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 Subject: Comments to Cannabis Draft EIR

Background

Throughout the very comprehensive nearly 700 page Draft Environmental Impact Review the following phrase is repeated hundreds of times ***“less than significant impact”***.

The ***“Most Permissive Project Alternative”*** that was analyzed was judged as the ***“Environmentally Superior Alternative.”*** because it would reduce any potential impacts to the greatest degree.

If the most permissive alternative analyzed is the superior alternative we are left to wonder what an even more permissive alternative that would include an estimated 50% or more of current cultivation that is being excluded from the proposed project were allowed to seek licensing instead of remaining in the unregulated market.

The most significant and unavoidable secondary impacts identified are the result of unregulated activity that will remain because of the Project’s restrictions and the inability of the County to eradicate unregulated cannabis activity.

The report states that ***“The potential for future unlicensed cultivators and manufacturers to remain or increase in the County is high.”***

It seems clear that even the ***“most permissive Project Alternative”*** is not permissive enough to affect those secondary impacts and that an even more permissive project, that significantly reduces the potential unregulated activity would be an even more superior alternative.

Specific responses:

3.15.1 Significant Unavoidable Environmental Effects

Impact TRA-1.

Insufficient data is available to support the conclusions. Employment projections and ADT assumptions are not sufficiently documented to be reliable.

Furthermore the proposed mitigation measure: **MM TRA-1.1. Payment Transportation Impact Fees** is discounted as insufficient to have any impact on even the existing traffic congestion and air quality.

Regarding land use in general the report states that *“development would incrementally increase in rural areas as individual property owners realize development potential on site by site basis, resulting in gradual growth-inducing impacts that would not create immediate significant expansion.”*

Agricultural Activities vs Manufacturing

Cannabis cultivation is an agricultural activity. Manufacturing is defined as “making something on a large scale using machinery.” Throughout the report cultivation and manufacturing are used in tandem with little distinction between one or the other.

Within the the cannabis community “manufacturing” describes activities associated with mechanical extraction or infusion of an extracted product into other products.

The assumption that cannabis cultivation sites would require an F-1 Factory Industrial Group occupancy rating is in error.

Greenhouses, Barns, and Agriculture Buildings are all specifically listed in the Cal-Fire description of Miscellaneous Group U and is more applicable to cannabis cultivation activities.

MM AT-1.3a. Sustained Enforcement Program

MM AT-1.3b. Annual Survey and Monitoring Report

Despite significant Federal, state and local resources employed over decades there has been a notable inability to control cannabis cultivation or manufacturing within the County. Expecting the Cannabis Licensing Office or the Planning and Development Department to devise a new enforcement program with any degree of success cannot be reasonably expected. To expect them to develop any practical plan prior to adoption of the the Program targeting unlicensed cannabis activities is unrealistic.

Surveying and monitoring licensed activity is a more realistic goal that further supports a program that encourages the widest possible participation in the regulated framework.

MM AT-4.1b. Land Clearing Restrictions.

Current County Erosion Control Requirements are sufficient and no amendment specific to cannabis cultivation should be required.