites out there, and according to the sheriff, they're popping up like weeds.

Undoubtedly, the swell of illegal pot farms has contributed to the sour taste that cannabis opponents have experienced of late. Enforcement authorities have uprooted around 30,000 marijuana plants that were being grown in the county without a license.

The Cannabist reported that Calaveras County Sheriff Rick DiBasilio is narrowing his marijuana raiding efforts to cultivators who have not applied for a county grow permit and those whose applications were rejected but kept right on cultivating anyway. He's raided more than three dozen grow sites in the county this year alone.

"There are just so many of them," DiBasilio said of the illegal cultivation sites. "It's never-ending."

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