



Santa Cruz VOTER

LEAGUE OF WOMEN VOTERS OF SANTA CRUZ COUNTY

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In this Issue

Calendar.....	1
President's Message.....	1
Board Members Wanted	1
Voter Suppression	2
Grand Jury Application	2
Cannabis in our County	3
Sustainable Transportation	5
Eliminating Plastics.....	6

Calendar

Tuesday, April 13, 2021
 10 a.m. to noon
 LWVSCC Board Meeting
 Virtual meeting via Jitsi
 To attend, email rsvp@lwvsc.org

Board Members Wanted

Our local League is looking for people interested in serving on its Board of Directors for our next fiscal year (July 2021 to June 2022). This is a great opportunity to get involved with the League and meet new people. No experience necessary, just a willingness to take an active part in our League; outgoing board members are willing to help train you.

Current open positions include first vice president, treasurer, membership chair, voter service, VOTER editor, and nominating committee chair. If you are interested in finding out more about these openings, please contact our nominating committee: Marcia Minnihan, marcia_minnihan@hotmail.com or 831.239.6480 or Suse Shane, suse223@gmail.com or 831.423.9725.

President's Message



I want to thank Pam Newbury for assembling the excellent program, "Cannabis Impacts and Opportunities in Santa Cruz County" moderated by local Robin Bolster-Grant, Attorney-at-Law, with panelists ably representing diverse points of view. The decision made by our board of directors to do this virtual program reminds me of Robert Frost's poem, "The Road Not Taken", which ends with the lines, "Two roads diverged in a wood, and

I--/I took the one less traveled by, /And that has made all the difference." This March 6 program dealt with a topic of social importance on which the League of Women Voters of California does not currently have a position, but might in the future, and is reported on in this newsletter. Thank you to Pam for setting up and recording the meeting on Zoom, and to Program Chair Nancy Litvak for her introduction on behalf of our local League.

The report on our February 19 legislative interview with State Senator John Laird, compliments of LWVCC Secretary Marilyn McCusker, will appear in an upcoming edition of the VOTER. Pam Newbury facilitated the Zoom arrangements and recording, and I handled the scheduling and coordination of this interview with Senator Laird's office staff and all participants from the four Leagues involved. Thank you to all who participated in both the senator's interview and the January 22 interview with Assemblymember Mark Stone, reported on in the February VOTER.

—Barbara Lewis, President LWVSCC

February Virtual Board Meeting

Due to the pandemic, we will be using Jitsi, a secure and free video conferencing system, for our April 13 Board of Directors meeting, which will start at 10 a.m. To attend, send an email to RSVP@lwvsc.org.

Santa Cruz Civil Grand Jury Accepting Applications

The Superior Court of Santa Cruz County is now seeking applications to become a member of the Santa Cruz County civil grand jury. The civil grand jury is a historic institution and serves an important role in local society.

The 19-member civil grand jury is an independent body empowered to investigate operations of city and county governments as well as other tax-supported agencies and special districts—responding also to citizen complaints on government issues.

To qualify to be on the grand jury, you must be a U.S. citizen, at least age 18, have a working knowledge of the English language, and have resided in the county of Santa Cruz for at least one year. Santa Cruz County is seeking volunteers who represent the ethnic and cultural diversity of the communities within the county.

All qualified citizens interested in serving on the 2021-2022 civil grand jury are invited to submit an application to the Superior Court of Santa Cruz County for consideration. With the COVID-19 outbreak, the civil grand jury has conducted much of its business remotely using video conferencing technology and cloud computing to work collaboratively to carry out its mission while at the same time keeping its members safe.

For applications and more information, visit santacruzcourt.org or visit either the Santa Cruz Courthouse or Watsonville Courthouse to pick up an application. All applications must be received by April 26.

For questions, email jury.information@santacruzcourt.org

—Dinah Sapia, Treasurer

Voter Suppression

State lawmakers across the country are introducing restrictive voting legislation. These bills are aimed at election procedures and voter access. They are considering dozens of these restrictive bills to purge voters from rolls; limit early and absentee voting; add voter ID requirements; and eliminate automatic and same-day voter registration. In a backlash to historic voter turnout in the 2020 election, legislatures have introduced four times the number of bills to restrict voting as compared to last year.

Over 40 states have introduced over 250 bills to restrict voter access. These proposals primarily seek to restrict mail voting. They limit who can vote by mail by eliminating no excuse absentee ballot applications and reducing the number of days that voters have to request absentee ballots. They also would create barriers to completing or casting ballots, such as restrictions on assistance to voters, requiring witness signatures, and limiting mail ballot return options like drop boxes. There are other limits on ballot counting with ballot receipts and postmark deadlines. These bills would limit voter registration opportunities by cutting back or eliminating election day registration and automatic voter registration through DMVs.

If passed, critics warn, the policies would disproportionately affect young voters, poor voters and voters of color, erecting barriers to the ballot box. Some voting rights advocates look to the federal government where the House has passed an election reform bill called HR1, For the People Act. This bill would expand voting rights, provide election security, change campaign finance laws, limit partisan gerrymandering, and create new ethics rules for federal officeholders. This was passed in the house of representatives on March 3 with a party-line vote 220-210 and advances to the Senate.

Other ways to stop these voter restrictions becoming law is to organize public opinion and corporations to influence these lawmakers. Voting rights groups are working on this right now. The League of Women Voters has a long history of voting rights advocacy. The League realizes how fragile our democracy can be, and that the right to vote is foundational and must be protected. The League is working at both state and national levels to block these restrictive policies on election procedures and voter access that lead to voter disenfranchisement.

—Dottie Fry, Voter Service Co-chair

Cannabis in our County: *Balancing community needs with industry growth*

At the League's March program, local cannabis attorney Robin Bolster-Grant headed a panel discussion about the local cannabis industry. Panelists included Bryce Berryessa, owner of a local cannabis dispensary and manufacturer of cannabis products; Sam LoForti, current cannabis licensing manager for the county; Chief Deputy Steve Carney of the Sheriff's Cannabis Compliance Unit; and Darren Story, a local cannabis cultivator.

According to Bryce Berryessa, our county has one of the more progressive and well working cannabis ordinances in California as well as one of its most mature cannabis markets. Santa Cruz City, the first city to open dispensaries, has three; there are nine in unincorporated areas of the county. Capitola and Watsonville have just recently begun the process of licensing dispensaries, and Scotts Valley has not allowed for any. The jurisdictions that allow for licensing have been supportive, Berryessa says, and view cannabis as a "positive benefit to the community rather than something to be shunned and ostracized." He attributes this to public education and "years of very constructive dialog trying to understand that an actual regulated marketplace meets a lot of the objectives to keep cannabis off the street, to ensure that there's a safer transparent supply, and actually, in many instances, decreases the amount of underage consumption." He states that communities that have regulated cannabis have experienced benefits from reduced crime to tax revenue and a safer product. "I feel it's really important to push this industry forward in a way that works for industry while valuing and balancing the community's needs from a myriad of perspectives," Berryessa said.

As the county's cannabis licensing manager, Sam LoForti reflected on the interesting and odd dynamics of working a new industry where rules and regulations are not already set and based on law, but can change based on the opinions of regulators at the top. The shifting rules have made

it difficult for people in the cannabis business to get in and stay in. His focus has been to improve the licensing process, to educate operators on evolving regulations, and to maintain a solid enforcement program, which helps to bolster the legal market and remove some of the safety and human health issues associated with the illicit market.

Chief Deputy Carney mentioned the challenges of gaining compliance with individuals who prefer to stay in the illicit market. Since 2019, their goal has not been to bring them into the criminal courthouse but to move them into the legal market, "Cannabis in the criminal court system is a waste of time," he said. They have seen some issues with electrical bypasses that overload the power grid and catch transformers on fire and with illicit butane hash oil labs, 75% of which are located after they explode, often in residential environments.

Bolster-Grant spoke about the task of helping to write the first non-retail cannabis ordinance, comparing it to "building the plane while flying". When she came on board, the retail ordinance had already been on the books a while, but the impacts of cultivation, manufacturing and distribution on our community made development of those regulations more complicated.

Many of the early cannabis entrepreneurs did not understand what it meant to be regulated, said Bolster-Grant, and many of the 800 registrants were unable to secure a permit and license due to the complexities of dealing with zoning, sensitive habitat, and neighbors, all of which limit where commercial cannabis can occur in this county. As a result, the majority of commercial cannabis agriculture occurs, by design, in the south county in land zoned for commercial agriculture.

Asked how we can improve non-retail cannabis, cannabis cultivator Darren Story said that current regulations are a work in progress, and that the county board of supervisors understands "how to find balance between operators and their ability to add economic value to the community and be good actors." He feels that the regulations strike a good balance between protecting the public and creating a viable industry.

While overall there's not a lot he would change, Story did express his wish that the building department would move faster, a sentiment echoed

by Berryessa, who said that the inefficiencies of the building department have caused a lot of businesses to fail, and that this affects every business in the county. “The system needs an upgrade and more funding to streamline,” Berryessa said.

Berryessa would like to see local regulations better mirror state regulations, so that there aren’t so many different layers of regulations. He feels that work needs to be done at the state level to resolve inconsistencies and consolidate the three different state agencies regulating cannabis, a task Governor Newsom is undertaking in creating a state bureau of cannabis control. LoForti hopes that the state’s consolidated cannabis agency will have new people at the top who will make regulations aligned with state law.

Carney said the ordinance works well to support enforcement efforts and is pleased with recent changes to the ordinance’s fine structure. The previous fines of \$2500 for the first offence were too small to effectively deter illicit operators, who viewed that as a small cost of doing business on their high-value crop. He mentioned that other jurisdictions within the state were ineffective in supporting their lawful operators, such as Los Angeles where there are 300 illegal storefronts selling cannabis, undermining the licensed stores who follow the rules and pay taxes. “We’re staying ahead of these problems,” said Carney, “You don’t hear of unlawful dispensaries operating in Santa Cruz County.” Recent changes to the delivery service laws allow them to do enforcement, so that businesses in Santa Cruz County aren’t competing with a delivery service from Oakland driving down with coolers full of product and selling it to people in parking lots a block away from a brick-and-mortar store that’s following every rule.

Bolster-Grant moved the discussion on to the issue of complaints from neighbors. LoForti said they’d only had one complaint about odor, but it could not be verified. Pesticides haven’t been an issue either, because the cannabis market is regulated to detect pesticides at the parts per billion level, which, he says, runs up against the limits of what the equipment can reliably detect; no other agricultural commodity has standards in the parts-per-billion. “They have effectively created

standards that can’t be met,” LoForti said, “It has ruined farms and manufacturers who have only one or two crops per year, and the California Department of Public Health stops them from even attempting a remediation plan.” With regard to water discharges, LoForti gave assurances that testing protocols for cannabis farms are incredibly stringent.

Story said that because cannabis is a new industry, regulators are making sure that it is properly regulated to prevent any environmental harm right from the start, in a way they can’t do with established crops. The strict regulations give growers “an opportunity to hone our cultivation skills and grow in concert with our environment and our natural surroundings,” he said. Requirements are so strict that if one of their neighbors is spraying pesticides, they have to shut down their greenhouses to prevent even a minute amount of overspray. They are constantly working to use regenerative methods to make sure topsoil stays on the ground and is not flowing into rivers, to reduce their water use, and to keep nitrogen out of water supplies through the use of cover crops. “We are making a huge investment into our soils, which wasn’t done before with any other crop.” Story said.

Bolster-Grant brought up the issue of increasing THC (Tetrahydrocannabinol, the main psychoactive compound in cannabis that produces the high sensation) in cannabis products. Berryessa explained that because cannabis edible products convert in the liver, they have a different chemical composition than when you combust them, making edibles up to nine times more psychoactive than when they are combusted and smoked. Metabolized THC can take up to two hours after ingestion to feel the effects, which is much longer than smoking a joint or combusting the flower. New, inexperienced consumers using cannabis recreationally don’t have a tolerance to high dosing and may have a bad experience. Current regulations now say that cannabis edible products cannot be in excess of 100 milligrams of THC per package, and that each serving can be no more than 10 mg. Medical patients can have up to 1000 mg THC in a tincture or capsule that can’t be easily mistaken as a treat that may be appealing to children.

Unfortunately, because taxes have increased the price of cannabis products by 30 to 50% overnight, people shopping at dispensaries see a higher THC content as better, but, said Berryessa, that's a misconception. His dispensary is working to teach consumers about the difference between THC and terpenes, a chemical found in a variety of fruits and plants that have a citrusy smell. Terpenes can provide alertness and have a host of other medicinal effects. They want patients and customers to understand that if they felt a different way from a particular strain, it's not because of the THC content, it's because of the terpene concentration. "With a market such as cannabis where everything is changes so fast education is a crucial component," he said.

Bolster-Grant asked Carney to comment on testing for impaired driving under the influence of cannabis. Carney responded that, while no level of impairment is appropriate when driving it's going to take some time to find the point at which driving high becomes dangerous, similar to the metrics for blood alcohol levels, and to devise a method to measure impairment.

Regarding the restricting youth access to cannabis, Sam LoForti said his opinion is that it will take years before legalization will decrease the availability of cannabis to young people. When he grew up in California, LoForti said, "Weed was everywhere; it was much easier to get weed in high school than it was to get alcohol. I think that's probably true to this day, but I think that in seven more years or so you're going to see cannabis and alcohol be on the same plane of availability, and that's going to be a huge driver to decrease youth access."

Ultimately, LoForti said, you're never going to completely eliminate the black market, but eventually it will decrease. As well, he feels they will move the smaller cannabis growers into legal compliance. However, his concern is that one of the largest drivers of the illicit market are the high state taxes. County cannabis taxes are at 6% of gross receipts, but when you consider the whole process from cultivation to retail, the end-point consumer pays 42 to 50% of the product cost in taxes. Because the black market doesn't pay those taxes, they can undercut the prices charged by the regulated markets. Robin Bolster-Grant added that

higher THC content is another driver, as people think they are getting "more bang for their buck."

Steve Carney discussed crime related to cannabis, which he says is mostly associated with the illicit cannabis industry, such as armed robbery, deals gone bad, and murders based off of illicit cultivations.

Asked about large versus smaller growers, LoForti said that because costs associated with a state license are high, \$25,000 to \$77,000 for a license to grow a 22,000 square foot area. All you get for that money is a license, so that's a disincentive for small growers, he said. While they can't incentivize small cultivators who don't want to grow in south county, they will help them through the process, and they do have an equity program to offset those costs (to which they've only had one applicant). Darren Story said that they have helped growers "come out of the hills" to apply for licenses and worked to collaborate with them.

As to the intersection of cannabis licensing with evaluating the environmental impact of a project under the California Environmental Quality Act (CEQA), Bolster-Grant says that first the grower would have to come into compliance with the stringent county protection ordinances and regulations. Any exceptions would trigger a higher level of review under CEQA. "Cannabis is more highly regulated than any other industry," she said, "water, energy environmental protection, lack of pesticides, noise, odor, visual resources, every single licensee has to comply with all that in order to be in the running." Currently, the county has 37 cultivators, with 8 more expected to be on board soon, and twelve manufacturers as well as some combined licenses.

—Pam Newbury, *VOTER Editor*

Conversing About Sustainable Transportation

The Campaign for Sustainable Transportation is hosting a series of meetings of diverse members of the community to talk about how we can achieve a sustainable community and plan for growth in housing that doesn't increase traffic and vehicle miles traveled. The next in this series of meetings will be held on April 9 via Zoom. For more information and to register, go to

sustainabletransportation.eventsmart.com

Membership in the League of Women Voters is open to men and women of voting age who are U.S. citizens. Others are welcome to join the League as associate members.

Send your check payable to League of Women Voters of Santa Cruz County or LWVSCC with this form to LWVSCC, Box 1745, Capitola, CA 95010-1745.

___ \$65.00 Individual annual membership

___ \$100.00 Two members in a household

___ \$10.00 Student membership

___ Contribution \$ _____

Checks made out to LWVSCC are not tax deductible.

To make a tax-deductible donation, write a separate check to LWV Education Fund.

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The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.



Plastics in Packaging

A Deep Dive into Sustainability in Plastic Packaging

Did you know that 50% of the plastic on earth has been created since 2007? Or that only 9% of plastic is actually recycled, despite many well-intentioned households who look for the recycle mark on plastics and spend the time and effort to rinse and sort?

To learn more about the different types of plastics used in packaging and the journey it takes from manufacturing through the end-of-life cycle, you can listen to a recording of a highly informative webinar on Plastics in Packaging that was hosted by Open Farm Tours in February. ([watch on YouTube](#)). You will also learn how our region is addressing the numerous challenges of transforming an industry that significantly impacts the health of our planet and ourselves.

This webinar educates the public on the vast interconnectedness of how plastics are used and disposed of. It focuses on materials used in agricultural applications and how they break down and travel through our regional waste management systems.

Learn how to refuse plastic packaging and find out about the challenges of recycling!

—*Marilyn McCusker, Secretary*

Say Goodbye to Single-use Plastics!

Want to reduce your use of plastics? Think about the single-use plastic containers you use and dispose of every day, and consider how you can replace them by switching to materials that are reusable, truly recyclable (unlike plastic, aluminum and glass can be easily recycled multiple times), or biodegradable. Alternatives include refillable aluminum shampoo and conditioner bottles; biodegradable dental floss in reusable glass containers; bamboo toothbrushes; chewable dental tablets instead of toothpaste; tablets that you can use to make everything from window cleaner to hand soap by just adding water and mixing in reusable containers; zero-plastic-packaging laundry strips; reusable take-out containers; and much more. Search out these products online and look for local and online stores that offer zero waste, zero plastic options. There are even companies that will ship these products to you in containers you can use to send back the empty containers to be refilled.