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Subject:	EIR comments
Attachments:	Cannabis acreage.xlsx

Recommendations

I hear a lot about two alternatives, neither of which were addressed by the DEIR. Why were these not included?

1. Have the same regulations, but limit it to areas currently zoned agricultural.
2. Since cannabis is now a legal agricultural crop, why have any beyond those for any other agricultural crop. Just treat it as any other agricultural crop.

General comments

Water/Fire

1. Why 120,000 when residence is only 10,000
 - a. If the risk is that great why does the county want to allow it.
 - b. How often will this be waived?
2. Can pump only in winter.
 - a. How will this be enforced?
 - b. It won't.
3. It appears that all of the current grows are on land that was illegally converted from timber land. Will they be retroactively granted permission by Cal Fire.

Zoning

1. Rules were made to protect the neighborhood.
2. Why is this protection no longer necessary?
 - a. Is this because of the additional money to the county?

Character of the neighborhood

1. Why was this not addressed in the EIR?

Roads

1. Who will be responsible for bringing the roads up to code.

a.County roads are not being repaired and do not meet code.

b.Will the cost be borne by the cultivator or everyone using the road?

Summary of my thoughts

1.Since cannabis is an agricultural crop why does there need to be specific regulations?

2.I did not see any serious analysis of the impact of ruralcultivation on surrounding neighbors.

3."/Program Objectives/. As indicated, the Program is being proposed to regulate commercial cannabis cultivation and manufacturing of cannabis products within the County in a manner consistent with state law and encourages cultivators and manufacturers to operate legally and secure a license to operate in full compliance with County regulations, meet the local demand of cannabis products, improve the County's tax base, and prevent impacts of cannabis activities on children, sensitive populations, the natural environment, and public health and safety." It is worth noting impact on rural neighbors is not included. These objectives are better met when cultivation is confined to existing agricultural areas. Negative impacts would be much reduced if this was done.

4.Why did you not consider the alternative I am proposing: Limit cultivation to existing agricultural areas. As I mention below, this would surely be the environmentally superior alternative. By including point 1 above, this would also simplify implementation. Why is there any need to control the amount of cultivation beyond the requirement that everything be sold within Santa Cruz County (not even sure why this is needed). It is not done for strawberries. Let the market work.

**

Specific comments relating to the DEIR

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*Chapter 1 Introduction

.....1-1*

1.1Program Context

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1-1

The February 2014 ordinance did nothing to further the stated purpose of the ordinance as there was little if any enforcement.

Once again the December 2015 ordinance was ineffective as it was not enforced.

1.2Program Overview

.....1-3

1.3 Purpose of the EIR and Legal Authority

.....1-5

1.4 Program EIR

1-6

1.5 Scope of the EIR

1-7

I do not see any impact on the neighborhood as one of the intended issues. Impact on the neighborhood is significant.

1.6 Agencies and Roles

1-9

1.7 Environmental Review Process

1-9

1.8 Areas of Known Public Controversy

1-10

1.9 Organization of the EIR

1-11

*Chapter 2 Project Description

2-1*

2.1 Introduction and Overview

2-1

How can the county expect this ordinance to have any impact on illegal activity if there is no intent to enforce. The ordinance itself says it does not need to be enforced.

2.2 Existing Setting

2-3

2.2.1 Program Location

2-3

2.2.2 Regions and Planning Areas

2-5

It appears the Aptos hills are part of the south area. They border Nisene Marks which is part of the mountain area. The hills do not match the characterization of the south.

2.2.3 Urban and Rural Areas

2-9

2.2.4 Agriculture and Timber Industries

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2-10

2.2.5 Commercial, Manufacturing, and Special Use Districts

..... 2-10

2.2.6 Residential Areas

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2-13

What about SU. Why make exceptions for cannabis.

2.2.7 Public Services

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2-14

2.2.8 Transportation System Overview

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2-15

2.2.9 Regulatory Context

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2-15

Who defines the three types.

2.2.10 Existing Cannabis Cultivation and Manufacturing

..... 2-17

Existing conditions are defined as what is and not what should be if the current laws were enforced. There are no existing records as the county has chosen to not know about existing grows and enforce current laws. You assume that the county prosecutes all the unregistered sites. The number is much larger that reported. Historically, as you mention, cultivation was in the hills as it had to be hidden. This is no longer the case. Thus, why should there be any commercial grow in the hills.

2.3 Proposed Program

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2-25

Cultivation is not legal, just permitted. In fact, the proposed ordinance does not even permit any cultivation in the county. If you do not believe this, read it.

2.3.1 Program Objectives

.....2-25

The objective is to encourage compliance? Why not eliminate non-compliance?Neither one meets the program objectives as they relate to the neighborhood.

2.3.2 Program Components

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2-27

Why allow any negative impact on the neighborhood. All use of Legal needs to be replaced with permitted. Will the list of permitted growers be made public? If someone admits to growing since 2013, they are opening themselves up to IRS. It seems as if you are permitting agricultural activity in a manner than cannot be done for any other crop. Why? Definition of canopy does not make any sense as the amount will change from day to day. Why have any special restrictions with urban and rural lines. It seems as if the parcel size is sufficient. I do not understand why district 2 is different. Why allow any exceptions to setbacks. This will become political. What is the water storage required by Fire Code. What about visibility from private ROW? What is the difference? What is the definition of security lighting. What is meant by energy efficient cultivation methods? What is appropriate site access for firefighting?

2.3.3 Potential Cannabis Cultivation and Manufacturing under the

Program

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2-39

Would this type of manufacturing be allowed in any zone for other than cannabis? Why not simply classify cannabis an agricultural product. Would be nice to see the eligible parcels and acres as a percent of total. Who defined the More Permissive Project? Has anyone calculated the amount of cannabis this would generate per person in the county. How many plants are required for each user? It appears that the need could be satisfied by moving all from residential to unused greenhouses. See my separate spreadsheet. Need to be willing to actively pursue illegal grows. Much easier to do if all residential commercial is illegal. Why make the statement that “illicit goods will not be eligible for sale in the State of California.”

2.3.4 Types of Cultivation and Manufacturing

..... 2-66

2.3.5 Construction Methods

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2-68

2.3.6 Program Phasing

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2-70

2.3.7 General Plan and Local Coastal Program Amendments

..... 2-70

2.3.8 Zoning Ordinance Amendments

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2-70

2.4 Required Actions and Approvals

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2-70

*Chapter 3 Environmental Impact Analysis

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3-1*

*Section 3.0 Introduction and Approach to Analysis

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3-1*

3.0.1 Environmental Resources Analyzed in the EIR

..... 3-1

Which of these addresses the impact on the residential neighbors?

3.0.2 Assessment Methodology

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3-2

Consistent use of terminology (South vs Agricultural). You talk about existing unknown grows. The county does not even investigate/prosecute current unpermitted grows. Why should I expect they will do so in the future. It appears that you expect these to continue. If road improvement is required is this the responsibility of the individual property owner or will this be an additional cost to the surrounding property owners. (Road Association). Is this required to be all-weather and meet other county requirements such as slope. I do not understand the difference between the residential requirement of 10,000 gal water storage and 120,000 gal required for cultivation.

3.0.3 Organization of Environmental Impact Analysis

..... 3-17

3.0.4 Cumulative Project Scenario

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3-19

*Section 3.1 Aesthetics and Visual Resources

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3.1-1*

3.1.1 Introduction

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3.1-1

“Unregulated cannabis activities would not be subject to County regulations”. This is one of my concerns. They need to be subject to the regulations prohibiting them from growing. Once again, the Aptos Hills do not fit within the description of South County. Why is this not part of Mountain area?

3.1.2 Environmental Setting

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3.1-2

3.1.2.1 Visual Resources

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3.1-2

3.1.2.2 Scenic Highways and Roads

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3.1-4

3.1.2.3 Light and Glare

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3.1-6

3.1.2.4 Existing Visual Character of the Program Area

..... 3.1-6

3.1.3 Regulatory Setting

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3.1-10

3.1.3.1 State

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3.1-10

3.1.3.2 Local

.....3.1-10

3.1.4 Methodology and Assumptions

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3.1-14

3.1.5 Significance Criteria

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3.1-15

3.1.6 Environmental Impact Analysis and Mitigation

..... 3.1-15

3.1.6.1 Program Impacts

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3.1-15

What is the visual difference between looking at a cannabis plant and an artichoke plant? Why is a fence required for one and not the other. "Greenhouses are already used for cultivation throughout the County, particularly the South County Region and the addition of greenhouses for cannabis cultivation would not significantly degrade the existing character of agricultural areas where greenhouses are already present." A great reason to restrict grows to this area. There is no way to mitigate 120,000 gal storage requirement in the hills. If there is a need for a fence, it does not seem right that mitigation would include not having a fence.

3.1.6.2 Summary of Program Impacts and Proposed Mitigation

Measures

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3.1-22

3.1.6.3 Secondary Impacts

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3.1-23

Unlicensed cultivation needs to be eliminated and not accepted. If these were prosecuted, people will report.

3.1.6.4 Cumulative Impacts

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3.1-24

*Section 3.2 Agricultural and Timber Resources

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3.2-1*

3.2.1 Introduction

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3.2-1

3.2.2 Environmental Setting

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3.2-1

Numbers of acreage in the section are not consistent.

3.2.3 Regulatory Setting

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3.2-10

3.2.3.1 State

.....3.2-10

3.2.3.2 Local

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3.2-12

3.2.4 Methodology and Assumptions

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3.2-17

3.2.5 Significance Criteria

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3.2-17

No conversion as classified as agriculture. Amount to be used would be <.5%.

3.2.6 Environmental Impact Analysis and Mitigation

..... 3.2-18

3.2.6.1 Program Impacts

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3.2-18

AT-1.2 would not be an issue if grown in existing greenhouses.

3.2.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.2-26

3.2.7 Secondary Impacts

3.2-28

Impact is minimal. Illegal expansion needs to be controlled.

3.2.8 Cumulative Impacts

3.2-31

*Section 3.3 Air Quality

3.3-1*

3.3.1 Introduction

3.3-1

No degradation if not in a residential area.

3.3.2 Environmental Setting

3.3-1

3.3.2.1 Topography and Meteorology

3.3-2

3.3.2.2 Sensitive Receptors

3.3-2

3.3.2.3 Common Air Pollutants

3.3-3

3.3.2.4 Ambient Air Quality and Monitoring

3.3-4

3.3.3 Regulatory Setting

3.3-6

3.3.3.1 Federal

3.3-7

3.3.3.2 Federal and State: Ambient Air Quality Standards

3.3-7

3.3.3.3 State

3.3-7

3.3.3.4 Regional

3.3-9

3.3.3.5 Local3.3-10

3.3.4 Methodology and Assumptions
3.3-11

3.3.5 Significance Criteria
3.3-13

3.3.6 Environmental Impact Analysis and Mitigation 3.3-15

3.3.6.1 Program Impacts
3.3-15

3.3.6.2 Summary of Program Impacts and Proposed Mitigation

Measures
3.3-25

Move out of residential areas would minimize any impact.

3.3.6.3 Secondary Impacts
3.3-27

3.3.6.4 Cumulative Impacts3.3-28

*Section 3.4 Biological Resources
3.4-1*

3.4.1 Introduction
3.4-1

Would be minimized if removed from rural neighborhoods and moved to commercial agricultural. This would not require any mitigation. Control over pesticide and rodenticide would be easier if not in separate rural cultivation sites.

3.4.2 Environmental Setting
3.4-1

3.4.3 Regulatory Setting
3.4-8

3.4.3.1 State
3.4-9

3.4.3.2 Local

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3.4-10

3.4.4 Methodology and Assumptions

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3.4-14

3.4.5 Significance Criteria

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3.4-14

3.4.6 Environmental Impact Analysis and Mitigation

..... 3.4-15

3.4.6.1 Program Impacts

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3.4-15

3.4.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.4-37

3.4.6.3 Secondary Impacts

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3.4-39

3.4.6.4 Cumulative Impacts

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3.4-40

*Section 3.5 Cultural Resources

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3.5-1*

3.5.1 Introduction

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3.5-1

Would be minimized if removed from rural neighborhoods and moved to commercial agricultural. This would not require any mitigation.

3.5.2 Environmental Setting

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3.5-1

3.5.2.1 History of Cannabis Cultivation in Santa Cruz County

..... 3.5-2

3.5.2.2 Identified Cultural Resources in Santa Cruz County

..... 3.5-3

3.5.3 Regulatory Setting

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3.5-6

3.5.3.1 State

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3.5-6

3.5.3.2 Local

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3.5-7

3.5.4 Methodology and Assumptions

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3.5-11

3.5.5 Significance Criteria

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3.5-12

3.5.6 Environmental Impact Analysis and Mitigation

..... 3.5-13

3.5.6.1 Program Impacts

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3.5-14

3.5.6.2 Summary of Program Impacts and Proposed Mitigation

Measures

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3.5-18

3.5.6.3 Secondary Impacts

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3.5-19

3.5.6.4 Cumulative Impacts

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3.5-20

*Section 3.6 Geology and Soils

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3.6-1*

3.6.1 Introduction

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3.6-1

Would be minimized if removed from rural neighborhoods and moved to commercial agricultural. This would not require any mitigation.

3.6.2 Environmental Setting

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3.6-1

3.6.3 Regulatory Setting

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3.6-7

3.6.3.1 State

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3.6-7

3.6.3.2 Local

.....3.6-8

3.6.4 Methodology and Assumptions

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3.6-10

3.6.5 Significance Criteria

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3.6-11

3.6.6 Environmental Impact Analysis and Mitigation

..... 3.6-11

3.6.6.1 Program Impacts

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3.6-12

3.6.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.6-15

3.6.6.3 Secondary Impacts

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3.6-16

3.6.6.4 Cumulative Impacts

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3.6-17

*Section 3.7 Greenhouse Gas Emissions and Climate Change

..... 3.7-1*

3.7.1 Introduction

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3.7-1

The impacts are the same independent of where the grow takes place. There may be some decrease if not grown in the mountains. Fewer/shorter trips. Would also minimize deforestation which contributes to GHG. Would also not require building of additional residences.

3.7.2 Environmental Setting

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3.7-1

3.7.2.1 Global Climate Change

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3.7-2

3.7.2.2 Existing GHG Emissions from Human Activity
 3.7-3

3.7.3 Regulatory Setting
3.7-5

3.7.3.1 State

 3.7-5

3.7.3.2 Regional

 3.7-7

3.7.3.3 Local

 3.7-8

3.7.4 Methodology and Assumptions

 3.7-11

3.7.5 Significance Criteria

 3.7-13

3.7.6 Environmental Impact Analysis and Mitigation
 3.7-14

3.7.6.1 Program Impacts

 3.7-14

3.7.6.2 Summary of Program Impacts and Proposed Mitigation
 Measures

 3.7-20

3.7.6.3 Secondary Impacts

 3.7-20

3.7.6.4 Cumulative Impacts

 3.7-21

*Section 3.8 Hazards and Hazardous Materials
3.8-1*

3.8.1 Introduction

 3.8-1

Would be much easier to control if in a concentrated area and not spread throughout the County.

3.8.2 Environmental Setting

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3.8-1

3.8.2.1 Hazardous Sites

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3.8-2

3.8.2.2 Hazardous Materials and Cultivation

..... 3.8-3

3.8.2.3 Hazardous Materials and Manufacturing

..... 3.8-4

3.8.2.4 Wildfire Hazards

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3.8-6

3.8.3 Regulatory Setting

.....3.8-9

3.8.3.1 Local

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3.8-9

3.8.4 Methodology and Assumptions

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3.8-12

3.8.5 Significance Criteria

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3.8-13

3.8.6 Environmental Impact Analysis and Mitigation

..... 3.8-14

3.8.6.1 Program Impacts

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3.8-14

3.8.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.8-19

3.8.6.3 Secondary Impacts

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3.8-20

3.8.6.4 Cumulative Impacts

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3.8-22

*Section 3.9 Hydrology and Water Quality

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3.9-1*

3.9.1 Introduction

3.9-1

With the recent drought, there is an increase in properties losing their wells. This would likely be increased with the increased water demand by rural cannabis grows. Moving to existing agriculture areas would minimize this problem.

3.9.2 Environmental Setting

3.9-1

You acknowledge a water problem in Santa Cruz County and yet you want to permit a very water intensive crop. This issue can be mitigated near the coast with things like salt water desalinization and/or recycled water. It cannot be mitigated in rural areas. How much water will be removed from the system to satisfy fire code? What is the status of the Corralitos water basin? Is it more efficient to use private wells or public?

3.9.3 Regulatory Setting

3.9-12

3.9.3.1 State

3.9-12

3.9.3.2 Regional

3.9-13

3.9.3.3 Local

3.9-14

3.9.4 Methodology and Assumptions

3.9-18

3.9.5 Significance Criteria

3.9-18

3.9.6 Environmental Impact Analysis and Mitigation

3.9-19

3.9.6.1 Program Impacts

3.9-19

3.9.6.2 Summary of Program Impacts and Proposed Mitigation

Measures

3.9-30

3.9.6.3 Secondary Impacts

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3.9-31

3.9.6.4 Cumulative Impacts

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3.9-33

*Section 3.10 Land Use and Planning

.....3.10-1*

3.10.1 Introduction

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3.10-1

No need to change any county regulations if cultivation is done on existing agricultural land.

3.10.2 Environmental Setting

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3.10-1

3.10.3 Regulatory Setting

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3.10-11

3.10.3.1 Local

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3.10-11

3.10.4 Methodology and Assumptions

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3.10-17

3.10.5 Significance Criteria

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3.10-17

3.10.6 Environmental Impact Analysis and Mitigation

..... 3.10-18

3.10.6.1 Program Impacts

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3.10-18

3.10.6.2 Summary of Program Impacts and Proposed Mitigation

Measures

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3.10-37

3.10.6.3 Secondary Impacts

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3.10-38

3.10.6.4 Cumulative Impacts

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3.10-39

*Section 3.11 Public Services

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3.11-1*

3.11.1 Introduction

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3.11-1

For each area, you talk about unlicensed cannabis operations and the negative impact they would have. If it was easy to differentiate between permitted and non-permitted operations, it would be much easier to control. Moving cultivation out of rural areas would also have a significant impact as it relates to fire management. How many more people will need to be hired due to the increased risk of fire? This also applies to police services.

3.11.2 Environmental Setting

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3.11-1

3.11.3 Regulatory Setting

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3.11-9

3.11.3.1 State

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3.11-9

3.11.3.2 Local

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3.11-10

3.11.4 Methodology and Assumptions

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3.11.5 Significance Criteria

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3.11-11

3.11.6 Environmental Impact Analysis and Mitigation

..... 3.11-12

3.11.6.1 Program Impacts

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3.11-12

3.11.6.2 Summary of Program Impacts

..... 3.11-17

3.11.6.3 Secondary Impacts

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3.11-18

3.11.6.4 Cumulative Impacts

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3.11-19

*Section 3.12 Population, Employment, and Housing

..... 3.12-1*

3.12.1 Introduction

.....3.12-1

Moving cultivation out of rural areas to agricultural areas would decrease the number of new required residences.

3.12.2 Environmental Setting

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3.12-1

3.12.3 Regulatory Setting

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3.12-7

3.12.3.1 State

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3.12-7

3.12.3.2 Local

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3.12-8

3.12.4 Methodology and Assumptions

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3.12-10

3.12.5 Significance Criteria

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3.12-10

3.12.6 Environmental Impact Analysis and Mitigation

..... 3.12-11

3.12.6.1 Program Impacts

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3.12-11

3.12.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.12-15

3.12.6.3 Secondary Impacts

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3.12-16

3.12.6.4 Cumulative Impacts

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3.12-17

*Section 3.13 Transportation and Circulation

.....3.13-1*

3.13.1 Introduction

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3.13-1

Moving cultivation out of rural areas to agricultural areas would eliminate the need for the county to spend additional resources on rural roads. This same impact would be felt by those maintaining private road systems.

3.13.2 Environmental Setting

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3.13.3 Regulatory Setting

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3.13-9

3.13.3.1 Local

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3.13-10

3.13.4 Methodology and Assumptions

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3.13-12

3.13.5 Significance Criteria

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3.13-14

3.13.6 Environmental Impact Analysis and Mitigation

..... 3.13-15

3.13.6.1 Program Impacts

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3.13-15

3.13.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.13-20

3.13.6.3 Secondary Impacts

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3.13-21

3.13.6.4 Cumulative Impacts

.....3.13-23

*Section 3.14 Utilities and Energy Conservation

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3.14-1*

3.14.1 Introduction

.....3.14-1

Many of the cultivations do not currently have a connection to the grid nor do they use renewable energy sources. What will the cost be, both to obtain the resource and the impact on the environment?

3.14.2 Environmental Setting

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3.14-1

3.14.3 Regulatory Setting

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3.14-11

3.14.3.1 Local

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3.14-11

3.14.4 Methodology and Assumptions

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3.14-14

3.14.5 Significance Criteria

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3.14-16

3.14.6 Environmental Impact Analysis and Mitigation

..... 3.14-17

3.14.6.1 Program Impacts

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3.14-17

How many of the 228 units would require installation of propane tanks?

3.14.6.2 Summary of Project Impacts and Proposed Mitigation

Measures

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3.14-29

3.14.6.3 Secondary Impacts

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3.14-31

3.14.6.4 Cumulative Impacts

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3.14-33

*Section 3.15 Other CEQA

Issues.....3.15-1*

3.15.1 Significant Unavoidable Environmental Effects

..... 3.15-1

“Secondary impacts of the Program would create significant and unavoidable impacts to all resource

areas analyzed in Chapter 3, /Environmental Impact Analysis, /except for aesthetics and visual resources,

which would have less than significant secondary impacts. This is because it is not possible for the

County to completely eradicate all unregulated cannabis activity.” The county should not accept the fact that these should continue to exist. Today they are accepted.

3.15.2 Significant Irreversible Environmental Changes
..... 3.15-2

3.15.3 Growth-Inducing Impacts
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3.15-3

3.15.4 Effects Not Found to be Significant
.....3.15-5

*Chapter 4 Alternatives
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4-1*

4.1 Introduction
.....4-1

4.1.1 Alternatives Considered and Discarded
.....4-3

4.2 Alternatives Considered and Analyzed in this EIR
..... 4-4

These are not really alternatives, but simple modifications. Why did you not consider the alternative I am proposing: Limit grows to existing agricultural areas. As I mentioned above, this would surely be the environmentally superior alternative. Are there any negative impacts to this alternative beyond those of the proposed project.

4.2.1 No Project Alternative
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4-4

4.2.2 Alternative 1 - Most Restrictive Alternative
..... 4-11

4.2.3 Alternative 2 - Most Permissive Alternative
..... 4-33

4.3 Environmentally Superior Alternative
.....4-51

*Chapter 5 List of Preparers and References
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5-1*

5.1 List of Preparers

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5-1

5.2 References

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5-3

*Chapter 6 MMRP

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6-1*

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I have also attached a spreadsheet analyzing this process. You might want to change the sg ft/plant.

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