

Public Comments Received

May-June, 2021

May 25, 2021

I am Nicholas Schuermann, Executive Director of Vermont's chapter of the National Organization of the Reform of Marijuana Laws, or NORML for short. We are a registered non-profit in the state of Vermont that plans to foster a sustainable and equitable cannabis market. I would like to make a brief public comment introducing myself and my organization. Thank you and I would be happy to provide more details if needed.

- Nicholas Schuermann, Burlington

May 26, 2021

I'm very worried that the new regulations will push people like me out of the industry. I'm not a grower and use natural solvent less methods to infuse my products with hemp flower.

From what I understand, these terms will mean I have to stock up on a year worth of product in advance if I want to stay in business. If I can't afford to do that, I'm out of luck and cannot produce product. This seems to fly in the face of the farm-to table food model that Vermont is so proud of. How are you going to protect small producers and avoid the formation of monopolies?

- Sarah Stillman, Shelburne

I would like to suggest that VT adopt a direct-to-consumer approach that is similar to or includes the possibility of a CSA- type model. This could help small producers stay afloat and allow farmers to diversify their offerings without having to work through stores and dispensaries to get their product to consumers. It seems wise to consider ways to reduce person to person contact in pandemic times, as well. Thank You

- Sarah Stillman, Shelburne

May 27, 2021

Will the CCB be providing guidance on being compliant with Banking and Federal Revenue Tax? Is this outside the scope of the CCB? Where would a hopeful entrepreneur locate reference for this guidance?

- Chris Whiting, Newport

CeresMED (formerly Champlain Valley Dispensary and Southern Vermont Wellness) is firmly committed to equity and inclusion, both in the VMR and the future adult use market. Our Social Justice Committee (SJC) is made up of employees, managers, and senior leadership and guides

our company's longstanding efforts to ensure equitable access to safe, legal cannabis through community collaboration, inclusion, and education initiatives.

To date, the SJC has reviewed all of the organization's practices - including auditing the entire supply chain to ensure that CeresMED vendors share our core values of sustainability, equity, and ethical responsibility. We are 100% committed to identifying and building relationships with economically disadvantaged individuals as well as BIPOC, women-owned, and other organizations that identify as marginalized communities, especially those who have been negatively impacted by cannabis criminalization.

It is our hope that equity and inclusion initiatives are considered priority for the future adult use market, as well as expanded access for marginalized communities to the VMR. We look forward to engaging with the CCB and its Advisory Board on this critical topic.

- Meg D'Elia, Milton

I appreciate the opportunity to provide comments via a web form, but the Cannabis Control Board should also receive comments via email. I understand there may be public records issues with email submissions, but nevertheless email is a means of communication favored by the public and should be facilitated. That's especially so given that the Board asks for an email address from members of the public offering comments, but doesn't offer an email address for itself. Also, the public comments platform should allow the loading of attachments using major file formats so relevant photos, charts, etc. can be provided by the public.

- Tom Buchanan, Londonderry

June 2, 2021

Good Morning: I am a long term veteran of the Vermont captive insurance industry. If you know about the industry, now celebrating its 40th anniversary in VT, we are an amazing success story for Vermont. People always ask what the next "captive industry" can be in Vermont. It could be cannabis. I would welcome the opportunity to share my thoughts on the keys to success for the captive industry, also a regulated industry, and how those successes might be built upon and inform the efforts to create this new industry as a success in Vermont.

- Stephanie Mapes, Burlington

Greetings,

We should incentivize Energy efficient LED operations over high pressure sodium and other less energy efficient lighting sources for the indoor cultivation operations, small and large sale.

We can do this by setting a separate tier fee structures for people who want to make the upfront investment. Proper LED's that work well are a much higher upfront investment than the old school technologies that are much less efficient.

Having a slightly lower fee structure, combined with the savings down the road on the electric bill, might be enough incentive for people to build LED operations instead of using old-school technology that are less efficient.

We might even be able to offer rebates by partnering with our Vermont utilities. Vermont utilities do this now for the home cultivator. If I remember correctly it was Green Mountain power and a \$200 rebate. By partnering with all of our Vermont utilities we might be able to even increase the incentive so people build more efficient operations.

- *Barry Schneider, Hinesburg*

June 4, 2021

To the Members of Vermont's Cannabis Control Board,

I want to start out by thanking all of you for taking on the momentous task of establishing Vermont's commercial cannabis industry. My name is Timothy Fair and I, along with my law partner Andrew Subin, own Vermont Cannabis Solutions, Vermont's only dedicated cannabis law firm. We have been providing legal and consulting services to Vermont's cannabis industry, primarily hemp and CBD businesses, since 2018. Over the past three years, we have formed over seventy Vermont cannabis-based businesses, and currently represent over one hundred and fifty prospective adult-use applicants, spanning all of the license types enumerated in Act 164.

As we move forward towards this exciting new future, we hope to develop a strong working relationship with the Board and want to offer any assistance that we can provide. Given our day-to-day interactions with many of the Vermont business people and entrepreneurs that make up our burgeoning marketplace, I believe we have a unique perspective on the thoughts, hopes and concerns of a large segment of the industry you will be regulating. We hope to act, in part, as a conduit of sorts in order to help facilitate an open and efficient line of communication between our clients and the Board.

To this end, I would like to bring to your attention a few of the main questions being raised in the run-up to adult-use licensing. I fully understand that the Board is just getting started, and has a great deal of work to do, so please don't take these questions the wrong way. I am in no way trying to put any sort of pressure on you, nor am I expecting any answers until you have gotten around to these issues in your own time. I raise these questions simply to put them on your radar and give you an idea of what we are hearing most often from the individuals and businesses we work with thus far.

- Will there be a process for holders of the small-tier craft cultivation license to "upgrade" to a larger tier?
- Will you allow more than one license holder to operate at the same location? (This is especially relevant to the small craft cultivation license. We have had many of our clients who own large parcels of land inquire as to whether

they may lease out individual 1,000 sq. ft plots to small craft cultivators who have no where else available to grow.)

- Will there be different tiers of retail licenses? Specifically, does the Board intend to create a class of retail license for those wishing to sell only seeds, starts, and clones?
- Will the Board be creating an outdoor cultivation license into order to facilitate the cultivation of bio-mass for edible and consumable products?
- As our clients begin the process of locking in their retail dispensary locations, can the Board clarify the requirements for such buildings? (Off-street parking, buffer zones, stand-alone building, exterior and interior requirements, etc.)

These are just a few of the questions being asked on an almost daily basis, and we felt the Board would be interested in hearing some of the concerns being voiced most frequently by the community.

Finally, I would like to bring the Board's attention to Vermont Cannabis Solutions' monthly luncheons. For the past two years, we have held a luncheon for the members of Vermont's cannabis community on the first Wednesday of the month. We generally have a speaker, or speakers, attend to discuss a specific topic of interest to the community. This month, for example, we have a representative from Efficiency Vermont coming to talk about environmental sustainability in cannabis cultivation and to discuss EV's rebate program for energy efficient grow-lights. After a hiatus of almost a year, we held our first post-COVID• luncheon last month and had a turn-out of almost seventy people. We would like to extend an open invitation to the members of the Board to attend one of our future luncheons, when it becomes feasible for you to do so, in order to have an opportunity to meet the wonderful people who make up Vermont's cannabis industry in a less formal, more relaxed atmosphere. I know for a fact that an overwhelming number of our clients would be thrilled with the opportunity to meet each of you individually and get the chance to know you as more than just an administrative body.

Thank you again for all of the hard work each of you has put into getting our state's Cannabis Control Board up and running. We look forward to working together with the goal of creating the most accessible and equitable cannabis marketplace in the county. Please feel free to reach out to myself and Andrew at any time, for any reason.

- Timothy Fair, Burlington

June 7, 2021

We recently asked our clients for ideas about retail tiers, and how such tiers should be determined. One client asked me to express the following idea:

"How about small retail being based in gross sales? Basing it on certain products or restrictions is never fair to small business. The gross sales say it all. And if a small retailer has a great year then they become a medium retailer and pay that difference in the license."

Thanks for your consideration

<http://www.vermontcannabissolutions.com>

- Andrew Subin, Burlington

June 8, 2021

Act 164 favors indoor cultivation, whether intended or not. When garden canopies are limited by square footage, the indoor cultivator can enjoy greater yields on the magnitude of three to four times. This is especially the case in northern Vermont, where growing seasons are short.

This is problematic on several fronts:

1. Greater yields (from indoor grows) mean fewer Vermonters participating in cultivation.
2. Indoor cultivation is capital cost heavy, creating barriers to entry that adversely affect those who are being prioritized for licensure.
3. Start-up costs for indoor growers equates to money leaving the state; as much of the equipment and nutrients required are not made in Vermont.
4. Vermont is not currently energy independent. Therefore, many dollars spent on lighting etc. to power indoor growing operations will end up leaving the state.
5. Environmental concerns include the large carbon footprint of indoor grows, primarily resulting from electricity usage as well as waste and runoff from the disposal of Hydroponic/Aeroponic nutrient solutions.

Outdoor cultivated cannabis grown in soil, without artificial light, can be a competitive product to indoor cannabis. There is no reason why a cultivator cannot produce top shelf flower outdoors. Nationally 60% of retail cannabis is grown outside. Outdoor means fewer inputs. It means more money in the cultivator's pocket. It means a smaller carbon footprint. It means lower financial risk.

But let us not argue indoor vs. outdoor, rather let us level the playing field. Leveling opportunity can easily be accomplished if we add a caveat to the rules stating, 1,000 sq. ft. OR 100 PLANTS, WHAT EVER IS GREATER.

Vermont's retail cannabis market is roughly estimated at \$200 million in the first year. If we extrapolate that into cannabis supply, the State will need roughly 62,500 pounds of dried flower (raw or processed). If one indoor cultivator can harvest 270 pounds of dried flower annually within a 1,000 sq. ft. canopy, only five to five and a half acres of indoor canopy area could supply the entire state. I suggest the CCB not issue more than 55,000 square feet of commercial cultivation licenses, amounting to roughly a quarter of total needed square footage. This will protect small cultivators from being pushed out of the cultivation market.

- David Templeman, Brownington

June 10, 2021

Hi!

When you are setting up the cultivator licenses (particularly the 1000 sq ft craft grower license) can you have the 1000 sq ft be for Flowering canopy? Growers will need to maintain seedlings and mother plants for efficient operations and turnover. Having this included as part of the 1000 sq ft would dramatically reduce the amount finished product possibly dooming the craft growers.

Thanks!

- *Scott Gowdy, Island Pond*

June 15, 2021

Tales from the crypt!

La Times article about the pit falls and challenges California is still having in transitioning their black market growers to a white market. Five years after they passed prop 64 as a ballot initiative.

We need to learn from other's mistakes.

<https://www.latimes.com/california/story/2021-06-14/california-struggling-marijuana-industry-cash-grants-budget>

- *Barry Schneider, Hinesburg*

June 22, 2021

We are a Vermont Hemp Cannabis grower and processor. Our companies are VT CBD Exchange and Serious Dirt Botanics. We are a woman owned business and would like to be part of the conversation as well as have input on the formation of the Vermont Marijuana growing and sales structure and licensing. We have been in business for over 2 years.

- *Hilary Hall, New York*

June 24, 2021

My daughter has a rare medical condition and experiences constant chronic pain as a result. She has had multiple surgeries and injuries over the years. Medical marijuana has been the one thing that has provided relief. Knowing that when we went to pain management doctors in the past they offered addictive oxycontin and valium as their answer for a young teenage girl's pain, we sought other options. As her parents, we carefully monitor and help her with the use of this. She is a college student and she does not share it or use it for recreational purposes because we view

this as medicine and take the use of it seriously and medically. It has been an important part of her being able to manage her pain and live a life.

There needs to be education, reform, and a way to allow people who have to manage chronic conditions to grow and/or access clean, effective, affordable cannabis in this state as an effective alternative to addictive drugs.

- Traci Mellinger, Morrisville