



Darryl Cotton <indagrodarryl@gmail.com>

Re: [EXT]Re: Lowell Farms Cannabis License

Darryl Cotton <indagrodarryl@gmail.com>

Fri, Aug 14, 2020 at 6:26 AM

To: Eric Hughes <ehughes@co.slo.ca.us>

Mr. Hughes,

Thank you for your response. As a followup to your response I see that in Para 10 and 20 of the 06/11/20 agreement, Lowell Farms admits no liability but also agrees to meet all future licensing requirements for commercial cannabis activities. If that is the case Lowell Farms has tax liabilities at the state and local levels associated with any and all activities associated with those activities. Also, per the terms of the Agreement, Lowell Farms should be currently licensed at the state and local levels for any and all activities they are engaged in would you not agree? Has Lowell Farms paid SLO County the taxes due for those past and current tax liabilities? Are those tax forms available to the public? If so I'd like to see them. Does the amount of business being shown on the tax filings comport with state required Type 11 Cannabis Distribution license manifests that reconcile the raw to finished product transactions?

I pursue this information in the interest of fair, even and impartial enforcement of state and local cannabis rules and regulations. I also pursue this information on behalf of the citizens of SLO County because if taxes are due and they have not been paid then Lowell Farms is not in compliance with Para 20 in that agreement and that requires immediate non discretionary action on your part.

<https://151farmers.org/wp-content/uploads/2017/10/06-11-20-Lowell-settlement.pdf>

Lastly I want to think that the state was acting in the best interests of the citizens of the State of CA in negotiating and reaching this settlement agreement but with the added stress associated with the recent suicide death of Councilmember Hill I have to question how Lowell was allowed to operate in the place without a SLO abatement notice being issued on their activities? As per your statement the application was made to operate at this location then denied. It was clearly no mystery that they were operating unlicensed at this location. Why didn't SLO County have a seat at the settlement table to assure the County's interests were considered in any agreement that was to be reached?

As I've stated earlier, as it relates to fair and equitable licensing and business practices in CA I take personal exception (I'm currently a plaintiff in federal court adjudicating matters that stem from these activities occurring within the City of San Diego), to those instances when I find uneven play that under special interest play allows one business to

operate outside those laws while others are denied even a seat at the cannabis licensing table.

<https://151farmers.org/wp-content/uploads/2016/09/12.1-Federal-Complaint-02-09-17.pdf>

<https://151farmers.org/wp-content/uploads/2017/10/04-03-20-Flores-v-Austin-Complaint-Exhibits-and-Notice-of-Errata-dated-04-13-20.pdf>

Based on all of the foregoing, is Lowell Farms operating without a license today at 887 Mesa Road today and if so under what legal pretext are they doing so?

Thank you for your cooperation in this inquiry and in anticipation of your reply I remain.

Darryl Cotton

On Thu, Aug 13, 2020 at 3:58 PM Eric Hughes <ehughes@co.slo.ca.us> wrote:

Hi Mr. Cotton,

Thanks for following back up. The applicant did not hold a manufacturing license at this location. The applicant had their project (22,000 sf of indoor cultivation (growing mature plants); 264,632 sf of indoor nursery (growing immature plants) to support onsite cultivation and for sale to offsite licensed operators; a 4,284 sf tissue culture lab; a 42,797 sf drying and processing facility; and, a 4,284 sf administrative building) approved by the Planning Commission back on November 29, 2018. However, the project was appealed and the Board of Supervisors denied the project on April 9, 2019, due to cannabis related code violations.

Prior to the approval on November 29, 2018, the applicant was allowed to cultivate at the premises under the County's Cannabis Zoning/Urgency Ordinance No. 3334. The applicant had registered as a cannabis cultivator (CCM2016-00121) and specified that they cultivated up to 299,000 sf of canopy with a maximum of 49,000 plants. CCM2016-00121 was a registration number that essentially allowed the applicant to cultivate under the Urgency Ordinance, but there was no approved land use permit or cannabis license with the County.

Please let me know if you have additional questions.

Regards,

Eric

[Eric Hughes](#) | Senior Planner

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From: Darryl Cotton <indagrodarryl@gmail.com>
Sent: Thursday, August 13, 2020 6:35 AM
To: Eric Hughes <ehughes@co.slo.ca.us>
Subject: [EXT]Re: Lowell Farms Cannabis License

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Mt. Hughes,

I am following up on my previous email. Do you have record of the property located at 887 Mesa Road being licensed at the local level for a cannabis business venture?

On Fri, Aug 7, 2020 at 1:12 PM Darryl Cotton <indagrodarryl@gmail.com> wrote:

Mr. Eric Hughes;

I've seen the recent settlement between the CDFA and Lowell Farms ET AL and I was told you would my point of contact to determine if there was a cannabis manufacturing license or any other SLO County required cannabis license held by any entity @ 887 Mesa Rd., Nipomo, CA on or about March 13, 2019? If the answer is no can you tell me if this location has ever been licensed for a cannabis venture at any time?

Should you wish to contact me email or a call to me is fine. Thank you for your assistance.

Darryl Cotton

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