



Valley Center Community Planning Group

Special CPG Meeting FINAL Agenda

March 26, 2025, 7:30 pm

Valley Center Library - Community Room

29200 Cole Grade Road, Valley Center, CA 92082

Zoom Meeting ID: 894 8585 5299 Passcode: 054755 <https://us06web.zoom.us/j/89485855299?pwd=w7Fy0jVN6AWEGcoAd2fSC8qJWWvDJq.1>

Lisa Adams
Vice-Chair
Seat 6

lisa.adams.valleycenterca@gmail.com

Chris Barber
Seat 11

chris.barber1959@gmail.com

Michelle Bothof
Seat 1

busybrunette@protonmail.com

Delores Chavez Harmes
Seat 5

dee.valleycenter@gmail.com

Vlad Ciupitu
Seat 8

vcupitu@gmail.com

Susan Fajardo
Seat 14

sfajardo247@gmail.com

James Garritson
Seat 12

vc@garritson.com

Mary Hodson
Seat 13

mhodsonvalleycenter@gmail.com

Steve Hutchinson
Seat 2

hutchisonsm@gmail.com

Karen Lieber
Seat 7

kkja4@yahoo.com

Bob Littlejohn
Seat 9

robert.g.littlejohn@gmail.com

Matt Matthews, DVM
Seat 4

vccpg.mattmatthews@gmail.com

LaVonne Norwood
Seat 10

lavonnenorwood@gmail.com

Dori Rattray
Chair
Seat 3

drattray524@aol.com

Tom Stinson
Seat 15

tomjstinson51@gmail.com

A. Roll Call

B. Pledge of Allegiance

C. Public Comments: Members of the public may address the Planning Group on any topic not on the agenda. A three (3) minute time limit is allowed per speaker unless otherwise negotiated with the Chair. Planning Group cannot discuss or vote on a topic but may place the item on a future agenda. Speakers are required to complete a Request to Speak form prior to the start of the meeting.

1. Open

E. Action items (VCCPG advisory vote may be taken on the following items) The agenda is available to members prior to regular meetings through advanced publication in the Valley RoadRunner, Valley Center Friends (Facebook), email distribution and public review at the Valley Center Community Hall.

- 1. SOCIAL EQUITY CANNABIS PROGRAM:** This meeting is designed to review the draft EIR comments regarding the proposed program objectives, impacts and environmental issues considered, prior to the March 31st, 2025, deadline. A letter (On behalf of the Planning Group) and the draft comments will then be submitted to the County for review. Dr. Matthews (Vote)

H. Next regular meeting of VCCPG: April 14, 2025 - 7pm

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**COMMENTS ON THE COUNTY OF SAN DIEGO
SOCIAALLY EQUITABLE CANNABIS PROGRAM
DRAFT EIR, REGULATORY AMENDMENTS.
AND ZONING AMENDMENTS**

DRAFT EIR

VALLEY CENTER IS PROPOSING: ALTERNATIVE

From more recent studies, facts and information obtained from municipalities that have had cannabis programs for a number of years, we conclude that the facts used to generate the DEIR were outdated and deficient and we question its accuracy.

Alternative 1 – No Project – Retention of Current Cannabis Regulations

Alternative 2 - The Proposed Project from the County

Alternative 3 – Cannabis Program with Expanded County Regulations

Alternative 4 – Cannabis Program with Outdoor Cannabis Cultivation Prohibition

Alternative 5 – Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy

There many questions and concerns regarding setbacks, outdoor temporary events, Alternative 2, which is being called “The Program”, is outdoor cultivation. Alternative 4 prohibits outdoor cultivation. Data from other municipalities that have had cannabis programs for a number of years and that was not included in this DEIR, as well as new data that is just being discovered, shows that odors, pesticides, water, runoff and other factors from outdoor cultivation have had and continue to have substantially negative effects and threaten the health and safety of residents, especially growing children. In addition, trends for cultivation licenses in regions like Riverside County, show that outdoor cultivation licenses are minimal, thus no real impact to this Program in removing outdoor grows.

Residents that will be subjected to the Cannabis Program in their unincorporated areas should have a major weighted say in deciding whether or not indoor or outdoor cultivation will be allowed, because the agriculturally zoned lands where any type of cannabis cultivation is allowed in Alternatives 1,2,3,4,5 are adjacent to residential zones where families live.

Topics in “The Program”, which are consistent with state requirements, appear to be based more on urban areas. Since this Program is in rural areas, these topics, especially outdoor cultivation, setbacks and sensitive areas, should be adjusted to reflect the rural setting for this Program.

Fallbrook approved Alternative 4 for their community as they feel the most environmentally superior alternative. It is also the alternative that is least damaging to the unique, unincorporated rural lifestyle.

HOWEVER, OTHER MUNICIPALITIES WITH PROGRAMS THAT HAVE ALLOWED CANNABIS CULTIVATION FOR MANY YEARS, HAVE FOUND IT TO BE SO EXTREMELY PROBLEMATIC WITH DEVASTATING IMPACTS ON THEIR COMMUNITIES THAT THEY ARE NOW REVISING THEIR PROGRAMS.

BECAUSE OF THIS, CULTIVATION SHOULD BE REMOVED FROM ANY OF THE ALTERNATIVES UNTIL FURTHER UP TO DATE ANALYSIS, RELIABLE STUDIES AND INFORMATION CAN BE OBTAINED.

Chapter 4

4.2.1 ATTAINMENT OF PROJECT OBJECTIVES

If choosing anything other than Alternative 1, more research and emphasis needs to be directed toward developing the regulatory program that will assist in protecting public health, safety and welfare, and protecting resources including power and water.

*****See comments in the Regulatory Code Amendment

This program needs to be flexible and be able to adapt to new technologies and changing community needs. (Adaptive regulations)

ENVIRONMENTAL IMPACTS OF THE CANNABIS PROGRAM

Valley Center has one of the largest areas with A70 and A72 Agriculture Zones as well as other C and M Zones, are interspersed and are often adjacent to residential areas in the unincorporated areas. Buffer distances as currently listed in all the Alternatives would provide little, if any real protection for residents in terms of odor, traffic, pollution run-off, fire hazards and other adverse effects from Cultivation in these zones.

More up to date studies indicate that cannabis farming, particularly outdoor cultivation does have adverse effects on other crops.

Cannabis cultivation and other cannabis businesses are different in nature than other agricultural products that are farmed and used by consumers. Cannabis Cultivation in particular has more negative environmental impacts than most other agriculture. As such, they should have more stringent regulations and inspections. Additionally, under federal law, cannabis is not legal.

How is crop residue disposed of to prevent contamination from pesticides and other chemicals?

<https://www.swansea.ac.uk/media/Environmental-Impacts-of-the-Legalization-of-Cannabis-in-California.pdf>

DEVELOPMENTAL IMPACTS

Related to development area, operational demand or resources, earth moving, etc. (top page 4-4)

PUBLIC SERVICES

The conclusions in the DEIR appear to be inconsistent with studies and information that are just now coming to light based on other areas with Cannabis Programs. More up to date studies need to be conducted.

The unincorporated areas have a total population of over 500,000 residents. While none of the alternatives might require additional law enforcement facilities, hiring only 2 additional code compliance officers would not serve the public in dealing with hundreds of potential complaints that could be generated for theft, noise, odor and other health and safety concerns caused by this program.

For reference, Santa Barbara County's total population is under 500,000, with their unincorporated population area being approximately 150,000. This is important to know because 4,000 odor complaints were filed in Santa Barbara County's unincorporated areas. None of these complaints were ever resolved. (Santa Barbara County Code Enforcement)

More impaired drivers could cause more accidents and put greater demands on our fire and paramedic first responders. California is the most dangerous state for freeway driving. One of the deadliest freeways is the I-15. There are no known tests to determine a person's impairment.

Consumer Affairs Website- Deadliest Roads

<https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html>

Studies now show that hospital ER visits have increased with the increase in cannabis use as well, especially in older adults.

<https://pubmed.ncbi.nlm.nih.gov/36622838/#:~:text=Conclusion%3A%20Cannabis%20Dr elated%20ED%20visits,medical%20care%20for%20older%20adults>

This program could severely strain already understaffed law enforcement.

Enclosed cultivation would be required in Alternative #4. This may help prevent crime associated with outdoor grows. This is evidenced by crimes already faced by current citrus, avocado and other outdoor groves.

The DEIR states that because Cannabis would be considered an agricultural use, it would not have an impact on agricultural resources. (Chapter 4, bottom page 4-4)

While Cannabis may not have an impact of agricultural resources, the strong and pungent odor from Outdoor Cannabis cultivation appears to have a more significant negative effect on other crops, especially vineyards that are close by. For example, it has recently been observed that the odor from cannabis can be so strong that it can permeate the skin of the grapes being grown close by and alter their flavor.

If food crops are replaced by cannabis for financial incentives, it could affect our local production and availability of food crops further driving up food costs.

4.4.1 AESTHETICS, ISSUE 2

- No impact – no project with Alternative 1
- The impact would be significant and unavoidable in Alternative 2 (The Program)
- The impact would be less in Alternative 4

4.4.2 AIR QUALITY, ISSUE 3

- No impact – no project with Alternative 1
- The impact would be significant and unavoidable in Alternative 2 because outdoor cultivation would require outdoor spraying of pesticides and other chemicals.
- Impact would be less in Alternative # 4 because all spraying would be indoors. Alternative # 4 would result in the less emissions of odors from pesticides (overspray), chemicals and cannabis plants, adversely affecting substantial number of people.

Other municipalities that allow outdoor grows have suffered significant environmental impact due to odors. For example, children in Santa Barbara County at times have been unable to play outdoors at recess due to odors.

https://enewspaper.latimes.com/infinity/article_share.aspx?guid=5de42829-8623-4ff9-88af-35f90aa5bb97

If choosing anything other than Alternative 1, there should be a 1,000 foot buffer also helps ensure that the concentration of cultivation sites in any given area is minimal. Although not mentioned in the impact analysis, this helps to ensure that VOCs from concentration of cultivation sites, or impact from increased use of Nitrogen fertilizers impacting air quality are minimized compared to Alternative 2.

4.4.3 HYDROLOGY AND WATER QUALITY, Issue 2 Substantial Decrease in Groundwater Supplies or Interfere Substantially with Groundwater Recharge

- No impact – no project with Alternative 1
- The impact would be significant and unavoidable in Alternative 2 (The Program)
- The impact would be less in Alternative 4

4.4.6 UTILITIES AND SERVICE SYSTEMS ISSUE 1: ADEQUATE WATER SUPPLIES

- No impact – no project with Alternative 1
- The impact would be significant and unavoidable in Alternative 2 (The Program)
- The impact would be less in Alternative 4

ENVIRONMENTALLY ALTERNATIVES

TABLE 4.1 (pp 4-13-4-14)

Summary of the Environmental Effects of Alternative 4 Relative to Those of the Proposed project

Alternative 1 – No Project – Retention of Current Cannabis Regulations

Alternative 2 - The Proposed Project from the County

6- Significant

8- Less than significant

3- Less than significant with mitigation

Alternative 3 – Cannabis Program with Expanded County Regulations

16- Similar to Alternative 2/ Program

1- Less

Alternative 4 – Cannabis Program with Outdoor Cannabis Cultivation Prohibition

12- Less than Significant

5- Similar to Alternative 2

Alternative 5 – Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy

16- Similar to Alternative 2/Program

1- Less

**COMMENTS ON THE DRAFT REGULATORY CODE
AMENDMENT**

21.2504 MAXIMUM NUMBER & TYPE OF AUTHORIZED CANNABIS BUSINESSES

Limits on total number of dispensaries in each community

The regulatory program/zoning needs to establish limits on the total number of dispensaries/lounges in each community. It is recommended that this be based on the population of each unincorporated community. For example, 1 per 20,000 residents.

Location of Cultivation in A70 & A72

Additionally, the regulatory program/zoning needs to establish not only the location of grows within the A70 and A72 Zones but establish a limit on the total number of grows allowed in each unincorporated Community. Cultivation adjacent to residential areas has the potential to destroy a town's residential areas, neighborhoods, and rural way of life.

A remediation program should be required as part of licensing and permitting for Cannabis Cultivation. This program would ensure that when cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticides and remaining buildings, and are not left in disrepair. See more under 21.2510

APPLICATION SUBMITTAL REQUIREMENTS

Limits on Cultivation

There should be a limit on the total number of acres for cultivation in each community and in the total unincorporated areas.

Setbacks

Setbacks should be a minimum of 1,000 ft from sensitive areas which should include residences, schools, daycare, churches, parks, and any areas or businesses that cater to families and especially children.

d) Limits on the maximum number of retail storefront uses in any one of the planning areas or unincorporated communities are essential so that one community doesn't take the brunt of these retail dispensaries and consumption lounges and the associated traffic, law enforcement needs and other environmental impacts.

e) There must be limits on the maximum total number of non-storefront retail cannabis businesses. Without these limits the consequences could be devastating to entire communities and their residents and businesses, especially those that are adjacent to or near cannabis cultivation and other non retail cannabis businesses. Example: A70 and A72 Zoning is interspersed throughout residential zones in the unincorporated areas. With no limits, this could cause irreparable harm to the health and safety of children, adults and animals with odors, traffic, lights, noise, pollution and crime and other environmental impacts. Residents could conceivably no longer be able to enjoy the peace and tranquility of their rural lifestyle due to these environmental impacts.

f) Modification of the maximum number of Cannabis Business licensed should never be increased.

21.2508 BUILDING PERMITS AND INSPECTIONS

Must be subject to Design Standards where there is a B Designator.

21.2510 APPLICATION SUBMITTAL REQUIREMENTS

(3) SECURITY

b) Light plan

Must comply with the Community's lighting regulations (Dark Sky Ordinance)

(5) Neighborhood Compatibility Plan

How would this function? Who with knowledge of the neighborhood will review? Will neighbors have input?

Any Cultivation/grows on A70 and A72 should have 24-hour on-site security.

(6) Odor Mitigation Plan

How will this be enforced? Will APCD be involved? Neighbors or community members should be involved in a quarterly review. These should be publicly posted ahead of time and the results published after.

(E) How will the Director or their designee determine if the Cannabis business is following procedures established by the licensee? Quarterly, unannounced inspections should be required. How will access to locked properties be handled?

Additionally, a remediation program which includes a "remediation" bond should be required as part of licensing and permitting for Cannabis Cultivation. This program would ensure that when cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticide and remaining buildings, and is not left in disrepair. Once cultivation has ceased, all grow houses and associated materials (lights, fans, irrigation, pots, tables, trash, PVC piping, landscape fabric, tarps, etc) must be disassembled and stored out of sight or properly disposed of within 90 days of operations ending. A post-inspection would determine compliance.

THE WALL STREET JOURNAL

https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1

21.2520 SUSPENSION OR REVOCATION OF CANNABIS BUSINESS LICENSE

(b) What is considered a major violation?

21.2525 GENERAL OPERATING REQUIREMENTS

(d) This contradicts the County's Live Well Program "Smoke is Smoke" and no smoking ordinances. Secondhand Cannabis smoke contains cancer causing chemicals and some at higher amounts than tobacco.

<https://www.cdc.gov/cannabis/health-effects/secondhand-smoke.html>

<https://www.uclahealth.org/news/article/secondhand-marijuana-smoke-what-are-the-risks-to-your-health>

<https://no-smoke.org/secondhand-marijuana-smoke-fact-sheet/>

(j) This is not realistic. How will businesses be responsible for safely controlling loitering without having to call already understaffed Law Enforcement if the loiterers do not comply?

(m) Signage and notices

Must comply with Design Standards

(o) Odor Control-

Code compliance should be available 24 hours a day to investigate odor complaints in real time. Unannounced inspections should take place quarterly or more often if there have been any complaints.

In other municipalities with Cannabis Programs, this has been shown to be nearly impossible to control. Please see previous information under Air Quality.

www.coastalview.com/news/county-planners-support-tough-odor-controls-for-all-cannabis-greenhouses/article

<https://www.independent.com/2025/03/06/landmark-ruling-certifies-a-class-action-against-valley-crest-for-nuisance-odor-in-carpinteria-valley/>

<https://www.independent.com/2025/01/15/the-coming-crackdown-on-greenhouse-cannabis/>

<https://www.independent.com/2025/03/12/public-invited-to-community-forum-on-cannabis-odor-in-carpinteria/>

21.2527 RETAIL HOURS

Closing time of 8:00 pm is a more reasonable time. In rural communities, there are very few businesses that stay open late into the night. Having an earlier closing time could help prevent crime. Additionally, our roads are dark and often windy. Impaired drivers would make them even more dangerous than they already are.

21.2528 CONSUMPTION LOUNGES

(f) What measures will be used to determine if a patron is impaired?

Many of the rural unincorporated communities do not have ride share services for consumers who are impaired after consuming cannabis products. Consumption Lounges should be prohibited in areas that do not have or have limited ride share services such as Uber or Lyft. Consumption lounges should close at 8:00pm.

Are Consumption lounges liable for impaired patrons? Will there be training for bud tenders?

Impaired drivers

<https://aaafoundation.org/development-and-validation-of-messaging-to-deter-cannabis-impaired-driving/>

Consumer Affairs Website- Deadliest Roads

<https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html>

Consumption Lounges should be prohibited from selling or allowing sampling of any injectable cannabis products.

[https://www.sfgate.com/cannabis/article/california-injectable-cbd-gets-fda-warning-20219801.php?utm_campaign=CMS%20Sharing%20Tools%20\(Premium\)&utm_source=share-by-email&utm_medium=email](https://www.sfgate.com/cannabis/article/california-injectable-cbd-gets-fda-warning-20219801.php?utm_campaign=CMS%20Sharing%20Tools%20(Premium)&utm_source=share-by-email&utm_medium=email)

c.xii What will be the maximum occupant load for the designated cannabis smoking room?

21.2529- 2533 WHEN WILL THESE SECTIONS BE AVAILABLE FOR COMMENTS?

21.2534 TEMPORARY CANNABIS EVENTS

The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

Neighbors or businesses within a 1,000 ft radius should be notified when the permits are applied for, prior to the event so that they can comment during the approval process.

Because of the rural nature of the unincorporated areas, sound, noise, lights and other environmental impacts carry quite a distance more than in an urban area. Because of this, large outdoor events should end at dusk.

The maximum number of attendees should be limited to a reasonable number. Will the licensees be required to have special event training for their staff?

How would the odor and other effects of large amounts of secondhand cannabis smoke be mitigated for surrounding neighbors and businesses?

Outdoor smoking contradicts the smoking-room requirements of The Program.

There will be significant negative impacts to the roads that were not designed to handle large increases in traffic associated with temporary events. Traffic control plans, law enforcement, noise and other requirements/regulations are needed.

Temporary Events should not be allowed in communities that do not have sufficient ride share services.

In addition to the regulations for Temporary Cannabis Events that are listed, these events should also be subject to all the other regulations that are required for other temporary community events.

No Temporary Events should be allowed on rural roads that do not have multiple routes of egress for emergencies, similar to any MUP requirements as defined in the Fire Code.

21.2537 INSPECTIONS

Inspections should be unannounced and quarterly. There should never be any reduced inspections.

COMPLAINTS

Hiring 2 extra Code Compliance Officers will be insufficient. Currently Code Compliance is understaffed and cannot efficiently and effectively handle the complaints they already receive.

Subsequent iterations of the regulatory codes should include weighted comments from PGs/SGs and the Public who live in the unincorporated areas.

Changes to the current noise regulations and ordinance may need to be revised for this program. While noise levels from Cannabis cultivation may not exceed the maximum decibels, they can still be annoying and disruptive to the peace and tranquility of residents who live adjacent to grows.

The industry oversight committee should also include representatives from PGs/SGs.

COMMENTS ON THE DRAFT ZONING ORDINANCE AMENDMENTS

6129

The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

Event facilities with Major Use Permits should be included in the total limit of 6 times a year for Cannabis events.

6861 NON-CONFORMING

f) Exemptions

Just like any other business, exterior building modifications or additions should not be exempt from any Design Standards if subject to B Designator.

6995 Cannabis Facilities

f) Performance Standards

Missing line item which reiterates the Performance Standard of section 1.6.1.4 stating no generators shall be used except for emergency situations

g) Activity Specific Standards

2i & 2ii)

Cultivation setbacks between adjacent parcels based on residence versus vacant parcel lend itself to significant issues for both licensee and neighbor if owner of vacant parcel decides to develop adjacent vacant parcel. To avoid these potential issues, it is recommended that all setbacks, independent of adjacent parcel being vacant or developed be set at 300 ft.

2vi.) Given all cannabis processing must be performed in an enclosed structure, also implies that now odor mitigation must be managed and a new license with APCD acquired to monitor and enforce such odor mitigation efforts.

SUMMARY

While our recommendation is Alternative ___ we conclude that the DEIR fails to adequately address topics which have been discussed in the DEIR and Regulatory comments. In particular:

1. The effects and impacts to our rural roads and infrastructure.
2. The negative effects from impaired drivers who have visited cannabis lounges and temporary events.
3. The negative environmental effects of cannabis cultivation on utilities, rural aesthetics and surrounding residents and businesses.
4. The negative impacts of outdoor temporary events.
5. The negative environmental effects of cannabis cultivation odors.
6. Negative effects on other crops.
7. Negative effects on law enforcement, first responders and public services.

We recommend that the EIR be revised to include a more thorough and up to date analysis of these topics and their negative environmental impacts on our unincorporated communities.

OTHER REFERENCES

FEDERAL LAW

Federal law (21 USC § 860) is clear: no alcohol, drugs of ANY kind are to be sold, grown, manufactured, or processed within 1000 feet of a school facility or club.

All setbacks/buffers should be a minimum of 1,000 ft for the protection of residences and businesses.

ILLEGAL CANNABIS OPERATIONS

The idea that legal cannabis businesses will help prevent illegal cannabis business appears to be flawed.

https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1

According to NBC News 2022, 70-80% of MJ sold in state-LEGAL dispensaries in Calif was produced and grown ILLEGALLY (SOURCE: <https://learnaboutsam.org/wp-content/uploads/2023/04/2023-Report.pdf>)

Siskiyou County Sheriff, "We have definitive proof of illegal, toxic pot going to a Los Angeles ``dispensary".

<https://www.ganjinworld.com/video/1g8ntrcvb523T6Ky2i0Ptv06e1oi1c>

CARTELS & HUMAN TRAFFICING

https://www.latimes.com/california/story/2023-05-05/california-weed-regulators-confront-human-trafficking?utm_id=96600&sfmc_id=2400471

ECONOMIC VIABILITY- MAY COST MORE TO REGULATE THAN TAX REVENUE

<https://pasoroblesdailynews.com/grand-jury-finds-legal-cannabis-has-not-been-economically-viable-for-slo-county/193704/>

PESTICIDES

<https://www.latimes.com/california/story/2024-12-19/california-weed-cleanup>

GRAND JURY INDICTS 51 IN EAST VILLAGE OPEN AIR DRUG MARKET CRACKDOWN LOCAL – fox 5 kusi – April 25, 2024

<https://fox5sandiego.com/news/local-news/grand-jury-indicts-51-in-east-village-open-air-drug-market-crackdown/>