



THE

Highlander

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The Rural Bonny Doon Association Newsletter

RBDA Meeting: County Pivots on Commercial Cannabis Regulations

**Wednesday, March 14, 2018 at 7:30 p.m.
Bonny Doon School Multipurpose Room
Pine Flat & Ice Cream Grade**

There has been a major shift in the approach the County has proposed regarding commercial cannabis growth regulations since our report in the January *Highlander*. In short, the County argues that rather than having the entire cannabis licensing program comply with the California Environmental Quality Act (CEQA), state law allows a local government to apply CEQA to each license application individually. Bill Parkin, the Citizens for an Environmental Santa Cruz (CESC) attorney, has a different opinion, and in a letter to the County sent in mid-February, he argued that the County's approach does not meet CEQA requirements.

In addition to changing the approach to CEQA compliance, the County issued a new set of proposed regulations, which CESC and other groups find alarmingly deficient. In the 11 (out of 58 total) counties in California where commercial cannabis manufacturing is allowed, it is mostly limited to Industrial or Commercial zones. However, another surprising proposed change is the intention to allow multiple licenses at a single cannabis operation in a rural neighborhood for cultivation, manufacturing and/or distribution. This has

UCSC Reveals Plans for Stunning Growth Roughly Equal to the Population of Scotts Valley

The members of UCSC's Long Range Development Plan (LRDP) Citizens Advisory Group (CAG) were taken aback on Jan. 12 when UCSC Chancellor George Blumenthal announced that the university was planning to increase enrollment to 28,000 students by 2040. That's an increase of 8,500 students from the 19,500 limit allowed by 2020 under a lawsuit settlement in 2008.

Actually, as startling as an increase of 8,500 students is, the real numbers are even higher. The target enrollment of 28,000 doesn't truly represent the population growth the UCSC 2020-2040 LRDP (now under development) will bring. First, it represents what UCSC calls Full-time Equivalent students (FTEs). *If, for example, five students are taking an 80% class load, they are considered four "FTE" students, while in reality, there are five people living in Santa Cruz or on campus.* In addition, some of them are married to non-students, and may have children.

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**Deceased fox found in Bonny Doon whose body contained 4 rodenticides
Photo by Eric Hoffman**

serious ramifications. Nearly all Residential Agriculture (RA) parcels in Bonny Doon will be unaffected thanks to the retention of the Coastal Zone plus one mile exclusion, but it could affect RA parcels that lie outside the exclusion zone or affect the few Commercial Agriculture (CA) and Agriculture (A) parcels in Bonny Doon. However, note that the growers continue to push to weaken that portion of the proposed regulations.

Although the latest regulations contain details about how the county will be enforcing the rules (information the RBDA Board has been requesting since 2015), the rules also contain a contradicting "No duty to enforce" section. CESC attorney Parkin has argued to the County that this contradicting section violates the law.

On Feb. 5, the Planning Dept. briefed the Board of Supervisors on the revised approach to the regulations. For the first time at a public meeting, the number of citizens who spoke opposing the new regulations outnumbered the growers' representatives. CESC and other groups are still attempting to make the new regulations more environmentally friendly, and to include better protection for neighborhoods.

Please join us for a community discussion about these fast-moving changes that will impact Bonny Doon at the RBDA public meeting on Mar. 14, one day after the Supervisors consider the new proposed regulations. Featured speakers are **Robin Bolster-Grant**, the County Cannabis Licensing Manager, and **Sergeant Stefan Fish** of the Sheriff's Office Community Policing Division, North Coast Service Center. Depending on what happens between now and this meeting, we will either have a chance to express our opinions on what the new cannabis rules should be, or we will be updated on the new rules.

Please see the accompanying story by Supervisor Ryan Coonerty on page 2.

Update on Proposed Changes to the Commercial Cannabis Ordinances

This is an invited contribution by Ryan Coonerty, our Third District Supervisor. **The opinions stated below are not necessarily those of the RBDA Executive Board.** However, the RBDA is very interested in receiving feedback about this issue. Please share your opinions with us by contacting any of the Board members (see page 4 for our phone numbers), or e-mail us at board@rbda.us.

As many of you are aware, big decisions will be made regarding commercial cannabis cultivation and manufacturing at upcoming Board of Supervisors meetings in March. I would like to take this opportunity to brief you on recent changes, issues I am fighting for at the Board, and what the process looks like moving forward.

In February, the Board of Supervisors held a Study Session so that County staff could walk the Board through proposed changes to the cultivation and manufacturing ordinances being proposed by staff. One of the major changes was that the County take advantage of a legislative change that would allow the County to do California Environmental Quality Act (CEQA) analysis on each application submitted for cannabis cultivation, rather than complete an EIR on the entire proposed

ordinances. This was a major shift in approach. Under the old approach, the County would have certified an EIR for the cultivation ordinances and no CEQA analysis would be done on individual cultivation ordinances. Under the new approach, which was approved by the Board at the study session, a CEQA analysis would be required for every cultivation application submitted. At this Study Session, staff also presented the draft ordinances and answered questions from Board members.

Although this meeting wasn't the time to make specific changes to the draft ordinances proposed by staff, I did make a motion, which passed unanimously, voicing continued support to retain the Coastal Zone exclusion plus one mile; that all cultivation applications would be appealable and would include notification of neighbors; that staff develop the strongest anti-pesticide and rodenticide policies in the State and that these policies be included in the ordinances; that no additional clearing be allowed on parcels zoned for Timber Production, and that the environmental review for each cultivation application be able to determine that issuance of the license would not have a significant, unmitigated effect on water supply,

biotic resources, or other sensitive environmental resources under County Code. These changes should be reflected in the staff report and draft ordinances prepared for the upcoming Planning Commission meeting.

One point that I think is important to note is that the proposed ordinances unveiled at the Study Session are just that: proposed. The next step in the process was a hearing at the Planning Commission on February 28. The Planning Commission is currently considering the proposed ordinances and will make a recommendation to the Board. On March 13, the Board will consider the draft ordinances as well as the Planning Commission recommendation. I have been listening closely to the concerns of rural residents and encourage everyone to make your voices heard on this issue. We have accomplished a lot so far but we will need to continue engagement on this issue so that we can protect wildlife, water supply, timber resources, and encourage responsible, appropriately zoned commercial cannabis cultivation and manufacturing. As always, please feel free to call or email me (ryan.coonerty@santacruzcounty.us) with your thoughts, questions, and suggestions.

It's That Time of the Year! Reminder to Send in Your RBDA Dues

To all of you that have sent in your dues, we say THANK YOU!

We would not be able to continue to send out *The Highlander*, or sponsor the public general meetings without your support, so we truly appreciate it.

As was reported in the last *Highlander*, all memberships expired on Jan. 31 (unless you've paid for multiple years). To date, 105 people have renewed their memberships, but we have yet to hear from 55 households. This is just a reminder that if you haven't sent in your dues, please do so. You can also renew at the upcoming general meeting on March 14 at 7:30 p.m. at Bonny Doon Elementary. After the general meeting, we will be sending out a "snail mail" reminder as a follow up to those of you we haven't heard from.



Update on January RBDA Executive Board Elections

At our RBDA Annual Meeting on Jan. 10 we held our Executive Board Member elections. There were four seats whose terms had expired. Previous Board Member Dave Rubin (Vice Chair) was reelected, and Kendra Turk-Kubo (originally appointed to a vacant seat in July 2017 as *The Highlander* Editor) and David Regus were voted onto the board. Former Corresponding Secretary Clay Peters withdrew his bid for re-election. Thus, we are currently short by one member on the Board, so if you're a current member of the RBDA, and would like an opportunity to provide service to your community, please consider serving!

UCSC Reveals Plans for Stunning Growth

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Second, UCSC will have to hire more staff and faculty to serve these additional students. Most of them will have families. It's reasonable to assume that for every 10 students added, three to four more additional people will also be added. That may be as many as an additional 3,000 or 4,000 people who will need to live in the city, or surrounding areas, like Bonny Doon, *bringing the total of projected new residents to about 12,500, roughly equal to the population of Scotts Valley.*

At the Jan. 12 meeting, the CAG members, including the RBDA Board's representative, Ted Benhari, expressed their concern that Santa Cruz would truly become "a company town," to quote long-time Santa Cruz Councilwoman Cynthia Mathews, who in the past has been an ardent supporter of UCSC growth. Andy Schiffrin, Supervisor Ryan Coonerty's aide and stand-in at the meeting, said he was "shocked." Other CAG members, who represent the City administration, the Chamber of Commerce, as well as citizen's groups including the Coalition for Limiting University Expansion (CLUE) and Santa Cruz Neighbors, talked about the negative impacts on housing costs, traffic and water supply, and quality of life.

While we acknowledge the economic and cultural benefits the University has brought to our area, and its academic leadership in subjects like Astronomy, Marine Science and Genetics, there simply is a limit to how large a college our community can accommodate. Unless some way can be found to limit UCSC's growth, what we have to look forward to is years of steady, steeply rising housing costs, streets clogged with traffic, and impacts on a water supply already prone to periodic and serious droughts. The impact on Bonny Doon is likely to be great. The great majority of the building growth is proposed to take place on the Upper Campus east of the Cave Gulch neighborhood, which will no longer be a natural, green bulwark separating us from urban-type development. Housing costs will continue to climb, as more students look to rent here, and professors and staff to rent or buy.

Local citizens and their elected representatives, thanks to a provision in the State Constitution exempting UCs from local land use laws, have little say in UCSC's growth plans. But both the City Council and the Board of Supervisors seem to be alarmed and dismayed by the enormity of this targeted growth, and say they will do what they can to induce the university to reduce or mitigate it, in cooperation with local citizens' groups, like the RBDA and CLUE. In the coming weeks and months we will be organizing and trying to pressure the UC Regents and the UC Office of the President (who set the growth targets for the various campuses), and our State legislature, to keep UCSC from forever swallowing up our resources and further, and egregiously, impacting the quality of life we value in Bonny Doon and Santa Cruz.

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RBDA MEMBERSHIP APPLICATION

Yearly dues are \$20/pp or \$15/pp for multiple members at same address.

Memberships expire on Jan. 31 of the next year. *

Number of Members _____ Number of years you are joining or renewing for _____

Multiply years times number of memberships. Checks only, please, made out to RBDA.

Amount enclosed for dues: \$ _____

I also wish to support the RBDA with an additional contribution of \$ _____

Total amount of enclosed check \$ _____

Name(s) _____

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I certify that I (we) live or own property in the Bonny Doon Planning District.

Clip out and mail to RBDA, P.O. Box 551, Felton, CA 95018.

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*Dues paid after Nov. 30
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Bonny Doon's voice in preserving our special quality of life, The Highlander, is mailed free 6 times a year. RBDA Public Meetings are usually held the second Wednesdays of January, March, May, September and November. We encourage you to participate. Send correspondence to The Highlander at the above address.

Access the RBDA on the Internet at:

www.bonnydoon.got.net

E-mail us at:

board@rbd.a.us

Facebook (RBDA Members Only):

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***Bonny Doon Resident
Santa Cruz, CA 95060***

Come to our Mar. 14 meeting - 7:30 p.m. at Bonny Doon Elementary!

Will Joby Aviation's Cement Plant Plan Fly?

As Bonny Doon startup Joby Aviation pursues the purchase of the closed Cemex Cement Plant, Davenport residents are wondering whether they like the idea.

On Dec. 5 in Davenport, at a public meeting to discuss possible uses for the shuttered plant, Joby founder Joe Ben Bevirt, who grew up on Last Chance Road, stated his desire to purchase the plant to develop an electric helicopter. Recently, Joby received a \$100 million investment to help it stay ahead of several other major competitors around the world, including Uber. Bevirt's vision is to build a helicopter fleet that can zip three or four passengers at a time above traffic, at a relatively reasonable cost, about \$60. The machines are now being tested at the former Cemex limestone quarry east of Bonny Doon Road, which Bevirt bought a few years ago.

At the Dec. 5 meeting the proposal by Bevirt received a generally favorable response, though people worried that if he no longer controlled Joby the new management might not be as community and environmentally friendly as Bevirt. They also wanted to know a lot more specific details before blessing the proposal, like noise levels, how many employees will work there, and proposed flight paths. Bevirt is expected to respond in the near future, and there will be another community meeting to talk about it.

On Dec. 17, the Davenport/North Coast Association (DNCA) met with Bevirt and the County to formulate its terms for endorsing the proposal. The DNCA has several major concerns, regardless of who takes over the cement plant: that the small town nature of Davenport be preserved; that the tangled rights

to San Vicente Creek water be settled and Davenport's rights to it be permanently established and that new uses of the plant not impact the supply; that the new owners provide high-quality well-paid jobs; that any toxics at the plant be cleaned up; that it also be used as a visitor center and access point for Cotoni Coast Dairies and San Vicente Redwoods and that the Rail Trail connect to it; that oceanside development be limited (one of Cemex's parcels is west of Hwy. 1); and that various other services be improved, including internet and cell phone communications, fire, police and postal service.



***Old Cemex limestone quarry used for test flights by Joby Aviation
Photo by Ted Benhari***