

October 31, 2017

Cannabis Comments
c/o Matt Johnston,
Santa Cruz County Planning Department,
701 Ocean St., 4th Floor,
Santa Cruz, CA, 95060
cannabiseir@santacruzcounty.us

RE: Santa Cruz County Draft Environmental Impact Report (DEIR) for the Commercial Cannabis Cultivation and Manufacturing Regulations and Licensing Program

Dear Mr. Johnston:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Commercial Cannabis Cultivation and Manufacturing Regulations and Licensing Program (DEIR). It's obvious from our review of the DEIR that County staff and the consultant team took this matter seriously and considered the various potential impacts of the different alternatives. However, outstanding concerns remain, and the following comments address the various elements of the DEIR that the RCD feels warrant clarification or further analysis.

- 1. Utilize Existing Technical Assistance Providers.** The Resource Conservation District of Santa Cruz County (RCD) is an independent special district with the mission of helping people protect, conserve and restore natural resources through education, funding and technical assistance programs. The RCD has been providing assistance to landowners on a strictly voluntary basis in this County since 1942. Many of the proposed mitigations in the DEIR are consistent with the services we provide to landowners and agricultural operators. Depending on the manner in which this program is developed, the RCD may be able to provide services that would benefit cannabis cultivators while provisioning public benefits through environmental stewardship.
- 2. Impact AT-3.** Forestlands, including working forests, provide a suite of ecosystem services and public benefits. The impact of forest conversion or rezoning of timber production zone (TPZ) lands could be significant. It is unclear whether the County has designated an authorized representative to make determinations regarding timberland conversion code compliance when the stated conversion activity is cannabis cultivation. Including more rigorous mitigation for this impact such as prohibiting rezoning of TPZ parcels for commercial cannabis cultivation, prohibiting expansion of the agricultural use of TPZ zone parcels for commercial cannabis cultivation or prohibiting all commercial cannabis operations on TPZ zone parcels seems appropriate.
- 3. Trucked Water.** The use of imported (trucked) water to a parcel for commercial cultivation activities could open up new acreage for cultivation that might not otherwise be possible, and that would likely have increased environmental impact. If trucked water is to be allowed, it should be analyzed not only for the



impacts to the particular parcels, but availability of water and the marginal demand should be evaluated by the municipal water providers who would be the source of this water.

4. **Incentives-based programs.** As a non-regulatory, technical service provider, the RCD strongly supports the notion of establishing a market branding program similar what exists in Humboldt County. This would serve to support the small, local cultivators and could be an effective vehicle through which technical services could be provided, on a voluntary basis, to ensure environmental protection.
5. **Mapping / GIS.** It appears that the mapping / GIS analysis has inappropriately identified parcels for their respective role in a future licensing program. If the impacts analysis was GIS based, then it seems prudent to clarify and correct mapping errors and refine the environmental review accordingly.
6. **MM Bio-1.1h. Water Draw Restrictions.** Protection of instream flows is a critical concern in Santa Cruz County; several streams are fully-appropriated during portions or all of the year, and the State Water Resources Control Board is also proposing a forbearance period of April 1 – October 31. Similarly, the City of Santa Cruz may have an approved Anadromous Salmonid Habitat Conservation Plan that includes instream flows for the San Lorenzo River, Newell Creek, Laguna Creek, Liddell Creek and Majors Creek. Water rights validated by the SWRCB along with Streambed Alteration Agreements for the Department of Fish and Wildlife for any surface water diversions will be necessary to make this mitigation meaningful.
7. **Impact Hydro-1.** Groundwater is a critical resource in Santa Cruz County. Any potential impact to groundwater from Commercial Cannabis Cultivation needs to be mitigated through geologic investigations, setbacks, source control, drainage improvements and other practices. Of particular concern are areas overlying drinking water aquifers or geologic features (e.g. sandy soils, karst) that could rapidly transmit contaminants to underlying aquifers or surface water supplies.
8. **MM-Hydro-2.1. Water Efficiency.** There is an ongoing need for technical assistance with irrigation efficiency in this County. The experience of the RCD has been that it takes ongoing service to growers to identify and correct problems causing inefficient operations. This may be a role that the RCD could play related to Commercial Cannabis Cultivation depending on the manner in which the program is developed.
9. **Enforcement.** According to the San Mateo, Santa Cruz Unit of the California Department of Forestry and Fire Protection's (Cal Fire), approximately forty percent of their time is allocated for enforcement is being spent investigating and citing illegal cannabis cultivation sites. Throughout the DEIR, the potential impacts of the Project, and its more permissive alternative, have been deemed *less than significant* because there are agencies and regulations in place that will minimize impacts. However, the Draft does not consider whether the Project and its more permissive alternative will place additional resource demands on various local and state agencies. For example, has the County determined whether Cal Fire has sufficient personnel and



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resources to deal with cannabis related issues if the Project, or its more permissive alternative, result in expansion of cannabis cultivation in forested areas of the county?

Thank you again for the opportunity to provide comments on this very important issue, please contact me should you need clarification on any of these comments.

Sincerely,

Chris Coburn
Executive Director