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## 2018 cultivation tax appeal process

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Tue, Dec 31, 2019 at 4:58 PM

To: Life IsAwesome <lifeisawesome2018@gmail.com>

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Hi Mr. Roberts:

There seems to be some confusion, your application was submitted under ordinance 1.0 and is being processed as such. Interim Permits are only available to 1.0 applicants. In reviewing your application, the process has had several difficulties. The first was the application was not complete for much of 2017 and the department issued a letter indicating that the application would be deemed withdrawn unless additional information was submitted. The reason that an Interim Permit was not issued in 2017 was because it appeared that the application may be deemed withdrawn due to lack of information and there had been no response to the departments previous requests for information. Additional information was submitted in September of 2017 and processing of the application was started. In 2018, the department identified new cultivation on the property. In August we had discussions with your agent about this new cultivation area and it was explained that this was relocated cannabis cultivation and not new. This resolved the concern with a possible illegal expansion of cultivation area and as a result of that discussion the department issued an Interim Permit. **It should be pointed out that you were cultivating prior to having the Interim Permit which is a violation of the County Code and could have been subject to a penalty of \$18,000.** You claim the cannabis was removed in June/July, but the aerial imagery does not support this, your agent did not claim there was no cannabis on site when we discussed the new cultivation area in August, and if there was no cannabis on site there would have been no reason to sign the compliance agreement for the Interim Permit. Your Cultivation Operations plan does not indicate that you engage in companion crop practices, but it does state that you plant in early May and harvest in October which is consistent with the aerial images. The Interim Permit is for the whole year, even though it was obtained late, it is not only for cultivation but also for processing, transportation and sale of your product. This is the equivalent of an entire years' worth of cultivation.

The information indicates that there was cultivation on the property in 2018 and thus Measure S taxes are due.



John H. Ford

Director

Planning and Building Department

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