



O K A N O G A N

**COUNTY COMMUNITY
COALITION**

RECEIVED

MAR 28 2016

**OKANOGAN COUNTY
PLANNING & DEVELOPMENT**

March 28, 2016

Okanogan County Regional Planning Commission
123 5th Ave. N.
Okanogan, WA 98840

Re: Zoning Code and Conditional Use Permit for Marijuana Business

I am in support of a Conditional Use Permit in Okanogan County for marijuana businesses for two reasons:

1. WSLCB lack of enforcement to oversee both alcohol and marijuana licensed locations. Two officers who live Wenatchee oversee marijuana and alcohol in Okanogan and Douglas Counties.
 - a. One Officer oversees marijuana producers and processors in both counties.
 1. 63 producers (active and pending issued)
 2. 55 of those producers are also processors

118 locations to oversee in Okanogan County.
 - b. Second Officer oversees Compliance Checks for Alcohol and Marijuana.
 1. 3 Licensed Marijuana Retailers
 2. 172 Licensed Alcohol Locations
2. When there is no local oversight there is no warning. People in the county wake up to 8ft. fences going up outside their window with no notice from the county or WSLCB.

Thank you for considering my comments.

Stacey Okland
Project Coordinator



O K A N O G A N

COUNTY COMMUNITY
COALITION

Okanogan County Alcohol/Marijuana Update: March 2016

2 WSLCB Officers oversee alcohol and marijuana in Okanogan and Douglas Co.

Marijuana

Licensed (active & pending issued) Producers: 63

*Pending not issued licenses: 48

Potential Future County Total 111

Licensed Producers who are also Processors: 55

Licensed Retail stores: 3 (Sage Shop, Caribou Cannabis, Fresh Greens)

Licensed Medical Marijuana retailer: 5

2 Medical Marijuana Endorsements (Sage Shop and Fresh Greens)

3 Pending Medical Marijuana Applications

Alcohol

Off Premise Alcohol licensed locations: 74

On Premise Alcohol licensed locations: 98

Total # of locations in Okanogan Co.: 172

Alcohol Compliance Checks Conducted in Okanogan County

2013: 80 (19 paid for by OCCC and Conducted by Omak PD)

2014: 67 (30 paid for by OCCC and Conducted by Omak PD)

2015: 29

2016: 15 (15 paid for by OCCC and Conducted by Omak PD)

June 2015:

Lack of WSLCB Enforcement

North Central Drug Task Force "educated" a WSLCB licensed grower/processor about regulations. Okanogan Pot Growers hold I-502 grower and processor licenses then opened a medical marijuana dispensary. The Task Force shut down the dispensary because Medical Marijuana dispensary were illegal plus according to I-502 rules License holders can't have three licenses to grow, process, and also sell marijuana.

Selling to Minors

4US Retail DBA Caribou Cannabis in Okanogan sold to a WSLCB minor. OCCC contacted local Prosecutor to see if he had received charges since selling to a minor is a felony. He had not and after some emails with WSLCB found out that they were going to fine the owner who sold to the minor like they would an alcohol license holder instead of turning it over to the local Prosecutor.



O K A N O G A N

COUNTY COMMUNITY
COALITION

July 2015:

SB 5052 Bill added Medical Marijuana to WSLCB System & Changed the Tax Structure

Medical marijuana is now being regulated in the retail marijuana system. Adding 3 more retail stores to the county. Taxes collected: Reduced from 75% to 37.5% at the retail store only.

October 2015:

Diversion to Minors

Two 16 yr. olds females detained at Wal-Mart for theft were found to have marijuana from a licensed grower in their handbags.

December 2015:

Thefts & Diversion

Two thefts from outdoor growers. 60 lbs. stolen from Methow Valley Nursery and 144 lbs. were stolen from Cannasol Farms north of Omak, WA.

March 2016:

Fresh Greens in Winthrop burglarized again.

15 Alcohol Compliance checks conducted by Omak Police Dept and Oroville Police Dept.

11 passed

4 failed (1 in Oroville and 3 in Omak)

Illegal Marijuana Dispensary Shut Down by Law Enforcement

Jun 17, 2015

Following an investigation that occurred over the past several months, members of the North Central Washington Narcotics Task Force executed a search warrant on the illegal medical marijuana dispensary that was doing business as Alternative Medicine on Elmway in Okanogan.

Task Force Commander Steve Brown said in a phone interview this morning that no arrests were made but that they were there to educate the individuals involved and to collect the evidence which will be forwarded on to the prosecutor to decide if charges will be filed. Brown said the business does not have an I-502 retail license to sell marijuana, however the man that owns the building in which Alternative Medicine does business, Donald Manchester does have a producers license. Brown said Manchester was also mentioned in an article last November in the Omak Chronicle that named Manchester as one of the individual that was opening this store.

Under Initiative 502, growers and producers are not allowed to also have retail licenses, and are prohibited from selling marijuana on a retail level.

In 1998 voters approved Initiative 692 which permitted the use of marijuana for medical purposes by qualifying patients. The Legislature subsequently amended the chapter on medical use of marijuana in 2007, 2010, and 2011, changing who may authorize the medical use of marijuana, the definition of terminal or debilitating medical condition, what constitutes a 60-day supply of medical marijuana, and allowing qualifying patients and designated providers to participate in collective gardens.

In order to qualify for the use of medical marijuana, patients must have a terminal or debilitating medical condition such as cancer, the human immunodeficiency virus, multiple sclerosis, intractable pain, glaucoma, Crohn's disease, hepatitis C, nausea or seizure diseases, or a disease approved by the Medical Quality Assurance Commission, and the diagnosis of this condition must be made by a health care professional.

During the investigation, agents were able to purchase marijuana three times from Alternative Medicine. One of the purchases was made with a medical marijuana authorization, the other two agents did not have a medical marijuana authorization from a doctor and they were able to purchase the drug anyway.

Under Washington's Medical Marijuana law, patients may grow medical marijuana for themselves or designate a provider to grow on their behalf. Designated providers may only provide marijuana for one patient at a time, must be 18 years of age, and must be designated in writing by the qualifying patient to serve in this capacity. Dispensaries that work as a retail outlet for patients were never authorized in Washington's law.

Brown said the store has been shut down. He said they ask what would happen if they reopened and Brown said they were told at that point arrests would be made.

<http://www.komw.net/news/local-news/illegal-marijuana-dispensary-shut-down-law-enforcement/>

From: **Stacey Okland** occcstacey@yahoo.com
Subject: **Fwd: Marijuana Compliance Checks: 19 of 157 recreational marijuana stores sell to minors**
Date: July 16, 2015 at 4:28 PM
To: Andi Ervin occcandi@yahoo.com

SO

Begin forwarded message:

Resent-From: <sokland@OKBHC.ORG>
From: WSLCB <rmc@LIQ.WA.GOV>
Subject: Marijuana Compliance Checks: 19 of 157 recreational marijuana stores sell to minors
Date: July 16, 2015 at 3:40:23 PM PDT
To: <LCB-MARIJUANA@LISTSERV.WA.GOV>



Washington State Liquor Control Board

Marijuana Compliance Checks: 19 of 157 recreational marijuana stores sell to minors

OLYMPIA – In the first complete round of compliance checks of retail marijuana retail stores, 19 Washington recreational retail marijuana businesses sold marijuana to an underage investigative aide. Washington State Liquor Control Board (WSLCB) enforcement officers working with underage investigative aides, checked each retail marijuana business for sales of marijuana to minors. The checks essentially represent an 88 percent no-sales-to-minors compliance rate.

"Our goal is 100 percent compliance," said WSLB Board Chair Jane Rushford. "While perfect compliance is always a challenging goal, it is clearly in everyone's interest that our licensees be vigilant about preventing underage sales."

The 19 businesses will be cited for selling marijuana to minors. The individuals who sold the marijuana will be referred to their respective prosecuting attorney's office for potential criminal prosecution.

First Marijuana Compliance Checks

The WSLCB and local authorities regularly conduct compliance checks of area businesses licensed to sell alcohol and marijuana. The checks, conducted at every open marijuana retailer across the state (157 locations) from mid-May until the end of June, were the first marijuana compliance checks. Stores were considered open if it had reported sales. The checks followed earlier communications to all licensees that enforcement officers were beginning compliance checks and recommended best practices for avoiding an illegal sale.

Compliance checks are proven tools to reduce the sale of age-restricted products to minors. Investigative aides assist officers with compliance checks. These individuals are from 18 to 20 years old. They must either present their true identification or none at all if asked by a clerk.

Administrative Penalties

Liquor enforcement officers are empowered to issue Administrative Violation Notices to businesses that fail compliance checks. Fines or temporary license suspensions can be issued depending on the severity of the infraction or the frequency with which a business has been cited. Sales to minors are considered the most serious violations because they present a threat to public safety. Businesses cited for Sale to a Minor face a 10-day suspension or \$2,500 fine. A second violation within three years requires a 30-day suspension with no monetary option. Businesses who receive three public safety violations within three years face license cancellation.

Businesses that sold marijuana to a minor*

1. Green City Collective, 13601 Highway 99 STE B (Everett)
2. Purple Haze, 4218 Rucker Ave (Everett)
3. Emerald Leaves, 2702 8th Ave (Tacoma)
4. Mary Mart, 3005 8th Ave STE B (Tacoma)
5. Dockside Cannabis, 15001 Aurora Ave N (Shoreline)
6. Evergreen Cannabis, 922 Peace Portal Dr. (Blaine)
7. Cannabylss, 2705 Hartford Dr. STE A (Lake Stevens)
8. Cascade Kropz, 19129 Smokey Point Blvd STE B (Arlington)
9. Clear Choice Cannabis, 8001 S Hosmer St (Tacoma)
10. Royal's Cannabis, 7115 N Division St STE A (Spokane)
11. Token Herb, 837 A Crescent Beach Rd (Eastsound)
12. Sweet Greens Northwest, 19943 Old Hwy 99 SW (Rochester)
13. Green Lady, 3044 Pacific Ave SE STE B (Olympia)
14. T.J.'s Cannabis Buds, Edibles, Oils & More, 1428 Olympic Hwy S (Shelton)
15. Aus Retail, 23251 Hwy 20 (Okanogan)
16. Purple Haze, 4218 Rucker Ave (Everett)**
17. Bud Hut, 11603 Hwy 99 (Everett)

18. Theorem, 6323 NE Boine Way (Kenmore)

19. American Mary, 321 NE 45th St (Seattle)

All businesses that passed their compliance checks and did not sell marijuana to a minor can be found [here](#).*

The WSLCB mission is to promote public safety and trust through fair administration and enforcement of liquor, tobacco and marijuana laws. Per 2015 legislation, on July 24, 2015, the agency will change its name to the Liquor and Cannabis Board. It will retain the WSLCB acronym.

* City-listed addresses may fall within its county's jurisdiction.

** Sold marijuana to an underage investigative aide on two occasions

To unsubscribe from the LCB-MARIJUANA list, click the following link:
<http://listserv.wa.gov/cgi-bin/wa?SUBED1=LCB-MARIJUANA&A=1>

Stacey Okland
Project Coordinator
Okanogan County Community Coalition
occcstacey@yahoo.com
509-322-8431
Twitter: @OCCC_Stacey



O K A N O G A N
COUNTY COMMUNITY
COALITION

FOR IMMEDIATE RELEASE – OCTOBER 9, 2015

Omak Police Department responded to a theft complaint from Wal-Mart on October 8 at approximately 9:56 pm. Two juvenile females were in asset protection custody when Omak Police arrived. Upon taking one of the juveniles into custody Omak Police Officer discovered several “nuggets” of suspected marijuana, two glass marijuana smoking pipes with burnt residue, and a small cylinder glass container with a label stating: Blackberry Bubba Kush from Methow Growers (located in Twisp) in the purse of one of the juvenile females.

Recreational marijuana stores Omak Sage Shop (across the street from Wal-Mart) and Fresh Greens of Twisp both advertise that they stock marijuana from Methow Growers. According to Police Chief Larry Schreckengast while the tag showing the brand and producer of the marijuana was still legible on the packaging, the traceability numbers required by Liquor Cannabis Board had been removed.

One of the conditions put on Washington State by the US Department of Justice is that marijuana sold, grown, and processed in the market in Washington State be traced and not diverted to persons under 21. The traceability system was supposed to help law enforcement minimize and prevent diversion of the product to minors and leakage of recreational marijuana out of Washington State.

Andi Ervin, Executive Director Okanogan County Community Coalition commented that “This case is not surprising, but very disappointing. This is exactly what voters were told would not happen once marijuana was legalized and regulated under initiative 502. Instead what we hear from youth is that marijuana is still very easy to acquire. We have solid research that marijuana is harmful to the teen brain. It impacts youth’s ability to learn; and the developing teen brain is much more susceptible to addiction. As a community, we need to take this seriously and protect our youth from the harmful effects of marijuana. If adults are using marijuana it needs to be locked up and secured. Staff and owners of local recreational marijuana stores need to be trained on how to read identification and detect fake id – and held accountable by both the Liquor Cannabis Board and criminal justice system if they fail to adequately check identification. This arrest forces us to ask the questions: how did legal recreational marijuana get into the hands of a 16 year old girl? Was it purchased legally at one of the local retail stores by a person over 21, and then taken by the 16 year old? Was it purchased legally by a person over 21, and then given illegally to the 16 year old? Or did the 16 year old walk into one of the retail stores and purchase the marijuana products her self from the recreational retail store?”

Both Sage Shop and Fresh Greens passed a Liquor and Cannabis Board compliance check in June; Caribou Cannabis failed their one compliance check and sold marijuana to an 18 year old. It is illegal for anyone under 21 to possess recreational marijuana. It is a felony to give recreational marijuana to anyone under 21 years old, even your own child.

ANDI ERVIN, CPP / EXECUTIVE DIRECTOR
Po Box 1688 / OMAK WA 98841
(509) 322.8436 / occcandi@yahoo.com / www.okcommunity.org

MONDAY, JANUARY 11, 2016

**THE WENATCHEE
WORLD**

Dressed as superheroes, burglars make off with \$288,000 worth of weed

by K.C. Mehaffey | Jan. 8, 2016, 11:04 a.m.

Public Safety

OMAK — Officials at the Washington State Liquor and Cannabis Board say security requirements for state-licensed marijuana growing operations should be enough to keep any burglar at bay.

But they weren't counting on the likes of Superman and Spider-Man.

On Dec. 28, two people dressed like the superheroes cut through the fence of a pot farm near Omak. Authorities say video from security cameras show the two costumed suspects going to a locked box and punching in numbers on a keypad to get in. They hauled away three large bags containing 144 pounds of processed marijuana with an estimated value of \$288,000.

"That's a lot of marijuana," said Steve Brown, chief criminal deputy for the Okanogan County Sheriff's Office, which is investigating the crime.

Burglars dragged the bags through the snow to a nearby road. Detectives were unable to follow vehicle tracks because the road had since been plowed, he said.

Brown said he's asked the North Central Washington Narcotics Task Force to investigate the burglary at Cannasol Farms, 99 Green Acres Road.

"Whoever did it definitely knew the code," he said of the keypad numbers needed to get into the locked box. He said suspects could be current or past employees, or someone who got the code from someone who worked there. He said he'll be asking owner Jeremy Moberg to share employee records.

This is the second time in less than a month there's been a burglary at a marijuana growing operation in Okanogan County.

In Winthrop, three burglars made off with about 60 pounds of marijuana from the Methow Valley Nursery on Dec. 11. Three people — at least two of them former employees — have been charged with second-degree burglary, first-degree theft, possession of marijuana with intent to deliver, criminal conspiracy and third-degree malicious mischief.

Most of the marijuana in that case was recovered. But police say they're not happy to see so much pot that was supposed to be regulated in the hands of criminals, where it could be sold to kids or taken to a state where marijuana is illegal.

"These are the kinds of things people were concerned about, but we were assured by the state Liquor Control Board and the growers themselves not to worry," Brown said. "You make marijuana legal and you want to make a good first impression, and then you come and tell us a quarter million dollars' worth of your product is out on the street. The six-foot fence, the alarms and the cameras, none of it's doing any good."

Brian Smith, spokesman for the Liquor and Cannabis Board, said since marijuana became legal, there have been burglaries. But he said he did not know how many state-licensed marijuana production facilities had been burglarized, or how much legal marijuana has made it to the illegal market.

Smith said after a major burglary such as these, the agency's enforcement officers will typically review the video and look at the business' security system to ensure it meets requirements. Owners can face penalties or have their license suspended or revoked if they're not in compliance, he said.

"We have a lot of concerns about marijuana being stolen and making it out onto the street. We're working to mitigate that or limit

it entirely," he said.

In order to get a license, marijuana business owners undergo criminal background checks, along with their spouses and anyone else associated financially with the business. "Nothing is regulated as tightly as marijuana," he said.

t, Smith said, no background checks are required for employees. "This is an industry that, in the past, was completely underground. It's only been legal for a couple of years. But if you're a business owner, you don't want to hire people that are going to steal from you. Like any business, they want to hire the right people."

Mikhail Carpenter, also a Liquor and Cannabis Board spokesman, added, "Ultimately, the responsibility of securing their business is up to the licensees. I don't think you're ever going to eliminate the criminal elements from any business, whether it's alcohol, marijuana or banking. But you can regulate it and make it a legitimate business, and hopefully by doing so, you've reduced the amount of crime by not making it illegal."

Reach K.C. Mehaffey at 509-997-2512 or mehaffey@wenatcheeworld.com. Read her blog *An Apple a Day* or follow her on Twitter at [@KCMehaffeyWW](https://twitter.com/KCMehaffeyWW).

Delayed on posting until the suspect was apprehended..Fresh Greens in winthrop, was Burglarized again! late last night. Video camera of store got the car and some of the plate. just about 25 mins ago, the store called and said the suspects vehicle was there then left, twisp and winthrop police are now at a house on hwy 153, to where that car that matches the burglary is parked. looking for the suspect at the residence now. 802 has one detained.. good job to our pds!

 **Scanner**
Interest
6,690 likes



OKANOGAN

COUNTY COMMUNITY COALITION

March 22, 2016

FOR IMMEDIATE RELEASE

On Friday March 18 Omak and Oroville Police Departments and Okanogan County Community Coalition conduct alcohol compliance checks in Omak and Oroville. A total of 15 businesses were checked for alcohol sales law compliance, 6 in Oroville and 9 in Omak. Eleven of the businesses successfully refused to sell to Omak Police Department's underage youth operative. Those include from Oroville: Frontier Foods, Pastime Bar and Grill, Quick Mart, Muchos Humo Sigue, and American Legion; businesses successfully passing the alcohol compliance check in Omak/Okanogan included: Safeway, Omak Travel Plaza, Shorthorn Tavern, Omak Chevron, Okanogan Chevron, and The Club.

Employees of Stampede Mini Market, Valley Lanes, and Omache Texaco in Omak and Trinos Mexican Restaurant in Oroville were cited by police for furnishing alcohol to a minor, which is a gross misdemeanor and punishable up to a year in jail and a \$5000 fine (RCW 66.44.217(1)) The violations will also be reported to the Washington State Liquor Cannabis Board who will determine what kind of administrative action will be taken against the business owners. Administrative actions include fines, 5-30 days license suspensions, or both. Repeat violations can result in a liquor license being revoked.

According to Andi Ervin, Executive Director Okanogan County Community Coalition more businesses sold during this round of compliance checks than anytime since they began tracking compliance rates in 2011. She went on to say: "Our compliance rate went down to just over 70% compliance. Upon review of recent alcohol compliance checks in Okanogan County, we were really disappointed to discover that only 29 compliance checks occurred in the entire county in 2015 – of those, only 4 were in Omak during the entire year. This means that most of the alcohol retailers in Omak were not checked a single time in 2015. In 2013, 80 checks were completed (61 of those were funded and implemented by Washington State Liquor Cannabis Board and 19 by us). It is not a leap to conclude that recreational marijuana is impeding the State's Liquor Cannabis Board's ability to simultaneously monitor and regulate both alcohol and marijuana."

Currently there are 66 active marijuana licenses in Okanogan County – 63 of those licenses are for growing marijuana. There are another 59 licenses pending approval for Okanogan count at this time.

Research on alcohol compliance checks indicates that alcohol compliance checks performed frequently and with recognition for those who were successful dramatically reduces the number of alcohol sales to minors. Ervin says "Okanogan County Community Coalition will continue to use local coalition funds during 2016 to conduct compliance checks using local underage youth operatives and local police departments to ensure that our community's needs are being met and to work to decrease access to alcohol and marijuana by minors."

ANDI ERVIN, CPP / EXECUTIVE DIRECTOR
Po Box 1688 / OMAK WA 98841

(509) 322.8436 / occcandi@yahoo.com / www.okcommunity.org



OKANOGAN

COUNTY COMMUNITY COALITION

The Okanogan County Community Coalition, OCCC, has been working in Okanogan County to *reduce youth substance abuse and violence* for almost two decades. The Coalition membership representation is as diverse as Okanogan County itself. Members from business, school districts/education, faith based groups, health care providers, parents, youth, media, law enforcement, Colville Tribe, elected officials, and non-profit agencies work together "To effectively address the problems of substance abuse and violence by promoting: Collaboration, Cooperation, Communication, Commitment, and Cultural Competency". OCCC efforts in the last four years include:

Prescription Drug Prevention

- Permanent Rx drug drop off site at Omak Police Dept., Twisp Police Department, and Oroville Police Department safely collecting and disposing of over 750 pounds of medicine.
- Lockable storage containers available to the public
- Continuing medical education to over 40 local medical providers and 80 community members on addiction to prescription opiates and best practice prescribing methods.

Underage Drinking and Youth Marijuana Prevention

- Enforcement of Underage Drinking Laws (EUDL)
 - Compliance Check training for local law enforcement
 - Source Investigation training for local law enforcement, judges, prosecutors, and schools
- Sticker Shock Campaign: "It could cost you \$5000 or a year in jail"
- Outdoor Advertising: assess compliance with State laws limiting outdoor alcohol advertising.
- Youth emphasis patrols by local law enforcement.
- Alcohol retailer compliance checks - "Reward and Reminder" – conducted with fidelity.
- Mass media campaign increasing media coverage by over one thousand percent
- Omak #Game Changers: #P.N.S.P. (#Positively Not Smoking Pot) Student led Social Norms Marketing Campaign, seeks to positively message healthy behavior peer to peer.

Community

- "Paint the Cube": Community Beautification-Cover Tagging, led by local artists
- Free Family Movie Nights: Family Friendly Movies shown at the Elementary School.
- Partners for: Halloween Harvest Festival, Zombie Fun Run, Autumn Leaf Run, Hoofin and Woofin, Jingle Bell Jog, and Christmas Parade.
- M.O.O.V (Most Of Okanogan Valley) Positive Message Campaign: Local positive statistics focused on increasing family engagement.
- Triple P Parenting Program: Delivered universally by multiple agencies including primary care physicians at Mid Valley Medical Group, Family Health Centers, OBHC, Public Health, and Jodi Field, LMHP. Research has shown this program to reduce out of home placement and child maltreatment.
- Parenting the Love and Logic Way™ group classes
- Provide monthly DUI Victim's Impact Panel for DUI offenders to reduce DUI recidivism.
- Helped develop Omak School District Community Truancy Board: a judicial (restorative justice) alternative for truancy at Omak School District. Executive Director is a member of the Board.



OKANOGAN

COUNTY COMMUNITY
COALITION

How can prevention make a difference?

Much of our work since 2010 has been centralized to the geographic area of Omak, the most populated city in Okanogan County (4,500 people).

Bi-Annual Okanogan County Healthy Youth Survey Data between October 2002 and October 2012

- ❖ 44% decrease in 10th grade "Current" (30-day) alcohol use
- ❖ 12% decrease in 10th grade Lifetime alcohol use
- ❖ 53% decrease in 10th grade reported "binge drinking"
- ❖ 30% decrease in 8th grade "current" (30-day) alcohol use
- ❖ 17% decrease in 8th grade lifetime alcohol use
- ❖ 33% decrease in 8th grade binge drinking
- ❖ 52% decrease in 10th grade tobacco use
- ❖ 56.25% decrease in 8th grade tobacco use
- ❖ Between 2010 and 2012: we saw a 70% decrease in 10th grade prescription drug abuse.
- ❖ By 2012 we contributed to a 100% decrease – to zero -- in 8th graders reporting getting high from their own prescription.

Omak High School (9th – 10th Grade) monthly surveys between October 2012 – May 2014:

- ❖ 52% decrease in current (30-day) underage drinking and 17% decrease in marijuana use among high school students.



*p