

18 April 2016

TO: the Santa Cruz County Supervisors

RE: Commercial Cannabis Cultivation Regulation, Item 41 on the April 19 agenda

As a 46-year+ resident and property owner in Bonny Doon, my position on the current for-profit cannabis issue is simple: there is no compelling reason to allow any commercial cultivation in Bonny Doon for the simple reason that it is, above all else, a residential area. By the same token, there is no compelling reason to allow any commercial cultivation in the entire county. There are suitable areas in the state for commercial cultivation: the Salinas and Central Valleys come to mind.

It is also a grave mistake for the Supervisors to open a certain Pandora's Box of hardships by considering even allowing a struggle between the industrial marijuana growing machine, on the one hand, and the Supervisors and the citizens they are elected to represent, on the other. It will result in a complete capitulation to the cannabis cultivating community and the dispensary owners and operators. The wealth behind those interests will wipe away the concerns of residents and the power of the Board of Supervisors in a heartbeat. It's happening elsewhere, and it will happen here.

This is not about the benefits of medical cannabis. This is about money and who gets to make it, and about all who lose if the rush to accommodate the commercial growing interests prevails.

In concert with a comprehensive analysis by the RBDA and particularly a detailed and extremely thoughtful letter (attached) from my fellow Bonny Dooner, Russ Mackey, I entreat you to thank—and then dissolve—the C4 group, and deny any possibility of commercial cultivation in the county, period. The committee was charged with protecting our local neighborhoods and the environment, and has failed on both counts. The people who live here are far more important than the financial interests of the Big Cannabis machine that is poised to move in if these regulations are allowed. And as Mr. Mackey points out, if there's an initiative effort to challenge such a denial by the Supervisors, the voters will support it.

The Supervisors must show conviction and gumption, and act on behalf of the people who live here. While there is still time.

Thank you.

A handwritten signature in black ink that reads "Paul Hostetter". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Paul Hostetter
2550 Smith Grade
Bonny Doon

Letter from Russ Mackey:

I was very disappointed when I first read the Cannabis Cultivation Choices Committee (C4) draft meeting minutes and summary of votes outlining policies the C4 has voted to recommend to the Board of Supervisors. When the final voting record of the C4 committee was published I was outraged.

The C4 committee failed to develop "policy recommendations that reflects the key policy goals as articulated by the Board of Supervisors". The recommendations of the C4 committee do not protect local neighborhoods and do not protect the environment. There is no recommendation to ensure that the amount of cannabis grown would adequately supply and accurately match the medical cannabis needs for those who have a doctor's recommendation.

The committee's majority report and voting record seems to indicate that the primary interests of the MAJORITY of C4 committee members were to promote the expansion of cannabis cultivation and to provide special benefits to those existing cultivators operating in Santa Cruz County prior to January 1, 2016.

Special benefits include, but are not limited to the following:

- Existing cultivators at existing locations may apply for both the provisional and the phase 1 regular license up to the full County license size.
- An application period for new cultivators will be open only after all applications for existing cultivators have been either approved or denied.
- All criteria established for existing cultivators shall apply to new cultivators. New cultivators are not eligible for any provisional licensing options.

The C4 recommends allowing cultivation on sites that lack supporting infrastructure - increasing fire danger, noise and security problems - in future regulations.

- allowing use of trucked water
- allowing the use of generators as the main power source
- not requiring cultivators to live on site

The C4 failed to recommend comprehensive environment and neighborhoods protection when it decided to return the issue to the county:

- The County should evaluate whether additional measures are needed to address the impacts of cannabis cultivation on sensitive species and habitats and human uses.

At the risk of repeating the obvious, the list of recommendations voted and approved by the C4 committee fails to protect our local neighborhoods and fails to protect the environment. There are no obvious benefits for qualified medical cannabis patients.

Fortunately, two minority reports and one "letter of observations", supported in part or in whole, by six of the thirteen members of the C4 committee have been filed. These two reports and one letter MUST be considered along with the majority report as forming a complete report from the cannabis cultivation choices committee.

It is recognized that the Board of Supervisors has a challenging task ahead. The cannabis cultivating community, along with dispensary owners and operators, have shown that they can quickly gather sufficient signatures to force a referendum. Every cannabis regulation passed by the Board of Supervisors is thus subject to review and override by the cultivating and dispensing coalition. Thus far, in response to one referendum challenge, the Board of Supervisors chose to repeal an ordinance rather than submit the ordinance to the voters for ratification.

While the majority of Santa Cruz County voters, in the past, voted to support medical marijuana for those with a doctor's recommendation, that same majority of voters is unlikely to support a continued "green rush" or commercial cultivation at the expense of neighborhoods and the environment.

Please consider seriously the minority opinions and dissenting C4 member comments; those ideas and concerns more closely mirror the view of the public than does the majority report.

Please try to instruct the C4 committee to respond to their initial purpose - presenting recommendations to protect local neighborhoods and the environment and addressing the adequacy of medical cannabis for those who have a doctor's recommendation - IF the Board of Supervisors decides to allow the C4 to continue their deliberations.

In two other counties, boards of supervisors passed cannabis ordinances that were successfully challenged by referenda. The supervisors chose to allow the public to vote rather than rescinding the ordinance. The public supported and affirmed the supervisors' actions.

If reasonable rules for the commercial cultivation of medical marijuana cannot be crafted that will satisfy the public's demand for neighborhood and environmental protection, the fallback position for the public may well be to outright ban commercial medical cannabis cultivation, as has taken place in some 14 of California's counties and in scores of cities.

There is no need to grow any more medical cannabis in Santa Cruz County than is necessary to meet the needs for county residents who have a doctor's recommendation. The C4's vote against a ban on exporting medical cannabis indicates that the supply is more than adequate.

Those who wish to commercially cultivate medical cannabis here need to be aware of where the ultimate power to pass county ordinances resides; cultivators need to take the concerns of Santa Cruz County's voting citizens to heart.

Sincerely,
Russ Mackey
Bonny Doon

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