

de la Guerra, Sheila



Group 2

#3

From: Lillian Clary <mzlil2988@gmail.com>
Sent: Saturday, March 9, 2019 2:02 PM
To: sbcob
Cc: Renee O'neill; Lil Clary
Subject: Public Comment for Agenda Item 19-00163 (Hoops Ordinance) March 12, 2019
Attachments: Hoop Ordinance 3 12 19.docx

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Attached please find public comment from the Tepusquet Canyon Crisis Committee regarding the Hoops Ordinance.

We would appreciate your sharing it with the Board.

Thank you.

Lil Clary for the Tepusquet Canyon Crisis Committee

Hoop Ordinance 3 12 19 Agenda Item 19-00163

The Tepusquet Canyon Crisis Committee strongly supports the continued prohibition of electricity and other utilities in the ordinance. Night lighting of hoop structures and noise from generators is not compatible with rural areas of Santa Barbara County. Neighbors have experienced constant lighting in hoops where cannabis is grown and despite repeated complaints see the same sites operating with night lighting. Others have reported generator noise 24/7. The topography of this canyon is such that even sites that are not visible create substantial noise.

Further we ask that the proposed language in section C.3.a.(2) be amended to include propane as one of the prohibited utilities. Residents of Tepusquet Canyon are reporting deliveries of multiple propane tanks to grow sites for heating. Propane is a huge fire hazard and we are in the state's highest fire hazard category. Our experience with cannabis operators is that there is a strong risk of improper use and storage of these tanks.

In addition we support amending the latest proposed version of the ordinance to reduce the slope density to 10%. The possibility of erosion leading to landslides is of major concern in more mountainous rural areas. Unfortunately many grow sites in Tepusquet have already been extensively graded (most without permits) so it may be difficult to carry out the intent of this section. As with the Thomas and Whittier fires, the Alamo Fire is a gift that keeps on giving: each rain storm creates mud slides that close Tepusquet Road. When you consider the topography in this canyon and the risks created by grading, the slope density issue could be a matter of life and death.

We are very pleased to see that the ordinance contains language (Section C.1) that refers cannabis operators directly to the cannabis land use ordinance for additional requirements and development standards. This ensures that no one is able to claim ignorance of these additional requirements or to muddy the water legally with claims of ambiguity.

Finally, we want to let the Board know that we support our neighbors throughout the county in their concerns about the visual impact of hoop structures. In just the last two years the increase in hoop structures makes this county look like it is paved in white plastic. This county has a well developed tourist industry based on our scenery, our wineries, and our reputation as a world class destination. Please note that Tepusquet Road is used by bicycle tour groups, classic automobile clubs and others. The Amgen tour has used Tepusquet as one of the stages in the race. We understand the importance of the county's visual landscape.

de la Guerra, Sheila

From: Barak Moffitt <filmosound@me.com>
Sent: Monday, March 11, 2019 11:58 AM
To: sbcob
Subject: 19-00163

Categories: Public Comment

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hoop Ordinance 3 12 19 Agenda Item 19-00163

We strongly supports the continued prohibition of electricity and other utilities in the ordinance. Night lighting of hoop structures and noise from generators is not compatible with rural areas of Santa Barbara County. Neighbors have experienced constant lighting in hoops where cannabis is grown and despite repeated complaints see the same sites operating with night lighting. Others have reported generator noise 24/7. The topography of this canyon is such that even sites that are not visible create substantial noise.

Further we ask that the proposed language in section C.3.a.(2) be amended to include propane as one of the prohibited utilities. Residents of Tepusquet Canyon are reporting deliveries of multiple propane tanks to grow sites for heating. Propane is a huge fire hazard and we are in the state's highest fire hazard category. Our experience with cannabis operators is that there is a strong risk of improper use and storage of these tanks.

In addition we support amending the latest proposed version of the ordinance to reduce the slope density to 10%. The possibility of erosion leading to landslides is of major concern in more mountainous rural areas. Unfortunately many grow sites in Tepusquet have already been extensively graded (most without permits) so it may be difficult to carry out the intent of this section. As with the Thomas and Whittier fires, the Alamo Fire is a gift that keeps on giving: each rain storm creates mud slides that close Tepusquet Road. When you consider the topography in this canyon and the risks created by grading, the slope density issue could be a matter of life and death.

We are very pleased to see that the ordinance contains language (Section C.1) that refers cannabis operators directly to the cannabis land use ordinance for additional requirements and development standards. This ensures that no one is able to claim ignorance of these additional requirements or to muddy the water legally with claims of ambiguity.

Finally, we want to let the Board know that we support our neighbors throughout the county in their concerns about the visual impact of hoop structures. In just the last two years the increase in hoop structures makes this county look like it is paved in white plastic. This county has a well developed tourist industry based on our scenery, our wineries, and our reputation as a world class destination. Please note that Tepusquet Road is used by bicycle

tour groups, classic automobile clubs and others. The Amgen tour has used Tepusquet as one of the stages in the race. We understand the importance of the county's visual landscape.

The Moffitt Family

de la Guerra, Sheila

From: Sharyne Merritt <professormerritt@gmail.com>
Sent: Monday, March 11, 2019 1:47 PM
To: sbcob; sbcob
Subject: documents for 3 12 19 Board of Supervisors
Attachments: bos 3 12 19 Merritt.docx; BoS 3 12 19 supporting spreadsheet.xlsx

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

please distribute and put into project file

March 12, 2019

RE: Hoop Structures Ordinance Amendment Program Environmental Impact Report

Honorable Members of the Board of Supervisors

The following information indicates that the Board should remove cannabis from the hoop permit exemption provided in the Hoop Structures Ordinance and recirculate the EIR.

First, there is evidence that the EIR did not use the best available data at the time and as such, many of its conclusions may be suspect. Second, there is significant additional data that indicates the EIR should be changed and recirculated.

In the project description, the Hoop EIR estimates 67 acres of cannabis production in hoop structures for cumulative impacts.

The data for deriving this estimate is the Cannabis EIR's estimate that the demand for new cannabis canopy coverage could be approximately 730 acres. The Hoops EIR goes on to assert that 9.2 percent of the 730-acre estimated increase in cannabis production or 67 acres would be grown in hoop structures.¹

This number cannot be used as an estimate for the Hoop EIR. The Cannabis EIR estimated that

“57 percent of the cultivation occurs primarily under mixed- light conditions, inside greenhouses **or agricultural hoop-houses**, while approximately 41 percent occurs primarily **outdoors** under direct sunlight with minimal or no supplemental artificial lighting.”²

Estimating hoop growth from cannabis as 9.2 percent of future cannabis cultivation invalidates the Hoop EIR.

In addition, permit applications for outdoor cultivation of cannabis are available and provide evidence that the numbers used in the EIR grossly underestimate the magnitude of cannabis cultivation in hoops and subsequent cumulative impacts.

Currently, permit applications have been made for at least 688.7 acres of outdoor cannabis cultivation.³ **Over 10 times** the number used in the Hoop EIR. (This 688.7 acres is outdoor cultivation only and does not include mixed-light or indoor cultivation, nor applications for nursery, manufacturing, testing, distribution, retail, or microbusiness.)

1

http://longrange.sbcountyplanning.org/programs/Hoop%20Structures/PDF%20Files/Final%20EIR/Final%20Program%20EIR_Hoop%20Structures%20Ordinance%20Amendment.pdf P 2-10

2

http://longrange.sbcountyplanning.org/programs/cannabis/Environmental/FEIR/Santa%20Barbara_Cannabis_FEIR-Volume%202.pdf p. 2-24 emphasis added

³ Spreadsheet attached

In addition, CalCannabis data identifies an additional 264 acres of active temporary licenses for small and medium outdoor cultivation in Santa Barbara County for which county permits have yet to be applied.⁴ If all of these license holders apply for county permits, the number of acres of cannabis that could be cultivated in hoop structures rises to 952 acres, **over 14 times** the number used in the Hoop EIR

The Hoop EIR states that as of 2015 (prior to the County Cannabis Ordinance passing) there were 1480 hoop structures in the county.⁵ If hoops used for cultivation of cannabis are included that number increases 60 percent.

These data invalidate the EIR if it includes cannabis. For the ordinance to be based on the EIR, hoops for cultivation of cannabis must be eliminated from the ordinance and the EIR recirculated.

I respectfully request that the Board direct Staff to remove cannabis from the permit exemption and recirculate the EIR.

Thank you for your consideration

⁴ <https://aca6.accela.com/CALCANNABIS/Cap/CapHome.aspx?module=Licenses>

⁵ p 2-9

CANNABIS CULTIVATION PERMIT APPLICATIONS: OUTDOOR/HOOPS ONLY

			acres
18CUP-00000-00019	WATKINS/PHOENIX	131-090-076	5.4
18CUP-00000-00030	CARDENAS	129-020-070	17.0
18CUP-00000-00032			
18DVP-00000-00009	HERBAL ANGELS	099-090-006	15.0
18DVP-00000-00010	JONATA PARK GROWERS	099-610-002	0.6
18LUP-00000-00275	AMERICAN REAL ESTATE	099-220-017	70.0
18LUP-00000-00303	MUSCIO	099-080-007	0.9
18LUP-00000-00307	SADIQ	147-030-024	0.2
18LUP-00000-00351	SANTA RITA VALLEY AG	099-230-012	37.0
18LUP-00000-00355	HIGH MEADOWS	099-610-005	5.9
18LUP-00000-00356	HIGH MEADOWS	099-060-021	3.9
18LUP-00000-00387	HBH Hartman	067-020-013	0.9
18LUP-00000-00463	JOLLY FARMS	149-180-010	4.5
18LUP-00000-00496	BUSY BEES ORGANICS	099-240-072	18.0
18LUP-00000-00525	SIERRA BOTANICALS	083-430-015	2.3
18LUP-00000-00526	CHIPS 18 INC	099-030-058	60.0
18LUP-00000-00528	COASTAL GREENS	147-090-055	5.0
18LUP-00000-00529	AG ROOTS	083-150-011	30.8
18LUP-00000-00532	COYOTE HILLS	141-250-033	32.0
19LUP-00000-00011	HACIENDA	141-121-041	15.0
19LUP-00000-00015	TIERRA TAMBOR	099-170-023	147.0
19LUP-00000-00080	HEIRLOOM VALLEY	83-160-003	45.0
19LUP-00000-00069	LION EYE FARMS	099-170-024	12.0
19LUP-00000-00050	CASTLEROCK	099-230-011	19.7
18DVP-00000-00013	805 AG HOLDING	131-100-005	4.4
19CUP-00000-00006	806 AG HOLDING	131-090-079	11.2
19DVP-00000-00012	807 AG HOLDING	131-090-079	0.9
19DVP-00000-00006	808 AG HOLDING	131-090-027	0.8
18CUP-00000-00040	809 AG HOLDING	131-200-021	0.3
19DVP-00000-00011	CENTRAL COAST AGRICULTURE	083-150-013	48.0
19DVP-00000-00010	CENTRAL COAST AGRICULTURE	083-180-007	35.0
19LUP-00000-00064	WEST COAST FARMS	099-240-067	40.0
	total		688.7

STATE - NOT APPLIED FOR COUNTY PERMITS - SMALL OUTDOOR ONLY

Cameron	08328001	1.0
bdz	099-220-017	30.5
BMI Group Inc	099-330-004, 099-060-006, 099-060-011	1.0
Canna Rios LLC	129-040-010	4.1

Canna Rios LLC	129-040-011	1.0
Castlerock Family Farms II	099-230-034	6.5
Dionysus Management Company	099-370-007	3.1
Excellent Gardens Inc.	131-070-039	1.0
Fusion Development Company, LLC	131-070-045	3.7
Gaviota Givings, LLC	081-230-021	1.0
GoodLand Farms, LLC	077-030-004	2.7
Herrera Poswillla Farms	128-098-036	16.2
Highly Natural LLC	099-330-004, 099-060-006, 099-060-011	1.2
Hillside Habits	099-350-001	1.0
Inside Organics LLC	133-110-039	1.0
Iron Angel II, LLC	083-150-006	62.0
Mr. Nice Guy, LLC	133-070-039	3.1
Olivella, Inc.	155-180-069	1.2
San Antonio ranch 101, LLC	099-640-003	0.9
Santa Rita Holdings Inc.	099-110-060	6.7
SBGL	099-210-055	1.2
Stankford Genetics	131-190-007	1.0
Sweeney Management LCC	099-150-060	2.3
The Price Ranch, LLC	133-130-036	4.7
White Light Farms	077-030-004	38.1
White Light Farms	079-100-016	1.9
Cameron	08328001	1.0
Hochschild	129260030	1.2
Hartley canyon organics	079-070-057	0.9
Naidenoff	083-280-022	2.0
agazaryan	099-060-011, 099-060-006, 099-330-004	1.2
Huang	099-150-060	6.1
Long/Lion eye	099-170-024	4.2
Falstrom	099-190-069	3.3
Osborne	099-230-025	1.0
Baljian	099-330-004, 099-060-006, 099-060-011	1.6
Agazaryan	099-330-004, 099-060-006, 099-060-011	1.5
Emerson	099-340-007	1.0
Ethridge	133-130-009	1.0
Robertson	137-710-013	1.0

Kaufman/rancho lake

141-250-033

38.9

total

264.1

de la Guerra, Sheila

From: Lisa Bodrogi <lisa@cuvee.me>
Sent: Monday, March 11, 2019 2:24 PM
To: sbcob
Subject: Hoop Ordinance Comment Letter
Attachments: FinalHoopLtr.docx; Screen Shot 2019-03-11 at 1.42.47 PM.png; AttachmentB.pdf

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

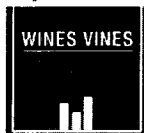
Please make available to the Board my enclosed Letter and Attachments for Item #4 of the March 12th Board Meeting.

Kindly,

Lisa Bodrogi
Land Use & Public Relations Consultant
PH: 805-937-8474 Cell: 805-260-2461
e-mail: lisa@cuvee.me
website: www.cuveeconnections.net



A Special Blend of High Quality
Connecting Clients with their Vision



April 2013 Issue of *Wines & Vines*

[SUBSCRIBE](#) »



Commercial Establishment of High Tunnels

Part II in a series about the usefulness of hoop houses in eastern North America

by Richard Carey

In the previous article about growing high-quality grapes in a covered environment (see "Beating Mother Nature at her Own Game" in the March 2013 issue of *Wines & Vines*), I presented evidence that winegrape quality was more than sufficient to examine the business/financial and physical aspects of growing grapes in a three-season tunnel.

Can a high tunnel pay for itself?

The simple answer to whether a high tunnel can pay for itself is that, in many environments, it may take up to three years—or it might take one day. Most growers use tunnels to mitigate or lessen some form of environmental upset that occurs at a vineyard location on too regular a basis, such as early or late frosts or too much rain.

Grapegrowers should assess their vineyards from a financial standpoint: How often is there a spring frost event at the wrong time? How often is there a vineyard loss of 50% of the fruit for the year? If a grower is harvesting high-value crops with an average price of \$2,000 or more per ton, the annual return per acre is \$8,000 or more. A 50% loss means the grower turned over cash but did not make any money, with the intangible loss of a year of his or her life working to produce high-quality fruit. With grapes, a grower can't make up the difference the next year by increasing the vineyard's yield.

There is also the possibility that the grower will lose not only the current year's profit but also have additional costs for rebuilding the vineyard for several years after the event. If a spring frost wipes out a season of production, averting one catastrophic loss could potentially pay for the tunnel.

However, if the business includes both a vineyard and a winery, then the loss is magnified by the value these crops provide to the winery's bottom line. To the farmer the loss is \$4,000 per acre, but for the winery side of the business, that loss represents about 100 cases of wine, or the equivalent of least a \$24,000 drop in revenue. The more important that particular wine is to the winery's bottom line, the more significantly that number can increase.

Attachment B

SANTA BARBARA COUNTY CODE - CHAPTER 35 - COUNTY LAND USE & DEVELOPMENT CODE

Agricultural Zones

35.21.030

<p>Table 2-1</p> <p>Allowed Land Uses and Permit Requirements for Agricultural Zones</p>	<p>E Allowed use, no permit required (Exempt)</p> <p>P Permitted use, Land Use or Coastal Permit required (2)</p> <p>MCUP Minor Conditional Use Permit required</p> <p>CUP Conditional Use Permit required</p> <p>S Permit determined by Specific Use Regulations</p> <p>— Use Not Allowed</p>									
LAND USE (1)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center; padding: 2px;">PERMIT REQUIRED BY ZONE</th> <th rowspan="2" style="text-align: center; padding: 2px;">Specific Use Regulations</th> </tr> <tr> <th style="text-align: center; padding: 2px;">AG-I</th> <th style="text-align: center; padding: 2px;">AG-I CZ</th> <th style="text-align: center; padding: 2px;">AG-II</th> <th style="text-align: center; padding: 2px;">AG-II CZ</th> </tr> </table>	PERMIT REQUIRED BY ZONE				Specific Use Regulations	AG-I	AG-I CZ	AG-II	AG-II CZ
PERMIT REQUIRED BY ZONE				Specific Use Regulations						
AG-I	AG-I CZ	AG-II	AG-II CZ							

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	35.42.020
Agricultural processing - On-premise products	P	P	P	P	35.42.040
Agricultural processing - Off-premise products	—	CUP	CUP	CUP	35.42.040
Agricultural processing - Extensive	—	—	CUP(3)	—	35.42.040
Animal keeping (except equestrian facilities, see RECREATION)	S	S	S	S	35.42.060
Aquaculture	—	—	CUP	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	E	E	E	E	
Grazing	E	E	E	E	
Greenhouse	P	P	P	P	35.42.140
Mining - Agricultural soil export	—	—	MCUP	—	35.82.160
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining- Surface, less than 1,000 cubic yards	P(4)	CUP	P(4)	P	35.82.160
Mining- Surface, 1,000 cubic yards or more	CUP	CUP	CUP	P	35.82.160
Oil and gas uses	S	S	S	S	35.5
Winery	S	—	S	CUP	35.42.280

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Composting facility	MCUP	—	MCUP	—	35.42.100
Fertilizer manufacturing	—	—	CUP(3)	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Country club	CUP	—	CUP	—	
Equestrian facilities	CUP	CUP	P	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	
Golf course	CUP	CUP	CUP	CUP	
Golf driving range	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	—	CUP	—	
Meeting facility, religious	CUP	CUP	CUP	CUP	
Museum	CUP	—	CUP	—	
Rural recreation	—	—	CUP	CUP	35.42.240
School	CUP	CUP	CUP	CUP	
School - Business, professional or trade	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	

Key to Zone symbols

AG-I	Agriculture I	CZ	Coastal Zone
AG-II	Agriculture II		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.21.030.C.
- (3) Use limited to areas designated on the Land Use Element Maps with the "Agricultural Industry overlay."
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

de la Guerra, Sheila

From: Bubba Hines <bubbahines25@gmail.com>
Sent: Monday, March 11, 2019 2:36 PM
To: sbcob
Subject: Hoop Houses

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Board of Supervisors,

Please limit hoop house structures FOR CANNABIS ONLY to 67 acres (9.2% OF TOTAL EXPECTED FUTURE INCREASE IN CANNABIS) throughout the County of Santa Barbara as estimated in the 2017 EIR report.

Require a Land Use Development permit to receive a portion of the 67 acres permissible for hoop house structures FOR CANNABIS ONLY. This will allow the County to control the acres of cannabis under hoops.

Hoop structures are NOT required for the cultivation of outdoor cannabis and SHOULD BE PROHIBITED...however, if requested...a County limit of 67 acres of hoops...spread throughout the County would be consistent with the EIR.

Do not permit cannabis cultivation hoop structures in locations that can be seen from public right of ways, or public places...regardless of landscaping, or, those that effect residences and businesses nearby.

Cannabis Hoop Structures should be treated like a normal building structure...with aesthetics an important as any other building requirement.

THANK YOU,

I am a landowner in AG II Santa Rita Hills