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Board of Supervisors
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Subjects: Suggestions and Why I Can't Endorse the C4 Package

Board Members:

I often felt that I was a rarity on C4, as the only committee member living rurally and not involved in the cannabis cultivation business. I often thought with just two more neighborhood representatives an entirely different result would've occurred on C4.

My involvement in cannabis cultivation issues began in 2013 when I and several of my fellow citizens in Bonny Doon wrote a letter to BOS about the initial cannabis cultivation ordinance. We thought the first ordinance was seriously flawed. We felt environmental and neighborhood concerns had not been addressed and as a result we were experiencing an influx of new growers who were rapidly changing Bonny Doon in ways that many residents found unsettling. Degrading the environment in numerous ways, and disrupting neighbors became common occurrences. In our community there was general acceptance for medical cannabis but not much tolerance towards commercial grows near neighborhoods or negative impacts on the environment.

Bonny Doon and the rest of District 3 have a long standing reverence and appreciation of the natural world and a rejection of commercial enterprises impacting the environment and neighborhoods. These two values date back to the 1950s and still thrive. The area is well known for its endemic and rare species and environmentally sensitive habitats. Most residents here are politically progressive and fairly well educated. Protecting our unique surroundings is currently more important than growing cannabis

I approached my assignment as an advocate for District 3. I was in constant interaction with people living in District 3 and worked closely with the Rural Bonny Doon Association, wildlife biologists, neighbors and citizens' groups

interested in this topic. Of all the regions in Santa Cruz County, Bonny Doon and District 3 had the greatest number of attendees at C4 meetings.

As you know, C4's initial term was from September to December and we eventually found our service extended to seven months. For the first several months I felt there was room for compromise. Eric Olsen did a good job getting people to relax and treat one another courteously. We got along.

However, around December I became concerned. It seemed to me the focus was narrowing, mostly to regulatory structure and licensing, e.g. where to grow, how much to grow, and new categories of growing. These are key parts of the puzzle for sure, but to my way of thinking no less important than protecting neighborhoods and the environment, two of the three areas we were charged to address by the BOS.

Sadly, by the end of March I was even less confident the committee would arrive at true consensus on the wide range of topics that were still pending. The tone in the meetings had shifted. We were told by a committee member that a cannabis group represented on C4 was contemplating another petition drive – about a week after presenting C4 with a list of grow sizes they wanted. This was a mood changer for some of us. I was particularly discouraged by a series of events leading up to the March 29 meeting which was billed as the “Final Vote” meeting. It turned out there would be another “Final Vote,” which I couldn't attend because of serious health challenges facing my wife, who was scheduled for surgery the day before this meeting – which was known before the meeting date. So, after seven months I would not be able to vote on topics I knew well and wanted to vote on.

WHY I CAN'T ENDORSE C4'S CONCLUSIONS:

1. Our charge from the BOS to **protect neighborhoods was not met.** In District 3 we had better protection under the December 2013 ordinance, and under 7.126 and 7.128, because the parcel sizes common to neighborhoods in District 3 were given protection in by the BOS. Even then the only protection was through designating certain lot sizes & zoning categories as off limits for commercial cultivation. This had proven to be both acceptable and effective to our residences, most of whom had no involvement in commercial cannabis cultivation. C4 opted not to define a rural neighborhood or

- even say they existed. In addition, the area “usable” for agricultural purposes of a parcel is often much smaller than a parcel’s size due to ever present slopes in mountain areas. Granting grow sizes based on acreage alone in the mountains is inherently inaccurate and clearly threatens erosion and other problems.
2. Our charge from the **BOS was to protect the environment**. In the first months, the Fish and Wildlife Commission presented to C4, Cal Fire and a few other environmental groups visited C4. This was followed by a long drought. The most comprehensive group of presentations on environmental issue occurred at Bonny Doon School where highly qualified citizens from throughout District 3 presented a wide range wildlife related topics to C4. Sadly, very little occurred on the environmental front in C4 until the March 29 meeting when, with the help of Rahn Garcia I was able to make two motions that received approval: “*monitoring sensitive species and sensitive habitat*” and “*consulting with state park officials in establishing set back from park boundaries*”. The latter motion was made as reaction to C4 decreasing the set-backs around state parks by 300’ from the earlier C4 recommendation of 600’ that is found in interim ordinance 7.128. (See Appendix 2 in the Minority report). Between UC Santa Cruz and environmental stewardship groups, Santa Cruz County has many high quality sources that weren’t utilized.

OTHER AREAS OF CONCERN:

1. **Are C4’s recommendations enforceable?** There was no doubt on C4 that the voting majority was married to the cannabis industry. How else could they have approved 44,000 sq. ft. grows? Voting on where cannabis can be grown evolved into a diffuse approach utilizing remote sites and areas near neighborhoods and parks. “Inspections” and “enforcement” are often words committed to print to assure the system works, but in preliminary talks with CAL FIRE it became clear a system that encompasses the entire county will have many challenges when it comes to inspections and enforcement. The expense differences between “appointment inspections” and “surprise inspections” can be significant. Getting in and out of remote areas is time consuming. There needs to be cost analysis and a realistic assessment of what constitutes effective enforcement and what it costs. This analysis should be completed

before licensing. As an additional worry, many provisions “slipped” through that are questionable from public safety point of view: use of generators as primary power source, transporting water as a main water source, allowing grows on vacant sites (which conflicts with *Wildfire Safety Recommendations for C4*, wherein the fire professionals recommended only allowing licenses on parcels with a permitted house. These types of “benefits” to growers underscore C4’s putting grower expansion and their needs ahead of “public safety.” It is important to establish an incremental approach to creating an infrastructure that works, rather than doling out licenses and then realizing the system underway can’t be monitored effectively.

2. **What does it mean to be an export county?** It became clear in the first meeting of C4 that a majority of the cannabis growers on the committee wanted to make Santa County an export county, “*Santa Cruz would become as well known for cannabis as Napa is to wine,*” was repeated for emphasis. Eventually everyone on the committee endorsed this concept, though some did so reluctantly. The important part of becoming an export county that needs to be considered is that much more cannabis will be grown in Santa Cruz County than is needed for the medical needs of patients and even the recreational user, should that be voted into law. The question becomes, “What does this mean for the people, the environment, and county services that will become involved in sustaining or accepting such a plan. Is this the identity we want? Is this good for our youth? We’re the second smallest county in the state. At what point is this county saturated?”
3. Did C4 represent the public interest of Santa Cruz County? From Lt. Governor Gavin Newsom’s *Pathways Report* on how to approach regulating marijuana:
“*Any boards, commissions, or agencies that oversee the legal marijuana industry should represent all the public interests of the people of California rather than being dominated by individuals with an economic stake in the industry.*”

C4 was only an advisory body, but Gavin Newsom’s advice still fits.