

GUIDE TO CITIZEN PARTICIPATION FOR THE YOLO COUNTY CANNABIS LAND USE ORDINANCE (CLUO) AND CLUO DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

Was the EIR Released?

Yes, on October 25th Yolo County released the proposed CLUO and accompanying Draft EIR.

Both are available online at <https://www.yolocounty.org/community-services/cannabis-3398>

You have 60-days to review and comment on these documents.

The comment period closes on December 23rd at 4:00 pm.

A special public meeting to receive oral comments will be held December 3rd before the Planning Commission.

You may submit more than one letter, email, or oral comment (or any combination thereof) during this period.

You can comment on the CLUO, the Draft EIR, or both – just tell us how to use your comments.

What Does the EIR Analyze – What is “The Project”?

The EIR analyzes adoption and implementation of the proposed CLUO.

The analysis is detailed so that later cannabis applicants can rely on this EIR if they comply with the final CLUO.

The EIR analyzes five equal weight alternative versions of the CLUO – this will allow the Board of Supervisors flexibility in deciding on a final set of regulations, which may combine different aspects of the alternatives.

What Do I Read First?

Read the Executive Summary for a brief summary of the proposed CLUO and the EIR conclusions.

Review Appendix C to see the precise language of the proposed CLUO.

Skim Chapter 2 to better understand the details of the proposed CLUO and the various EIR Alternatives.

Review any or all of portions of Chapter 3 for detailed analysis of impacts by environmental issue area.

Read Section 3.3 to learn more about the odor analysis.

Read Section 4.2 to learn more about the analysis of “over-concentration”.

How Do I Get Through All This?

You don't have to read everything to participate in the process.

Focus on what interests you.

Split up the various chapters with other members of your interest group.

Consider writing one comment letter with multiple signatures.

How Do I Comment Effectively on the EIR?

Express your comments as specifically as possible.

State your concern, support it with facts, explain the change you believe should be made.

Does the EIR cover everything you think it should cover?

Have you found errors in the EIR or conclusions that are not substantiated by facts?

Does EIR analysis use appropriate methodologies?

Are the EIR conclusions fair and accurate?

How Do I Comment Effectively on the Proposed CLUO?

Make your comments as specifically as possible so that we will understand what is important to you and why.

Do you have suggestions for specific changes to the CLUO?

Do you support a particular CLUO alternative, or specific aspects of different alternatives?

Do you want to express your general support or opposition to the cannabis industry?

Do you have comments about existing allowed cultivation?

Do you have comments about proposed new cannabis activities like retail sales and manufacturing?

Do you have comments about where cannabis activities should and should not be allowed?

Do you support buffers from certain uses? What buffers do you support?

Will I have Other Opportunities to Comment?

Yes, but this is a very important time to provide comments.

Your comments on the CLUO and on the EIR will have the greatest chance of making a difference in what is presented to the Board of Supervisors if you provide them now.

If you comment on the Draft EIR after the close of the comment period your comment will not be included in the Final EIR and you may not receive a response to your comment.

Whose EIR is It?

Yolo County is the official author.

Technical experts drafted it.

Community and industry contributed to it through earlier comments.

Staff ensured accuracy and completeness.

County Counsel ensured legal adequacy.

Board of Supervisors must certify it, which is likely to occur when the Board takes final action on the CLUO.

CEQA Basics

The California Environmental Quality Act (CEQA) regulates the EIR process.

EIRs are disclosure documents intended to inform decision-making.

By law EIRs focus only on significant adverse physical impacts.

CEQA requires “reasonable” analysis – not perfect, not speculative, not exhaustive.

EIR conclusions do not dictate Board action.

Environmental Impacts vs Other Important Issues

EIRs focus on environmental topics defined by the State.

The Board will consider other factors and balance them in making a decision.

EIRs do not cover many important topics: quality of life, fiscal impacts, economic impacts, property values, social or policy concerns, environmental justice, beneficial impacts, equity, community opposition, etc.

The Vocabulary of CEQA Impact Analysis

For each environmental topic, the EIR must identify the baseline (existing) condition, the significance threshold (the point at which the impact moves from acceptable to unacceptable), mitigation that would reduce or eliminate the impact, and whether the remaining effect (after mitigation) is acceptable or unacceptable.

- Existing condition = setting = baseline for impact analysis
- No impact = no change in outcome from existing conditions
- Less Than Significant impact = an acceptable outcome
- Significant Impact = an unacceptable outcome = impact that exceeds the significance threshold = adverse
- Mitigatable = a significant impact that will be reduced to less than significant levels by the mitigation
- Unavoidable = a significant impact that will not be reduced to less than significant levels by the mitigation

What is the Difference Between the Draft EIR and Final EIR

Draft EIR = Contains the detailed impact analysis.

Final EIR = Contains the Draft EIR (by reference) + all comments on the Draft EIR + responses to the comments+ changes and clarifications to the Draft EIR.

Next Steps – Estimated Schedule

Nov-Dec	Public outreach
Dec 3	Planning Commission meeting on CLUO and DEIR
Dec 23	Comment period ends
Early Mar	Final EIR
Mar-Apr	Planning Commission hearings
May-Jun	Board of Supervisors hearings