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COPY SENT TO BOARD MEMBERS  
FOR THEIR INFORMATION

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**Board of Supervisors**  
**Placerville Office**  
330 Fair Lane  
Placerville, CA 95667

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BOARD OF SUPERVISORS  
EL DORADO COUNTY

Greetings esteemed Supervisors

Though we all know that the State constitution article three sec.3.5c binds you (supervisors/council persons/law enforcement) to this law, (prop.215/sb420) and that Article II section 7, of the California constitution and Government code section 37100 prohibit the enactment of municipal laws that conflict with the general laws of the state, (215,sb420[mmpa]) we (AAMC) believe that building this ordinance is an exercise in cooperation. We (AAMC) are honored to be apart of this cooperative effort, for the safe and affordable procurement of medicinal cannabis for patients and helping law enforcement to continue to concentrate their efforts and resources on criminals. Bear in mind though, the patients needs come first. The law has said as much in many publications, so let us try keeping the `patients first' as we craft this ordinance.

Our meetings (held every month except Dec.) usually have twenty five to thirty five people...there were fifty one.

We did a hands up poll regarding many issues that the ordinance creates...here are the results of that poll.

Age of participants ranged from 21-77. Only one person consistently did not participate... (no explanation, I didn't ask)

200 square foot garden will work for? 20 out of 51 patients/people polled.

31 need collective situation... (all hands raised, believe that sb420 allows for this)

29 out of 51 have multiple recommendations per household/parcel

Will 200 square feet work for family garden? ( husband, wife, household member)=0

Will 200 square feet work for collective garden? =0

What should the maximum size collective garden be? 27 said 50x50 (2500 sq.ft) 6 said 50x80(4000 sq.ft.) 4 said 50x100(5000 sq.ft.) 12 said unlimited.

Minimum size parcel a 2500 ft. garden may be on? 24 said 1 acre, fourteen said five acres, and ten said ten acres or more.

How many people need an opaque fence to obscure from view, their garden? =5

Should said fence be a complete enclosure, or a visual barrier? 50 people said visual barrier

How many people believe a collective should be limited to 3 to 10 patients? (0) 3 to 20? (3) up to 50? (10) unlimited?(36)

How many collective gardens should be allowed in EDC? 49 people said unlimited. If there are no allowances for dispensaries, collective gardens will be very necessary.

37 said this should be a complaint driven, and not simply a blanket ordinance that everyone must comply with. The rest felt there shouldn't be any such ordinance as they felt it is circumventing the law of the people; 215 and 420.

When asked if there should be either firearms or dog language, all hands stayed down.(0)We already have laws regarding these issues.

When asked, how many people will take their chances in court, and/or sue this county if not allowed to grow or acquire or incur damages (undue expense)of what they require, 39 said they would.

That last answer was disturbing to the AAMC, as our mantra has always been to work together and stay out of court. We do understand their position though, as these people are no different then anyone else and believe an unfair burden has been placed on them and they are willing to stand up for their rights. Many of the rest expressed the inability to `hire' an attorney, due to the upfront expense, but supported the idea of suing the county.

I recognized thirty one people, which means 20 people were there for the first time.(I advertised via LTE in gazette, face book and word of mouth).

Most people were extremely put out by the opaque fence needing to be a complete enclosure. Many believe that if you don't have a complaint, or can not be seen, you shouldn't have a problem...like having to build a fence. The added expense of a fence is also unmanageable to many on fixed incomes.(no poll on that, just lots of complaints) Planting a natural barrier will not `attract' attention as an opaque fence would, and allows the plants to breath and blocks the view...makes more cents/sense.

If a patient lives in a **\*neighborhood\*** and receives complaints, and cannot quell the complaint, that patient needs to be able to either move their plants to another location or have the ability to collectively grow with someone else.(11362.775) If a patient lives in a **\*neighborhood\*** and there is a threat of teenage theft, a chain link cage with a padlocked gate may be an alternative to moving the plants.

If a patient's garden is in view of the road or passersby's, then an opaque fence/visual barrier to further the security of the plants and block from view, is necessary, and not unreasonable. Out of sight-out of mind is what the sheriff said. **\*This opaque fence/visual barrier , should not be a codification burden on the patient, as long as it is no taller than eight feet. If the zone in which they live in calls for a permit, or said fence is not legal in said zone, a variance will be granted based on the `need' factor.(`needs a barrier to conceal medicinal cannabis). In either event, a fair amount of time should be allowed for said patient to get in compliance, (30-60 days would be fair) in the event of a complaint from a neighbor. No complaint...no problem. A patient with a secure property, livestock fenced and cross-fenced, gates that are kept closed and with no nearby neighbors does not fall into the same `opaque fence' category, because they are out of sight.**

Private gardens , (single patient/family garden) not to exceed six hundred square feet...200/patient xs 3.

Collective gardens, (three or more patient's ) will be conducted as follows:

Three patients or more, requiring up to 1000 sq. ft., will be done on one acre or more... out of site.[= oos]

Three patients to ten patients, requiring up to 2500 sq. ft., will be done on 2.5 acres or more. oos  
Collective gardens requiring 2500 sq. ft., with unlimited patients involved, will be done on five + acres oos

Collective gardens requiring 5000 sq. ft. with unlimited patients involved, will be done on 10 + acres oos.

Collective gardens of 2500 sq. ft or more, need to disclose this to sheriff so he knows they are there. This allows for immediate recognition if airborne and this garden is spotted, thus allowing the sheriff to concentrate his efforts on `criminals'. (patients are not criminals)  
No collective garden to be grown within 1000 feet of schools, playgrounds or other areas regularly recreated by children. (excluding stores gas stations, other business' that a child may accompany their parent, and the like)

The key to collective gardens will be out of site, no complaint, no problem. If there are any complaints, said collective should have a grace period (60-90 days due to multiple patients needing to relocate their plants) to `fix' that problem, whether it be erect a fence/visual barrier or remove some plants or relocate all together, after which time fines kick in. 11362.775 exempts a qualified collective grow from the nuisance clause. (see \*people vrs Urziceanu 2005, cited in the butte vrs Williams case, feb. of `09.)

Though I am writing these ideas for patient gardens, please remember that they are reflective of the polled needs of a very diverse group of patients.. patients concerned about their ability to acquire their medicine.

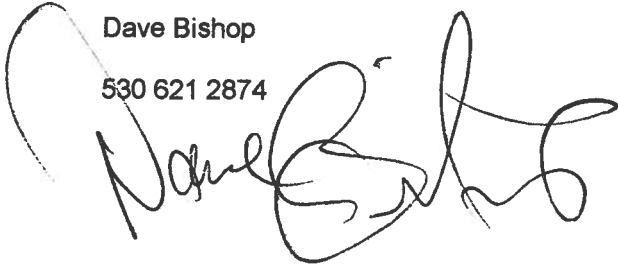
Please review, and let us get back to the table asap. I am looking forward to meeting with you soon. Please keep in mind the needs of the patients.

Have a very nice day! (and be safe out there)

Sincerely,

Dave Bishop

530 621 2874

A handwritten signature in black ink, appearing to read "Dave Bishop", written in a cursive style.