

From: [LYDIA CLARK](#)
To: [PublicComment, CCD , RLD](#)
Subject: Cannabis Producer Licensing Requirements
Date: Thursday, August 5, 2021 9:31:25 PM

There are several things that seem a little unbalanced and not conducive to actually being really "inclusive" for more people to be able to participate as producers in the cannabis industry for New Mexico.

First, the fees are misleading. They seem to be reasonable and more accessible. But in reality, the cost to actually put together a cannabis production facility - indoor or outdoor - is very expensive and primarily cost prohibitive for the vast majority of New Mexicans. This legislation appears to be a way for existing cannabis production facilities to expand without the restrictions of the larger licensing fees and regulations. Everything is more expensive, inflation is taking a hard toll on the populace, and this will not be an exception. New micro-businesses for the general population of NM will be unaffordable and this creates yet one more platform for exclusivity.

Second, as part of the requirements, a commercial source of water is necessary or water rights. As with many people who have property that were considering this production, we have access to a domestic well, but no water rights. Availability of water rights is basically non-existent. It means trying to buy or lease water rights from someone else. Highly unlikely, very expensive, and can take a very long time to procure. If a person has a domestic well that is producing not only adequate gallons per minute (GPM), and the use is not affecting anyone else, why is a domestic well not duly considered an "adequate source"? It would be good for the CCD to consider some other options regarding domestic well use in rural areas.

Third, the requirements to remedy an incomplete application don't allow enough time to comply. My understanding is there is a 90-day time period to remedy an incomplete application. Considering the backlog of approvals by many agencies, particularly the State Engineer's office for water certification, and the Construction Division backlogs, this 90-day period should be extended during at least this first round of applications. There is no way to circumvent these certifications, and no way to eliminate the backlog in a timely manner.

Fourth, where will all the certifications come from that are not directly regulated by specific agencies in New Mexico? Do they come from CCD? Or. . . who/where, etc.

Fifth, it is not quite clear if the facility structures (buildings), and all the required infrastructure must be completely built before submitting the license application. Is it adequate to provide architectural drawings/plans and the facility descriptions and all other specific details (security, lighting, etc.)? And if so, when do the certifications that the facility and operations are complete become due to CCD?

Thank you for your attention and I look forward to seeing more information as well as a finalized Rules document, and the actual application forms.

Sincerely,

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