

JOHN MCCOWEN  
Supervisor  
Second District



OFFICE PHONE: (707) 463-4221  
DIRECT LINE: (707) 463-7213  
OFFICE FAX: (707) 463-7237

MAILING ADDRESS:  
501 Low Gap Road, Room 1010  
Ukiah, CA 95482

## COUNTY OF MENDOCINO

BOARD OF SUPERVISORS

501 Low Gap Road • Room 1010

Ukiah, California 95482

To Whom It May Concern:

RE: Federal Actions Threaten to Drive Medical Marijuana Underground, Keeping it Illegal, Dangerous and Profitable for the Black Marketeers

It is outrageous that Matthew Cohen has been raided by the Federal Drug Enforcement Administration. Matthew Cohen was the first medical marijuana advocate in Mendocino County to call for regulation of the cultivation and dispensing of medical marijuana to prevent black market diversion. Matt also understood the need to balance safe access for patients with the need to protect the public and the environment. Matt has continually stressed the importance of preventing black market diversion and did so in a phone call to me just days before he was raided.

Matt Cohen has always been a strong advocate for full compliance with the California State Attorney General's Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. Matt also took the extra step of incorporating as a cooperative with the California Secretary of State. In short, Matt Cohen has done everything he can to be fully compliant with state and local law.

Whatever the intent of the federal authorities, enforcement actions against legally compliant medical marijuana providers like Matt Cohen will have the effect of driving medical marijuana back underground; keeping it illegal and dangerous, and insuring maximum profits for the black marketeers. The elimination of dispensaries that operate legally and openly will endanger patients and the public and enrich the cartels, criminal street gangs and other drug trafficking organizations.

Like many public officials, I have struggled to control the public safety, nuisance and environmental impacts sometimes associated with medical marijuana cultivation and dispensing. As a City Councilmember, I helped enact bans on outdoor growing and dispensaries in the City of Ukiah. I was one of the leaders of a successful local initiative campaign (Measure "B") to repeal a permissive 25 plant per person allowance (Measure "G") and put Mendocino County back in line with state limits. I decry the neighborhood and community impacts and the environmental damage caused by greed based profiteers who cynically use the medical marijuana laws for cover so they can make a killing on the black market.

In 2008 Mendocino County adopted an ordinance that restricted marijuana cultivation to no more than 25 plants per parcel with no exceptions. Cultivation was banned within 1,000 feet of a school, park, church or youth oriented facility, but there were few additional protections for neighbors. As a Supervisor, I led a successful effort to amend the ordinance to require setbacks from property lines and occupied dwellings; limit indoor cultivation; limit odor impacts; require that plants not be visible from the public right of way, and more. The above restrictions apply to *all* marijuana grown in Mendocino County.

As a tradeoff for greater neighborhood and community protections, medical growers with a minimum parcel size of 10 acres are allowed the option to seek an exemption to the 25 plant per parcel limitation to allow them to cultivate up to 99 plants provided they apply for, obtain, and comply with a highly conditioned permit from the Sheriff's Office. The conditions are designed to prevent neighborhood and community impacts and protect the environment by preventing erosion, illegal diversion of water, killing of wildlife, and other environmental impacts.

I strongly supported Operation Full Court Press which successfully eradicated hundreds of thousands of marijuana plants from the Mendocino National Forest this year. I hope our Federal, State and regional partners can continue the effort next year and extend it to trespass grows on private property, a constant problem on remote timber and ranch lands that further endangers public safety.

I fully understand that there is no such thing as legal marijuana under federal law. But if the federal government truly wants to protect public safety and the environment in rural areas; and prevent black market diversion to urban street corners, back alleys, and out of state locations; they will work with local jurisdictions to identify and eradicate trespass grows, polluters, illegal water diverters, and others who are endangering the community and the environment. Not by raiding medical marijuana growers who are doing everything they can to operate in full compliance with state and local law.

Sincerely,

*John McCowen*

John McCowen, 2<sup>nd</sup> District Supervisor  
Mendocino County Board of Supervisors