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Date: 10/30/2017 11:46:45 PM  
Subject: EIR Draft Public Comments

Dr. Mr. Johnston:

The draft E.I.R. does not adequately address two very important factors of its own Program Objectives under section 2.3.1. Those are #7, "ensure compatibility of commercial cultivation and manufacturing sites with surrounding land uses, especially residential neighborhoods", and #9, "regulate...to avoid the risks of criminal activity and degradation of visual settings and *neighborhood character*."

To avoid repetition, I refer you to my 3-15-17 letter, #79-1 in the written comments section of the NOP 30 day review document. I request you re-read my letter and strongly urge you consider my position within the intention of the two sections of the Program Objectives cited above. A response citing only the chapters and sections of the draft E.I.R., for instance, zoning uses, does not include a serious and thoughtful consideration of the subjective but equally important human factor of neighborhood character and history. So, please respond in a like manner.

As you can see from my 3-15-17 letter, my RA parcel where I live is similar in kind to Jonathan and Paula Holtz's situation as they relay in their 3-15-17 letter (69-1). I too have been similarly affected by the violently dangerous activity inherent in marijuana grows, but not by far to the extent as Jonathan and Paula Holtz have experienced. In the past few weeks the Sentinel reported a gun battle over marijuana grow on Rancho Road, 3 miles from my home. My first exposure to the violence in marijuana farms goes back to the October 1978 murder of pot farmer, Dennis, "Rabbit", Johnson. Through my profession, I worked with the teens involved in this senseless fatal attempted robbery, including the shooter who was armed during the confrontation with Mr. Johnson who bore a shotgun.

Marijuana use has a long way to go to be an accepted, responsibly used social intoxicant, as is alcohol, and I hope it is. Or if it is eventually seen as a social scourge, as cigarettes have become, which I'm fine with that too. But until then, as long as it has the reputation as a nefarious, potentially dangerous activity, then Not In My Back Yard, or front yard. To regard marijuana farming as any other crop, or like a vineyard in a predominately RA zoned neighborhood is ludicrous. I've never heard of an instance of shots fired because of vineyard activity.

My sentiments match exactly with those found in the paragraph of the Holtz's letter that reads, "...there needs to be criteria to account for individual instances

not commonly found across all potential grow sites that reflect the neighborhood character and history as it determines the compatibility of the neighborhood for growing...there should be a language and a process that allows the individual characteristics of any given lot in the context of its neighborhood being considered."

A mandate from the ordinance code to be considered by the licensing official, as to the lot, not the grower, might prove to be an answer to this problem of utmost importance. Another option would be to reconsider the CAO, County Counsel, Planning Department's recommendation option quite some time back; of a 300 foot setback of a habitable structure of neighboring parcel's property line abutting the property line of a cultivation zoned parcel with a 300 foot setback required of indoor grow structure on that property as well. A criticism of that proposal was it would cause a de facto ban on all but a few grow sites in the county. Let's see through the E.I.R. the extent to which that is true, considering also the amount of commercial and farm acreage anticipated to change over to grow marijuana.

All of these considerations and suggestions would fall within the E.I.R.'s "most restrictive" project

alternative. Reviewing the E.I.R. draft confirmed my concerns that the document would be skewed towards a more sympathetic approach towards the marijuana cultivation community. Somewhere in this large document I read that The County ordered the E.I.R., but I could not find where it was to be so primarily focused on not just the Proposed Project, but also on a More Permissive Project in the main body of the report. I would like to know specifically, who, in The County, made this direction, that the More Permissive Project would not be addressed in the alternatives section. Was it the Board of Supervisors? The report may have complied with CEQA's requirement that analysis must be done other alternatives to the main focus of the E.I.R., but the inclusion of a Most Permissive alternative in addition to the More Permissive analysis makes it difficult not to question the integrity of the intension of this report.

I understand that more regulation of commercial cultivation may drive more growers underground into the black market who would want to comply with licensing and become legitimate otherwise. Probably that has already happened to a great extent because this process because this process has taken so long. I want it to resolve soon too. It's tedious. However, the black market has always existed and I worry that once an ordinance is finally adopted this county will experience another "Green Rush" that the make the one in 2014 pale in comparison. I believe no one wants to see this, so county's action to prevent this, and any further expansion of marijuana cultivation in this county I deem desirable. There is already a glut of weed in this county and there is also a healthy enough export business here already as well. Santa Cruz County being a "destination location" for marijuana would be a bane to our beautiful area, which already has a plethora of worldwide, healthy and family attractions.

For your consideration.

Marc Riehl