

Hidden Leaf Homestead Testimony for  
House Committee on Government Operations and Military Affairs  
February 22, 2024

Thank you for the opportunity to be heard today. My name is Myra Adams and I am a Licensed Tier 1 Outdoor Cannabis Cultivator operating under the name Hidden Leaf Homestead in South Londonderry.

My husband is a disabled veteran and we moved to Vermont in 2019 in search of better VA healthcare and a place where cannabis wasn't criminalized. Being a former Corrections Specialist in the Marine Corps, my husband was incredibly conflicted about consuming a Federal Schedule One substance. But, it was the only thing that helped where his prescription medications failed. A medical card was not an option for him due to the negative consequences that come with being a registered medical cannabis patient; such as a forfeiture of second amendment rights. So, we decided to grow our own.

It's no secret that many veterans consume cannabis to manage pain. But, my husband feared losing his Veteran benefits if he were to be involved in cultivation at all. So, it wasn't a decision I made lightly getting my cultivation license when the opportunity was made available in the spring of 2022. I've kept my husband as far removed from the business as possible, to the point where I try not to use any of the income he receives in fear of retaliation from the federal government.

Little did I know the entire process was not going to be as easy or as affordable as I initially thought. For the sake of time I won't go into all of the problems I faced. But, I would like to bring attention to the conflicts between Vermont Cannabis Law and Agricultural Law because this issue caused me, and my family, the most hardship.

After receiving my license I began the work to clear what little usable land area we have for farming. Our lot size is an acre, but the only suitable place for growing crops is an area of roughly 3,000 square feet. With a Tier 1 license I can use 1,000 square feet for cannabis and the rest for other food bearing plants and trees. I obtained a loan through VSECU to purchase a greenhouse because the USDA programs for financial assistance are not available to cannabis cultivators. Our property had severe drainage issues that impacted much of the land. So, we needed to bring in an excavation crew to create a drainage solution and a level area for our greenhouse. I received permission from the town to proceed and no permits were required.

One of our neighbors complained to the town that we were interfering with wetlands. The town zoning admin e-mailed me an informational brochure and told me whom to contact with the state. Although our property was not listed on the Vermont wetlands map, I wanted to make sure that we were not violating any laws. I wanted to do things correctly, but I was also fearful of the astronomical fines if we were found to be in violation.

Work had already started when I heard from the State Wetlands Ecologist. She completed a site visit in November of 2022. I explained that a town road culvert that drains onto our property was (and still is) completely rusted out and other work that had been done on the property impacted the flow of water runoff causing drainage problems. I had watched the changes to the land occur over a very short period of time and I provided pictures as evidence.

Regardless, the state wetlands ecologist declared most of our property to be Class II wetlands. She said that we would need to hire a wetlands engineer to complete a delineation and assist with the complicated permitting process. We were told that all work needed to cease until a permit was granted, which wouldn't be possible until the end of the following year, 2023. The delineation couldn't even begin until spring. My plans came to a grinding halt and all the money I had spent so far was for nothing. The greenhouse I was making payments on, still packed up in boxes on pallets in our driveway would remain there for at least another year.

In May of 2023 an ecologist from Otter Creek Engineering conducted a site visit and completed a wetlands delineation at my expense. I was quoted \$6,000 for the delineation process and permit application. \$6,000 so that I could farm less than 3,000 square feet of my own property. Property that I already pay taxes on with a license that had so far cost me \$2,100 between the application fee, the license fee, the local town fee, and the background check fee. Plus \$3,000 I had purchased for product liability insurance with no chance of having any product to sell for at least another year. And over \$10,000 for a greenhouse still sitting boxed up in the driveway. Over twenty thousand dollars and nothing to show for it aside from my declining mental health, which manifested into physical health problems earning me a visit to the ER, and a significant strain on my marriage. I was eager to have the process completed so I could move forward.

After the delineation was finished the engineer said that she couldn't complete the permitting process because the area in question is NOT A WETLAND. I then had to wait over another month for the state wetlands ecologist to meet with our hired engineer onsite for a third visit. The final determination by the state ecologist was in agreement that it is NOT a wetland. However, the state ecologist said that she considered it a developing wetland and would not grant us the normal 5 year determination. She stipulated that we had to have the work done by the end of the year. If not, we would have to start the delineation process all over again in 2024. I can't begin to explain how much anger, relief, and urgency I felt all at the same time. I had to come up with a lot more money in a very short period of time and find an available excavation crew that wasn't already booked for the remainder of the year. Winter was on the way and work wouldn't be possible once the ground froze.

I frantically started searching for a plan B incase plan A didn't work out. I was talking to anyone who would listen trying to figure out what to do if I couldn't get the work done by the end of 2023. I had too much invested and couldn't go another

year without cultivating anything to sell. It was suggested that if I had a farm determination letter from the Department of Agriculture, then the Department of Environmental Conservation would not be able to prevent me from continuing as planned. But, when I tried to get the Farm Determination letter I did not meet the minimum farm size requirements, or the generated income from agriculture requirement of \$2,000 that would exempt me from the 4 acre farm size requirement. But, I couldn't generate the agricultural income without the access to farm the land in the first place. The few chickens and tomato plants we had were not enough to cut it. I was stuck in an awful Catch-22. It was recommended that I reach out to the CCB for assistance and they said that my license should serve in place of the farm determination letter. But, the Vermont DEC said that they would not accept my license as a farm determination because they follow the Federal guidelines for agriculture, which excludes cannabis.

Plan A, thankfully, managed to work out because plan B was not going to happen. However, I still need to achieve a successful grow season. I will have been licensed for two years and haven't sold a gram of cannabis flower. Two years and I'll be late to the game in a market that is already over saturated. No time for mistakes. I've got to get it right and do it very well the first time to be successful and make this struggle worth it.

I feel what I went through was completely unnecessary and to be honest, a bit cruel. I don't want anyone else to have to go through this. I ask that you please do what you can to recognize cannabis growers as farmers and **commit to fairness across all state agencies**.

Another topic I would like to quickly touch on is direct sales allowances for small cultivators, especially outdoor cultivators. Our entire year's income is based on the success of one fall harvest. We are restricted from selling not only flower, but also immature plants and seeds. The federal government doesn't regulate immature plants or seeds, so I'm at a loss as to why Vermont would prohibit cultivators from selling these to the public? The new Nursery license that will soon be available allows seeds to be sold to the public, but not plants which seems to defeat the purpose? Limiting sales to only other licensees severely limits access to additional and more profitable revenue streams. I by no means want my home to become a retail shop. But, if my neighbor wants to purchase flower, seeds, or a plant from me I should have the right to sell these items directly to them, to friends, and to relatives without fear of violating any laws, rules, or regulations. And if my husband who consumes roughly 2 ounces or more a month of cannabis flower doesn't have enough to last him the year from our personal grow, I should have the right to remove flower from my business inventory to provide him. Why should he have to buy the flower that I grew from a retail store? That is absurd.

Which leads me to ask that you please consider increasing the number of plants allowed for home growers. The cost of electricity in Vermont is exuberant. Not everyone has the funds, equipment, space, and ability to grow multiple cycles each

year indoors. Many home growers are outdoor growers and need access to more flower than their limited number of plants can provide for the year given our short outdoor growing season.

Lastly, with the addition of a new license type and all of the oversight the Cannabis Control Board is already responsible for, please consider increasing their funding with the abundance of tax revenue our industry and its consumers are providing. And in turn, decrease the number and amount of fees that licensees have to pay particularly for annual product registration.

In closing: We hear “social equity” and “economic empowerment” mentioned a lot by legislators and the Cannabis Control Board. But, right now they are just words. Please, give these words meaning through action.

Thank you.