

## **GENERAL SERVICES ADMINISTRATION**

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*Via Email to listed email addresses*

To City Council for City of Sutter Creek

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Council Member Susan Feist

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### **Re: Proposed Marijuana Retail Facility**

Dear Sutter Creek City Council:

Thank you for inviting Amador County to comment on the tetrahydrocannabinol (THC) marijuana retail facility project proposed at the vacant Umpqua bank site at Ridge Road near Highway 49. If approved, this project will be the first retail facility in the County selling and delivering products with THC, the psychoactive compound in marijuana.

The County Board of Supervisors met to discuss the potential impacts of this project at its regularly scheduled May 19 meeting. The Board voted unanimously to oppose the project, and directed me to draft this letter setting forth its reasoning and seeking mitigation for the foreseeable significant impacts.

We understand the applicant intends to provide the City of Sutter Creek monetary compensation to address impacts. However, this facility, which is located in the heart of the County, will have far-reaching impacts on the County as a whole, and these impacts will be borne predominantly by County services. The impacts generally fall into three categories: behavioral/mental health; traffic safety; and physical health. Each is discussed in turn below.

As an aside, I apologize for the length of this letter. Over the last 20 years, policymakers in California have been operating in the dark regarding marijuana because there was limited data. Consequently, policymakers blindly accepted claims made by marijuana advocates minimizing the harms of marijuana and touting benefits. However, in the last few years—particularly in the last year, several new comprehensive studies shed sunlight on those claims. For the benefit of the Council and the public, I seek to summarize and highlight some of the more important studies. All referenced studies and articles are submitted with this letter. I encourage members of the public to reach out to me if they need copies.

## **Behavioral/Mental Health**

The three relevant County departments impacted within this category are located in the Health and Human Services Building on Ridge Road. I heard from Behavioral Health Director, Melissa Cranfill, from Public Health Director, Joanne Hasson, and from Social Services Director, Anne Watts. All expressed various concerns around increased access and use of marijuana by Amador County youth due to the fact that the proposed facility is in proximity to Jackson Junior High, the County's two public high schools, and North Star Academy.

This concern is consistent with those expressed to me by Wendy Alt, the Behavioral Health Director for Calaveras County. Retail facilities are legal in Calaveras County. With widespread commercial access, marijuana use is now rampant among adolescents at both the high schools and the junior high schools, where vape devices are routinely confiscated from students. This problem is not unique to Calaveras. The Wall Street Journal (March 4, 2026) recently detailed an explosion of marijuana use at top-ranked Liberty High School in San Diego following the proliferation of retail facilities in that city. High schools throughout the State are struggling to address the marijuana epidemic.

### 1. Recent studies confirm significant risks to adolescents in particular.

Marijuana was legalized in California for medical use in 1996. It was legalized for recreational use in 2016, and retailers began selling product in 2018. Marijuana advocates have pushed for legalization and widespread use on a twin message: (1) marijuana is harmless, and (2) marijuana is good for you. However, serious medical institutions are finally releasing comprehensive studies, and those studies disprove claims of net benefit and prove alarming detrimental impacts, particularly for adolescents.

First, some argue that the commercialization of recreational marijuana has no impact on adolescents due to the age restrictions at the retail facilities. That argument has been put to rest by a study released a few months ago by the American Journal of Preventive Medicine (AJPM). This study found that the rates of THC positivity "increased significantly from pre to post-commercialization periods[,] and that "[a]dolescents (aged 12-17 years) had the largest increase" in THC positivity, from 5% to 17.3%, a 346% increase. The study also found "the adolescent group had a significant increase in cannabis-related disorders[,] from 3.2% of the adolescent population to 12.1%, a near 400% increase.

With all the new information, major institutions have reevaluated their position on marijuana. The New York Times editorial board, for example, has long supported the legalization of marijuana, but changed its position a few months ago. The Times reported that "Big Weed" and other advocates falsely claimed "marijuana was a harmless drug that might even bring net health benefits" and that "legalization might not lead to greater use." The Times has changed course this year and acknowledged "[i]t is now clear that many of these predictions were wrong."

The Times notes "[t]he biggest concern is excessive use," and it provided a stunning graph to

support this assertion. Since legalization in California began, daily use has exploded. The Times reports there were less than one million daily users in 1992, and an estimated 18 million in 2023—a near 2000% increase in just two decades. As the Times notes, “[t]he accumulating harm is broader and more severe than previously reported.”

The new studies are setting the record straight. A recent longitudinal study released last month (April 20, 2026) by the American College of Neuropsychopharmacology followed over 11,000 children over ten years. The study concluded that marijuana users had significant and potentially permanent deficiencies in working memory, processing speed, language, and other cognitive functions when compared to a control group that did not regularly use marijuana. In effect, regular marijuana use by these hapless teens capped their development of critical cognitive functions necessary for basic survival, and it put these kids at a severe disadvantage compared to non-users.

In a comprehensive metadata study (an analysis of numerous other studies) published by ScienceDirect in January 2026, scientists studied the anxiety, depression, and suicidal effects of marijuana on people aged 15-30. “The results from the meta-analysis indicated an association between cannabis use and increased odds of developing depression in young adulthood[,]” with a 28% to 53% increase in the likelihood of developing depression. “The overall meta-analysis suggested that young cannabis consumers had significantly higher odds of developing anxiety” (with a 58% overall increase). The study also showed a 50% to 64% increase in suicidal ideation and an 80% to 87% increase in suicidal attempts resulting from regular marijuana use.

Another recent comprehensive metadata analysis by the European Archives of Psychiatry and Clinical Neuroscience (published September 19, 2024) effectively dismantled the false “marijuana is beneficial” narrative. This study confirmed the old stereotype: that marijuana makes you dumb and lazy. Specifically, the study found that IQ “decreased by 2 points each year after the start of frequent/dependent use.” This is consistent with a Substance Abuse and Mental Health Services Administration report, which states that “Marijuana can cause permanent IQ loss of as much as 8 points when people start using it at a young age.” The EAPCN study also shows that people who use marijuana frequently have a reduced “motivation to engage in everyday activities such as a diminished desire to study or work,” or to “engage in social or recreational activities[.]”

The EAPCN study discusses how cannabis use decreases education outcomes and increases the likelihood of major depression, with a fivefold increase of major depression for young adults with cannabis use disorder (CUD). Additionally, “[r]isk of anxiety disorders is twofold higher in people who misuse cannabis, threefold to fourfold higher in those with CUD.” CUD is defined as clinically significant impairment or distress associated with repeated cannabis use. It is estimated that 22 million people have CUD, and that 33% of people who use weekly or daily have CUD. The key risk factors for CUD are being youth, being male, and having access to high-potency THC products.

The EAPCN study also found a high risk for psychotic disorders, with one referenced

multinational study showing high potency cannabis increasing “the risk of psychosis fivefold compared to non-users while daily use of low potency cannabis doubled the risk.” Disturbingly, the study also found that “chronic cannabis users have smaller volumes of the orbitofrontal cortex, a brain region implicated in motivation, and the hippocampus, a brain area implicated in stress, learning and memory.”

The EAPCN study also addressed claims of benefit. The study notes some outlier benefits, but notes those benefits are minimal and significantly outweighed by the risks. Specifically, marijuana has small beneficial effects on muscle spasticity. Also, CBD (the non-psychoactive component of marijuana) has shown some benefit for epilepsy. Many have been prescribed marijuana for pain and for chemotherapeutically induced nausea, but the benefits of the drug for these ailments are small, and other drugs on the market are likely more effective. (Incidentally, CBD is already available within the County.)

Another cross-sectional study of 1003 young adults by the Journal of American Medical Association (JAMA) published in January 2025 found that regular marijuana use was associated with lower brain activity during working memory tasks, and that these impacts could be permanent. These impacts were found from recent use, and the results remained for those long-term users who did not use recently.

A recent cohort study released this year by JAMA (February 20, 2026) was among the largest longitudinal studies to examine marijuana use effects on psychiatric disorders on adolescents. The study followed 463,396 young adults over an eight-year period. The study found marijuana users were over twice as likely to develop psychotic and bipolar disorders, with significant increases in depressive and anxiety disorders.

2. The problem is not merely in providing greater access to our youth, but in providing a THC product that is profoundly more powerful.

When California legalized medical marijuana, the product was categorically different from the product retailers like Embarc sell today. A Yale School of Medicine article reports that the average THC content in cannabis seized by the DEA in 1995 was 4%. By the time California legalized recreational marijuana in 2016, the average THC content of seized marijuana was approaching 17%.

I’ve included random images of the products sold by marijuana retailer, Embarc. Many if not most of the products have a 90+% THC content. *This product is over 20Xs stronger than the marijuana that was circulating in the 1990s.*

A typical joint (the entire joint) from the 1960s to 1990s had the equivalent of 5 to 10 milligrams of THC. For perspective, virtually every vape product sold by Embarc has over 800 milligrams of THC.

I encourage everyone to review the submitted images of products sold at Embarc. Many of the products use advertising that young children would find extremely appealing. For example, the

Watermelon Z OG vape is bursting with fun, tasty watermelon images. “Juicy watermelon on the inhale with a sugary, almost creamy sweetness on the exhale.” The ads are reminiscent of the now humorous pre-1970s tobacco ads touting benefits of tobacco and in some cases supported by doctor recommendations.

These Embarc products change everything. People used to argue whether marijuana served as a gateway drug. That argument is now outdated because marijuana has become the hardcore drug on the other side of that gate. With the new concentration levels, the THC products sold by Embarc are stronger than many street drugs and most prescription drugs.

The studies referenced above conclude that the explosion of psychotic disorders among our youth is not simply caused by greater access and destigmatization of marijuana use, but also from the use of marijuana that is 20Xs stronger than the marijuana many of us may have experienced over 20 years ago.

### **Traffic Safety Impacts**

From speaking with our Undersheriff, Jarret Benov, and our former Sheriff, Martin Ryan, marijuana poses significant problems from a traffic safety standpoint. Marijuana arguably poses a greater safety risk than alcohol, and it is more difficult to detect—or at least to quantify—from a law enforcement standpoint.

The National Highway Traffic Safety Administration released a report in January 2023 regarding drug recognition experts. With marijuana proliferation, these experts have become necessary to address the increase in DUID cases (driving under the influence of drugs). The County and city police forces will need additional resources to staff these experts, and the District Attorney will require additional expertise and resources to prosecute these cases. The anticipated increase in DUID cases will also cause impacts on the County’s Probation Department.

With greater access to marijuana comes greater impacts on traffic safety. The Governor’s Highway Safety Association recently found that more than half of people injured or killed in crashes on U.S. roads tested positive for drugs or alcohol, with these drivers being most likely to test positive for marijuana. (GHSA, October 2025.) A separate study from the Wright State University reviewed data in Ohio and found over 40% of drivers who died in car accidents had elevated levels of marijuana in their system. A 2025 study by the American College of Surgeons also noted that 40% of deceased drivers tested positive for marijuana.

A 2001 Portland State University report conducted of 301 Oregon police officers and sheriff’s deputies in 2020, asking them to assess the change in environment over the last three years (*i.e.*, roughly since the legalization of recreational marijuana in Oregon), found the following:

- A 92.7% increase in adults using marijuana in public
- A 91.6% increase in driving under the influence of marijuana;
- An 88.2% increase in young people driving under the influence of marijuana;
- An 87.9% increase of young people using or possessing marijuana;

- A 72.5% increase of young people having a reaction that required emergency response;
- A 65% increase of adults having a reaction that required emergency response.

In a comprehensive meta-analysis of numerous studies, the International Journal of Environmental Research and Public Health showed a strong causal link between the legalization and commercialization of medical and recreational marijuana and driver fatalities. One referenced study showed a 111% increase in the number of fatal traffic accidents where cannabis was involved in 2014 versus the four years prior to legalization. Another referenced study found “a significant increase in fatal crashes once commercial recreational marijuana dispensaries began to open rather than when the legislative measure was implemented.” Another study found an increase in mortality in Colorado, with 75 more deaths per year after recreational marijuana was legalized. Another study of 10 states and the District of Columbia showed a “15% increase in fatal traffic accidents after legalization and a 16% increase in traffic fatalities, leading to 308 more deaths each year after [recreational cannabis legislation].” Another study showed an increase in the number of drivers testing positive for THC after legalization, from 9.3% to 19.1%.

### **Physical Health**

Increased access to THC products in the County will likely lead to greater impacts on the County’s emergency responders—the fire departments, the dispatch operators, the ambulances, and the Sheriff’s Office and other police forces.

One of the most popular products sold by marijuana retailers is THC edibles (gummies and other types of candies). These edibles look and taste like candy. With a local retailer selling and delivering these edibles to County residents, more County households will have edibles lying around their homes. Children are often an afterthought.

The California State Auditor reported that, “[s]ince 2016, there has been a 469 percent increase in the total number of calls to the California Poison Control System related to cannabis ingestion by children five years old and younger—such calls have increased from 148 in 2016 to 842 calls in 2023. Studies suggest that edible cannabis products are particularly appealing to youth because of product shape, color, and taste.”

Our elderly population is also willingly experimenting with these “fun” THC products—operating under the misinformed belief that these drugs are categorically similar to the drugs they may have tried in their youth. A study from the Journal of the American Geriatrics Society found a 1,808% increase in cannabis-related ER visits for Californians aged 65 and older between 2005 and 2019.

With the more potent marijuana, we have also seen a drastic increase in heart attacks. In a recent study (March 18, 2025), the American College of Cardiology found cannabis users face substantially higher risk of heart attack. For people under 50, the likelihood of heart attack is six times greater for cannabis users compared to non-users. The likelihood of stroke increases four

times for users compared to non-users.

### **CEQA Impact Analysis**

“With narrow exceptions, CEQA requires an EIR whenever a public agency proposes to approve or to carry out a project that may have a significant effect on the environment.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 390.) An EIR is “an informational document” intended to provide the city and the public with detailed information about the effects which a proposed project is likely to have on the environment, and to list ways in which the significant effects of such a project might be minimized. (*Id.* at p. 390-391.)

“Project” is a term of art broadly defined as “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment,” and that involves the issuance of a discretionary approval by a public agency. (CEQA Guidelines, § 15000, *et. seq.*) CEQA forbids “piecemealing” environmental review of the impacts of a project by analyzing individual aspects of the whole action. (*Laurel Heights*, 47 Cal.3d at p. 396.)

This retail approval involves several separate approvals (*e.g.*, a zone change, a development agreement, a use permit). Under the rules set forth above, CEQA requires the City to prepare and approve its environmental report prior to making the first discretionary approval, and to analyze all potential impacts including impacts to governmental services.

A categorical exemption is inappropriate for this project. As a matter of law, this project does not meet the categorical definition of any exemption class. Even assuming it did (for the sake of argument), a categorical exemption is precluded for this project because of the “reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (CEQA Guidelines, section 15300.2(c).)

“Whether a particular project presents circumstances that are unusual for projects in an exempt class is an essentially factual inquiry founded on the application of the fact-finding tribunal’s experience with the mainsprings of human conduct.” (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4<sup>th</sup> 1086, 1114 (internal citations and quotations omitted).) The unusual circumstance here is that this project involves the very first THC marijuana retailer in the County, and all the above-described impacts flow from that unusual circumstance. There is no factual basis here for finding that the circumstances addressed above are usual or typical for any of the exempt classifications set forth in CEQA Guidelines 15301-15333.

### **Any Proposed Sales Tax or Equivalent Should Be Decided by the Voters**

The County understands the City of Sutter Creek intends to enter into a development agreement with Embarc that imposes the equivalent of a sales tax on its customers for the benefit of the City. The County has not yet seen the draft development agreement.

Article XIII C, Section 2, subsections (b) and (d) of the California Constitution requires all taxes to be voted on by the electorate. Subdivision (b) states that general taxes require in excess of 50% voter approval, and subdivision (d) states that special taxes require in excess of two thirds voter approval.

Article XIII C, Section 1, subdivision (e) sets forth the exceptions that are not subject to this rule. There are seven exceptions, and the development agreement scenario does not meet any exception.

At first glance, it appears the fee potentially meets exception No. 6 of subdivision (e): “A charge imposed as a condition of property development.” This exception, however, is typically used in conjunction with the Mitigation Fee Act or with exaction impositions governed under *Nollan v. California Coastal Commission* (1987) U.S. 825 or *Dolan v. City of Tigard* (1994) 512 U.S. 374.

The development agreement does not meet the intent of this exception. The intent is to except fees directly related to development. Whether through the Mitigation Fee Act or the *Nollan Dolan* requirements, the exception is intended for a fee paid by a developer for an impact that has a direct nexus to the development and that is roughly proportionate to the impacts of the development. Here, the fee is not at all related to the development, nor is it paid by the developer. Instead, it is related to the sale of marijuana, and it is paid by members of the public (including County residents).

### **Conclusion**

The County thanks the City for providing the opportunity to comment. The County is opposed to the retail marijuana facility because it will cause significant harm to County residents—particularly adolescents, it will cause cultural degradation, and it will have significant impacts on County services. If the City does decide to approve the project, the County respectfully requests that the City comply with all applicable laws.

Sincerely,



Glenn Spitzer

cc: County Board of Supervisors,  
Chuck Iley (County Administration Officer),  
Melissa Cranfill (Behavioral Health Director),  
Joanne Hasson (Public Health Director),  
Anne Watts (Social Services Director),  
Gary Redman (Sheriff),  
Jarret Benov (Undersheriff),  
Todd Riebe (District Attorney),  
Deron Brodehl (Chief Probation Officer), and  
Greg Gillott (County Counsel)

Attachments:

ATTACHMENTS ARE ONLINE IN “11 RIDge Road - SUPPLEMENTAL MATERIALS“  
at <https://www.cityofsuttercreek.org/planning-building>

“High Schools Are Losing the Struggle to Block Pot” Wall Street Journal (March 4, 2026)  
American Journal of Preventive Medicine (January 2026)  
“It’s Time for America to Admit it Has a Marijuana Problem” New York Times (Feb. 9, 2026)  
New York Times Graph (Feb. 9, 2026)  
American College of Neuropsychopharmacology (April 20, 2026)  
ScienceDirect (January 2026)  
European Archives of Psychiatry and Clinical Neuroscience (Sept. 19, 2024)  
Substance Abuse and Mental Health Services Administration (Sept. 9, 2025)  
Journal of American Medical Association (Jan. 28, 2025)  
Journal of American Medical Association (Feb. 20, 2026)  
Yale School of Medicine (Aug. 30, 2023)  
Various Embarc images  
Tobacco Ad Image  
National Highway Traffic Safety Administration (Jan. 2023)  
Portland State University (2021)  
International Journal of Env. Research and Public Health (2023)  
California State Auditor Report and Fact Sheet (2025)