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District Attorney

## **PRESS RELEASE**

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### **CANNABIS CULTIVATION WITH ENVIRONMENTAL VIOLATIONS RESULTS IN FELONY CONVICTION**

*People v. Arthur Bright Jr.*

*SALINAS*, California- Monterey County District Attorney Jeannine M. Pacioni announced today that Arthur Bright Jr., age 71, was sentenced today for a cannabis cultivation operation discovered at his Carmel Valley Road home in June 2018. Bright received a three-year probation sentence and was ordered to serve 90 days jail.

The illegal cultivation was discovered by the Department of Fish and Wildlife via air. A search warrant was executed on the property and three separate grows were located. Bright claimed that he was growing medical marijuana for himself but the amount growing, over 500 plants, far exceeded the amount allowed. Additionally, the grow operations were drawing water from a stream via gas generator. The streams in this area flow into the Arroyo Seco, which in turn feed the Salinas River. The Salinas River is designated critical habitat for Steelhead. Cannabis plants can require six gallons of water per plant per day and the growing season usually coincides with low water season thus further taxing this limited resource.

Commercial cannabis cultivation is highly regulated, and this includes obtaining permission from the Central Coast Regional Water Quality Board to ensure that the operation will not negatively impact the waters of the State, including ground and surface water. Negative impact may occur from the use of fertilizers, even if organic, or any pesticides as well as having trash and generators to close to the waterway. Mr. Bright had not enrolled his cultivation operation with the Water Quality Board.

Permits are also required if someone intends to divert or obstruct the natural flow of water or alter any streambed. Such activity requires a Lake or Streambed Alteration Agreement available through the Department of Fish and Wildlife. Mr. Bright had not obtained such permission.

Even without environmental violations, anyone wishing to grow cannabis must make sure they understand all of the local and state requirements. Monterey County requires those growing over six plants, even if approved by a physician, to register with the County. Anyone with questions should visit the Monterey County Cannabis Website.

The District Attorney's Office is responsible for enforcement of State and Local laws and has assigned a prosecutor and two investigators to this changing area of the law. Enforcement is done using both civil and criminal laws. The goal of the District Attorney's Office is to protect the public by ensuring that cannabis cultivation is conducted safely, fairly, in the areas designated for cultivation and in the manner prescribed by the voters which includes regulation at all stages of cannabis operations thus protecting workers, consumers and the environment. The goal is to ensure the product consumers use is safe, free of contaminants and contains what the label says it contains. The illegal cannabis market is a threat to the successful establishment of a legal cannabis market. Anyone aware of an illegal cannabis activity is encouraged to call 1-833-WEED-TIP (1-833-933-3847).

The case was investigated by California Department of Fish and Wildlife Cannabis Enforcement Program along with District Attorney Investigators. The defendant was sentenced by the Honorable Andrew G. Liu after having entered a plea.