

The CCRW Dog and Pony, Prop 64, Cannabis Licensing Scheme
Starring: Jacqueline McGowan and Gina Austin
And Co-Starring: CEQA

1

California - City & County Regulation Watch

Private group · 8.5K members

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Joanna Claire

15h · 🌐

CEQA SURVEY: Who has completed CEQA? If not, when do you anticipate it will be complete?

13

73 Comments

Like

Comment



Joey Espinoza

Monterey County completed a CEQA study that led to a Negative Declaration.

Like · Reply · 14h

4



Joanna Claire

Joey Espinoza Did you get an annual?

Like · Reply · 13h

1



Joey Espinoza

Joanna Claire not yet, the study was just approved in December

Like · Reply · 13h

2



Joanna Claire

What's your estimated timeline for completion?

Like · Reply · 13h

1



Mark Shaffer

Joey Espinoza so did Mendocino County, but it hasn't satisfied CDFA.

Like · Reply · 13h

4



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Like · Reply · 13h

1



Mark Shaffer

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Like · Reply · 13h

4



Joey Espinoza

Mark Shaffer we'll see what they have to say. They provided comments on the study prior to it being approved

Like · Reply · 12h

2



Mark Shaffer

Joey Espinoza Who approved it? County B&P?

Like · Reply · 12h

1



Joey Espinoza

Mark Shaffer board of supervisors

Like · Reply · 12h

2



Mark Shaffer

Joey Espinoza Thanks. Definitely will be following.

Like · Reply · 11h

1

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Like · Reply · 11h

Kieran Ringgenberg
Joey Espinoza for a list of specific properties in a small geographic area

Like · Reply · 10h

Joey Espinoza
Kieran Ringgenberg good point

Like · Reply · 9h

Write a reply...

Ben Breschini
Waited 3.5yrs and now lost all interest in cannabis. I'm out. Real Estate industry here I come.

Like · Reply · 14h

Jacqueline McGowan
Ben Breschini What jurisdiction?

Like · Reply · 13h

Ben Breschini
Monterey County. I had a dream to start a seed company, Cal Poly crop science plant breeding degree, 401k, my assets, everything down the drain and lost all hope with never a seed produced.

Like · Reply · 13h

Jacqueline McGowan
Ben Breschini I'm so sorry. I wish I could fix this.

Like · Reply · 13h

Ben Breschini
Thank you Jacqueline. I stay positive and have great friends in this group that you created!

Like · Reply · 13h

Kevin Reed
Ben Breschini you certainly do!

Like · Reply · 11h

<https://www.facebook.com/groups/1653292258221939/user/100006197290123/?...>

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Jacqueline McGowan
I just had my amazing teammate **Ian Ray** run the numbers of annual licenses vs. provisional. Currently there are 5,055 provisionally licensed operators and 1,116 annual ones. If CEQA isn't fixed we would lose 82% of the market on July 1, 2021.

Like · Reply · 13h

Joey Espinoza
Jacqueline McGowan I'm sure they'll extend it

Like · Reply · 12h

Jacqueline McGowan
Joey Espinoza let's hope so.

Like · Reply · 12h

Gina Austin
Jacqueline McGowan isn't there a bill currently to extend provisionals to 2024 or 2028 or something?

Like · Reply · 11h

Jacqueline McGowan
Gina Austin yes but it isn't urgent and it also needs 2/3 majority to pass.

Like · Reply · 11h

Jacqueline McGowan
Gina Austin I'm hearing work is being conducted to include an extension in the budget trailer bill.

Like · Reply · 11h · Edited

Kieran Ringgenberg
Jacqueline McGowan provisionals are currently Good through 1/1/22. The July date has to do with local government exemptions from CEQA.

Like · Reply · 9h

Ian Ray
Apologies, that count was for cultivators only. There are 1504 annually licensed cannabis businesses and 9308 provisional.

"I'm hearing" This from one of the most preeminent corrupt cannabis lawyers in the state. One who has helped fuck cannabis licensing up to the extent only your inside track clients can get one of these licenses while you take your other clients money and then give them the bad news that "sorry they can't have a license because your project didn't qualify for a CEQA approval.

Gina you HAD to have SB-59 extend the provisional licenses until 2028 so you COULD get the extra time to milk the system while CEQA was allowed an extension AS LONG AS THE CEQA Application was filed! It doesn't matter if it's approved! Just applied for. Gina Austin pretending you don't know about SB-59 proves to me that you and JM are so full of shit that you both have redefined and set a new low for the meaning of the con-woman.



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David King

Not me. I'm in Mendocino and they originally felt like since we were small and existing we could get along with some kind of mitigated declaration. But the state said nope. Now we are going to start the process and it could take years to get through t... See More

Like · Reply · 13h

^ Hide 11 Replies



Jacqueline McGowan

David King There is a bill but it isn't urgent and it needs 2/3 of a majority to pass it. This is a very serious situation.

Like · Reply · 13h



Jacqueline McGowan

David King

<http://leginfo.legislature.ca.gov/.../billTextClient...>



LEGINFO.LEGISLATURE.CA.GOV
Bill Text - SB-59 Cannabis
licenses.

Like · Reply · 13h



David King

I was the 24th permit in my county and 186th temp in the state when this started. In the beginning I said hey this is too much paperwork.. Well once we got it all together and it sat on the desk at the county they said hey this is too much paperwork. It will take us years to get through it. If the counties fail then it will fall in the lap of CDFA. They do not have the staff to do it. Funny thing is I have 18 years of environmental studies way more detailed than any CEQA from my managed timber harvest plan, but chances are it will not be useful because the list of approved consultants will be small.

Like · Reply · 13h



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Chiah Rodriques

David King to much paperwork for 6 million bucks in taxes we paid last year? F!

Like · Reply · 12h



Heidi Woordhuis

David King The fact that they're requiring 'consultants' is bull. CEQA does not require consultants, leaving up to the Lead Agency to determine. They didn't have to choose to go that way.

Like · Reply · 11h



Ted Williams

Heidi, we are not requiring consultants. If you want to do your own CEQA for the state, no limitations, the county will not involve itself.

To collaborate with the county to translate the county review to state format, an agreement is necessary to ensure the parties understand roles and obligations. The agreement is to avoid future misunderstandings.

Like · Reply · 11h



Heidi Woordhuis

Ted Williams I thought David King was talking about the SSR with county MND to try and meet CEQA, no? If not, then I misspoke. We are underway for four private MNDs here, on our own without consultants (but with a consultant review and stamp to assuage state and RA reviewers.)

Do you happen to know if County offices are prepared to file independent MND's for cultivators and which office?

Like · Reply · 11h · Edited

Another fallacy. Sure the lead agencies might not require a "consultant" to submit a CEQA report but when you have the Gina Austin's and the other cannabis consultants running around promoting their special skill sets that expedite this process it tends to give them a virtual monopoly when dealing with lead agencies, such as in my case the City of San Diego Development Services Department (DSD). Austin quit working on my CUP, went to work for the competing CUP and got it approved in less than 7 months from initial application to final public hearing approval. That took an "intimate" working relationship with the DSD and City Officials to make that happen.



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Lesley Doyle

There has to be an amendment made to the current policy. There are so many applicants pending. Humboldt county planning commission is extremely bottle necked and will not be able to meet this deadline for hundreds if not thousand of applicants.

Like · Reply · 13h



4



Jacqueline McGowan

Lesley Doyle

<http://leginfo.legislature.ca.gov/.../billTextClient...>



LEGINFO.LEGISLATURE.CA.GOV

Bill Text - SB-59 Cannabis licenses.



Like · Reply · 13h



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Joanna Claire

Planning commissions across the state have been backlogged due to COVID, which is slowing down hearings and approvals.

Like · Reply · 13h



3



Lesley Doyle

Jacqueline McGowan thank you for the information. How can we help to assure this bill passes.

Like · Reply · 13h



3



Lesley Doyle

Joanna Claire it will take humboldt another couple of years to get them all through. We're lucky if we have a 5 projects on the agenda each meeting plus they only meet twice a month sometimes less if there's a conflicting holiday 🙄.

Like · Reply · 13h · Edited



1



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Jacqueline McGowan

Lesley Doyle I'm hearing that there is a group working on getting this bill added into the Governor's budget which would significantly increase the timeline with a fix. If that doesn't happen then we will need to initiate some activism to get this bill passed.

...

Like · Reply · 13h



2

"I'm hearing" again! I bet you are JM! This "group" would be the lobbyists like HdL, K Street, you, and Gina Austin, to name a few that must remain behind the scenes while you JM continue to fleece the licensees and the industry as a whole. Here's the rub: SB-59 gets passed, you run these provisionals through 2028 and then you pick a whole new cast of winners when the provisionals can't get the CEQA approval which of course they won't know about until just before SB-50 expires in 2028.

I've got to hand it to you two. This is some Orwellian shit you're orchestrating but like with most things crooked in life, time has a way of providing us the evidence that will contribute to your undoing. Frankly I'm amazed you can trip through life with posts like these and not think that there are some of us out there that will connect the dots. I guess when mixed together; greed, arrogance



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Like · Reply · 13h



Genine Coleman

Jacqueline McGowan There are a lot of groups working on this. Provisional licensing extension as well as policy analysis and recommendations related to state + local CEQA policy (the underlying issue) is a top priority of Origins Council. We have retained a stellar CEQA attorney, (Jim Moose of Remy Moose and Manley) and an additional dedicated cannabis policy advisor (Hannah Neslon) to support our analysis as it relates specifically to this issue for rural legacy producing regions, which have very specific land use and stakeholder considerations due to being located in impacted watersheds with sensitive species habitat, and due to the sheer number of small independent farms impacted and lastly the matter of most of these farms being legacy - hence associated with existing enviro impacts that are - to a large degree - being mitigated by regulation. Collectively our regions (Trinity, Mendo, Sonoma, Nevada County & Big Sur) have 1127 independent licensed cannabis farms, 38% of California's 2911 independent cannabis farms. There are only a little over 100 annuals in those regions. Humboldt County has 838 independent farms, about half of which have annuals. These legacy producing regions comprise 67% of the state's independent licensed cannabis farms. Consider that regions with larger scale cultivation that are stacking cultivation licenses, a project with lets say 30qty 10k licenses is really just one site specific CEQA review and/or project for county staff and planning commission hearing(s), as opposed to 30 small farms. This metric really comes into play when it comes to local permit processing, environmental review and the availability of environmental biologists and consultants to support the studies etc., We have also been coordinating with other trade associations and industry sectors on this, because as you point out - this is an industry wide licensing crisis.

Like · Reply · 10h · Edited



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Like · Reply · 10h · Edited



Genine Coleman

Joanna Claire Jacqueline McGowan Ian Ray This is our analysis from early December, and includes the number of distinct independent businesses in the data as well.

<https://drive.google.com/.../1UR.../view...>



Like · Reply · 9h



Write a reply...



Toni Gomez

Trinity County has put a full stop on their program until their EIR is certified, and even if it gets through the 90 day period it still won't cover stacking for growers who want to manufacture. It's a hot mess. If anyone out there is in need of CEQA help, Buildaberg is well qualified to assist you!

Like · Reply · 13h



Margaret Philipsborn

Nevada County has completed CEQA.

Like · Reply · 12h

^ Hide 20 Replies



Jacqueline McGowan

Margaret Philipsborn Are you operators receiving annuals?

Like · Reply · 12h



Diana Lynne

Jacqueline McGowan They now have all the documents that would qualify them for annuals. I haven't been keeping track though of who has received at this point.

Like · Reply · 11h

The comments here go to PRECISELY why environmental law MUST BE HANDLED AT THE STATE LEVEL! What we have now is a patchwork quilt of regulations between counties and local governments that even they don't understand due to their complexities and irregularities!

When it comes to cannabis licensing under Prop 64 the local governments are managing CEQA approvals in a licensing scheme that is already fraught with difficulties. Not the least of which there are unlicensed farms that might try to get licensed if there was a clear path to doing so. That is clearly not the case in the MAJORITY of these counties and the Austin's and JM's of the world, the so called "consultants" would have it no other way!



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- Nicole Noel**
Is that because Nevada County only allows indoor grows?
Like · Reply · 9h 1
- Anira G'Acha**
What process did Nevada County use for CEQA.
Like · Reply · 9h ...
- Lisa Gage**
Nicole Noel did not know that.
Like · Reply · 8h
- Monica Senter Laughter**
Nicole Noel Nikki- it's because the county started the process 2 years ago. it covered indoor and outdoor
Like · Reply · 8h
- Monica Senter Laughter**
Anira G'Acha the county sponsored it, they paid for the EIR. the voters rejected a ban ordinance in 2016 and as a result the county proceeded to write an ordinance and at county counsel's urging, an EIR was initiated.
Like · Reply · 8h · Edited 2
- Monica Senter Laughter**
as background for Nevada County, at first the Alliance wasn't sure about the impact of CEQA and we were preparing to pressure county to use the State waiver. but after engaging 3 or 4 CEQA attorneys, we came to agree with county that best path was for county do the EIR and CEQA compliance for the whole county. now we realize just how lucky we were to figure that all out at the time. call Diana Lynne and Margaret Philipsborn at the Alliance office if you want more info about how that got done. I am suggesting this now because I am seeing just how many farmers are suffering because of different approaches to CEQA. it pays to partner with the county if you can.
Like · Reply · 8h 2



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- Abraham Valensky**
Soon
Like · Reply · 7h
- Sky Rutherford**
Diana Lynne please
Like · Reply · 6h
- John Foley**
Jacqueline McGowan we should upon renewals this year 🙌
Like · Reply · 6h
- Nicole Noel**
Monica Senter Laughter Oh Monicaji, Nevada County is so much wiser than Mendo in the long run! We'll get it done but I fear it will cost us thousands since we'll have to hire private consultants. Ouch. Gosh I miss hanging out with you!!! xoxoxox
Like · Reply · 6h
- Jacqueline McGowan**
John Foley "We should" =not yet and not yet is scary AF.
Like · Reply · 6h
- John Foley**
Jacqueline McGowan true but I'm cautiously optimistic. All the paperwork is in order from our planning department. I'll know in June for sure 😊
Like · Reply · 5h
- Brooke Laidlaw**
Monica Senter Laughter we were approved in Paso and appealed by a citizen on CEQA compliance. The county did an EIR and now we go back to the board on 4/20/21. After a 3 year wait, we are still waiting. After the 4/20 hearing, the board could pass us to move forward, but the citizen could then sue the county and us for "possible" ceqa violations. It's become a nightmare. She's really just hates cannabis but is using CEQA as her weapon.
Like · Reply · 5h

The comments here go to PRECISELY why environmental law and CEQA is being used as a weapon in the permit process by those in who oppose cannabis businesses in their community. This is a situation that the licensee is NOT GOING TO KNOW ABOUT UNTIL THEY GO TO A PUBLIC HEARING!!!! So here we are. You are licensee who has invested maybe millions of dollars on that business, are operating under a provisional and when trying to get the permanent license a denial might come from a public protest or a CEQA denial at any point in that process. Tell me where on God's green earth does that make sense? Can a lawyer for example, fresh out of law school, go 11 years on a provisional BAR Card before they are granted a license? The current cannabis licensing system is rigged so that the only winners will be those who have the political connections to remain once the early round investors are cut from the herd. If you, be it licensed or unlicensed haven't seen that before you can certainly see it now.



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Like · Reply · 5h



Monica Senter Laughter
Brooke Laidlaw yep, that's a reason to have the county do it for the entire area. I can only imagine the pain people are gonna suffer and the vulnerability/exposure to the lingering prohibitionists.

Like · Reply · 5h



1



Anira G'Acha
Monica Senter Laughter Thank you I will 😊 may I dm you?

Like · Reply · 5h



Monica Senter Laughter
Anira G'Acha sure but if you want to know the CEQA stuff, I recommend you connect with Nevada County Alliance.

Like · Reply · 5h



1



Anira G'Acha
Monica Senter Laughter I was wondering what the Alliance full name was so i could get the number thank you I would love o call and speak with them. Was Katharine Elliott counsel at the time you started?

Like · Reply · 5h



Monica Senter Laughter
Anira G'Acha nope, she came later. the county counsel at the time was Alison Barrett green

Like · Reply · 5h



1



Diana Lynne
Nicole Noel Nevada County allows indoor, outdoor, ML, nurseries, processing etc...

Like · Reply · 5m



Diana Lynne
Lisa Gage see my reply

Like · Reply · 4m



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Gina Austin

We have CEQA completed for clients in San Diego, La Mesa, Lake Elsinore, Lemon Grove, and several other jurisdictions

Like · Reply · 11h



3



Brooke Laidlaw
Gina Austin how much on average does that cost? Have you done anything in SLO county?

Like · Reply · 5h



William Melucci
Going through it now its been a nightmare with the draft EIR here in Trinity County. Have scientists etc working on complete CEQA as I cant risk it not being done.

Like · Reply · 10h · Edited



Raymond M Strack
en route

Like · Reply · 10h



Anira G'Acha
I am. don't mind the CEQA detail part I am down. I found a great team to work with and it is kinda fun, though nerve racking. I get told different messages but also can't risk it not being done. The path forward is uncertain, I am hoping it works out as it reads over as one fears and it help others move forward.

Like · Reply · 4h



Samantha Franceschi
Exempt

Like · Reply · 2h

And here is where the shark comes in for the kill. Don't worry about CEQA compliance. I'm Gina Austin a corrupt attorney who has judges and city officials in my pocket in San Diego, Lake Elsinore, Lemon Grove and several other jurisdictions I won't name in my pitch to the CCRW members.

I really feel for the provisional licensees out there when I, and others like me, are currently in federal court arguing cases that go to the very heart of the corruption that exists in this process. Gina Austin is a NAMED DEFENDANT in my federal case for her role in playing king maker in this process. There are 42 USC 1983 and anti-trust law violations which abound under her so called consulting services. And while JM may have banned me from her CCRW group thinking that my message would not be heard I believe it's the best thing that could have happened to the industry. Not being in her group has allowed me see what she and certain members of her group have been engaged in during the last 5 years of that groups existence and with their overt intent to maintain Prop 64 and underlying intent to create a monopoly for their own benefit it should be apparent by now that the scheme has been uncovered.