

#4

de la Guerra, Sheila *Public Comment Group 2*

From: Marshall Miller <mmillergov@gmail.com>
Sent: Monday, September 13, 2021 3:50 PM
To: sbcob
Subject: Slides for my comments tomorrow
Attachments: Comments on Cannabis.pptx



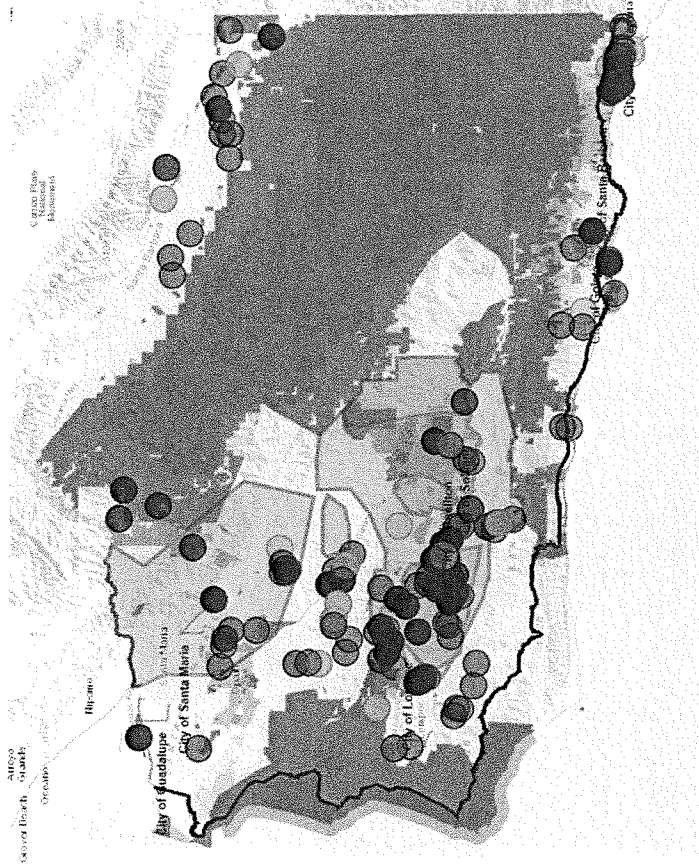
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Marshall Miller, Board Member
mmillergov@gmail.com



Permit Revisions

Focus on how projects change



- 13 Orange Dots
- 6 have processed permit revisions

Permit Revisions

1 CHIPSIS8, LLC

- 19RVP-00000-00111 19-Nov
- 20RVP-00000-00013 20-Apr
- 20RVP-00000-00090 44368

2 CHISAN ORCHIDS NURSERY

- 20RVP-00000-00048 20-Jul
- 21RVP-00000-00021 21-Jul

3 HEALY & ASSOCIATES LLC

- 20RVP-00000-00065 20-Sep

4 THOMPSON, LINDA J TRUST

- 21RVP-00000-00007 21-Feb

5 IN DA CUT

- 20RVP-00000-00001 20-Feb

6 SIERRA BOTANICALS, LLC

- 21RVP-00000-00026 21-Apr

CHIPS18, LLC Adding Acreage

- 18LUP-00000-00526 19-Apr
- 19RVP-00000-00111 19-Nov
- 20RVP-00000-00013 20-Apr
- 20RVP-00000-00090 21-Jun

9	EVO Gardens, LLC	2300 Santa Barbara Canyon Rd, Ventucopa, 93252	05/22/20	1	2.06	Pending	1,417.33
10	TSBC Ranch, LLC	2500 Artesia Ave, Lompoc, 93436	06/16/20	3	14.64	14.64	1,402.69
11	Fields, LLC	2460 Hwy 135, Los Alamos, 93440	06/17/20	4	49.00	49.00	1,353.69
12	Castlerock Family Farms II, LLC	2200 W Hwy 246, Buellton, 93427	08/28/20	3	22.95	Pending	1,330.74
13	Santa Barbara Westcoast Farms, LLC	1800 HWY 246, Buellton 93427	05/13/21	3	50.12	50.12	1,280.62
14	San Antonio Ranch 101, LLC	2051 N Hwy 101, Buellton, 93427	05/13/21	3	4.62	Pending	1,276.00
15	Santa Barbara's Finest, LLC	9676 Harvest Rd, Los Alamos, 93440	05/14/21	3	8.69	8.69	1,267.31
16	Chips 18, Inc (modification)	3700 State Hwy 135, Los Alamos, 93455	05/18/21	4	0.29	Pending	1,267.02
17	Central Coast Ag Farming, LLC	5645 Santa Rosa Rd, Lompoc, 93436	05/18/21	4	24.45	Pending	1,242.57
18	Central Coast Ag Farming, LLC	3701 Santa Rosa Rd, Buellton, 93427	05/18/21	3	29.78	Pending	1,212.79
19	Cuyama Farms, LLC	2225 Foothill Rd, Cuyama, 93254	06/15/21	1	34.70	Pending	1,178.09
20	Organic Liberty Santa Barbara, LLC	5665 Campbell Rd, Lompoc, 93436	06/16/21	4	42.00	Pending	1,136.09
21	Greenies Management, LLC	801 E Hwy 246, Lompoc, 93436	06/29/21	4	4.93	Pending	1,131.16

Conclusions

Concerns

Lack of transparency

Lack of appeal

Are the “dirty” parts coming later

de la Guerra, Sheila

From: Alex Kardos <elevatedconsultingca@gmail.com>
Sent: Monday, September 13, 2021 4:33 PM
To: sbcob
Subject: Item #- 21-00810
Attachments: Alex-SB-County-Letter.pdf; ATT00001.txt

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.

Dear Santa Barbara County Supervisors ,

Thank you for your time , and all of the hard work that you have put into this cannabis program over the years . As you know - the regulated cannabis industry is complex and the projects take a lot of time to go through the process.

I have been in the cannabis industry for almost 15 years now (starting as a budtender at one of the first shops in LA - The Farmacy) and have seen a lot of municipalities try and decide whether or not to regulate cannabis . If a county or a city did want to regulate the commercial cannabis industry , they would spend lots of time and resources trying to get it right .

I'm pretty sure that the intentions of the program were honorable , but like any ordinance in this new and unique industry it was somewhat flawed . To create a cap where a couple of companies can get approved for of 10% of the allowed acreage to cultivate is simply not equitable .

My suggestion is to remove the cap entirely, and allow every project that is in the que to go through all of the hoops in order for them to bring jobs and tax revenues to the county.
Thank you for you time .

All the best ,

Alex Kardos
Elysian Harvest

de la Guerra, Sheila

From: GinaLisa Tamayo <GinaLisa.Tamayo@jfwmail.com>
Sent: Monday, September 13, 2021 5:00 PM
To: sbcob
Subject: Public comment Re: Item D4 on Sept 14 agenda
Attachments: Public comment Board of Supervisors091421_Katie Jackson.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.

Hello,

Pleased see attached letter to be entered into the record for tomorrow's Board of Supervisor's meeting. Re: Item D#4 on the agenda.

Thank you,

GINALISA TAMAYO |Government and Regulatory Relations Manager

o: 707.525.6578 | c: 707.321.9158
ginalisa.tamayo@jfwmail.com
www.JacksonFamilyWines.com





Santa Barbara County Board of Supervisors

105 E. Anapamu St, Fourth Floor

Santa Barbara, CA 93101

September 13, 2021

RE: Public Comments: Item D #4: Cannabis Permitting Ordinance Amendments

Board of Supervisors:

Hello – my name is Katie Jackson, and I am a second-generation vineyard and winery owner. My family has had the privilege of owning and farming wine grapes in Santa Barbara County since 1986. I had the honor of addressing you two years ago, as the County was considering policies that would minimize neighbor-to-neighbor conflict, specific to cannabis growing and traditional agriculture farming. Thank you to the Board for continuing to provide staff direction on this important issue.

We also appreciate the Planning Commission's due diligence in reviewing each cannabis permit application thoroughly to achieve the best possible outcome. As we are all aware, there are several challenges to the amicable co-existence, within close proximity, of traditional crops farmers and cannabis growers. Many of the challenges may be resolved over time as the science and data are developed that inform about the odor and terpene concerns of traditional agriculture and the potential spray drift impacts to cannabis growers.

We appreciate the Board's consideration of the following recommendations to minimize environmental impacts and the potential for neighbor-to-neighbor conflicts.

- Require applicants for growing cannabis to obtain and maintain a valid cannabis conditional use permit (CUP). A conditional use permit will allow the County to consider uses that are considered appropriate but are not a matter of right. A conditional use permit will also provide flexibility while providing additional management opportunities by the County to manage and minimize neighbor-to-neighbor conflict.
- The adoption of an adaptive management component for inclusion in all new cannabis grow permits. Adaptive Management is commonly used by federal, state and local agencies to improve the management of resources and minimize the impacts of permitted activities while providing the following benefits:
 - *Alignment of permits with the County's Agricultural Policy Element Goals*
 - *Addressing impacts to water availability within specific groundwater basins - this is critical as groundwater basins are subject to the Sustainable Groundwater Management Act (SGMA) which requires planning to sustainably manage groundwater levels and quality for the next 50 years*
 - *Addressing impacts to air quality – this is also critical as data indicates VOC emission from cannabis grows can lead to the formation of ozone, VOCs and particulate matters*



- The adoption of a 500'+ setback from the property line for outdoor grows. The current 50' setback is inadequate given the concerns around spray and terpene drift. We are pleased to see neighbors working together to negotiate setbacks of 500 or more feet that work for both parties. However, not every neighbor is as willing.
- The requirement of odor abatement plans. This would assist in the elimination of nuisance odor emissions from being detected offsite.

We stand ready to work with the community, the Planning Commission and the Board of Supervisors to find workable solutions that will address environmental concerns and the impacts to traditional agriculture, while continuing to support cannabis farmers.

Again, we thank you for the opportunity to provide comments on this important issue. And we appreciate the efforts you are making to find common ground to protect the long-term viability of agriculture in Santa Barbara County.

Sincerely,

Katie Jackson

SVP, Corporate and Social Responsibility

Jackson Family Wines

de la Guerra, Sheila

From: TROY WHITE <twhite@twlandplan.com>
Sent: Monday, September 13, 2021 4:56 PM
To: sbcob
Subject: BOS Departmental Item #4 (21-00810)
Attachments: LTR-Cannabis-CapConcerns-TW-Land-PD-2021-09-13.pdf

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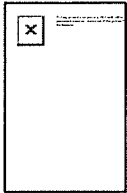
Dear BOS Staff:

With respect to the request that the BOS provide any other direction to staff regarding the County's cannabis program, we offer the attached comment letter in support of an expansion of the Inland area cap to allow existing applicants to obtain licensure.

Most sincerely,

Troy A. White, AICP

PRINCIPAL



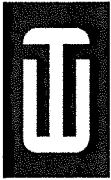
TW LAND PLANNING & DEVELOPMENT, LLC

SANTA BARBARA · SANTA MARIA/ ORCUTT · VENTURA

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SANTA BARBARA
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Santa Barbara, CA 93101

SANTA MARIA/ORCUTT
195 S. Broadway Street, Suite 209
Orcutt, CA 93455

September 13, 2021

Chairman Bob Nelson
Santa Barbara County Board of Supervisors
Board of Supervisors, 4th Floor
105 East Anapamu Street
Santa Barbara, CA 93101

VIA EMAIL

SUBJECT: Cannabis Cultivation Acreage Cap

Dear Chair Nelson and Supervisors:

TW Land Planning & Development, LLC, currently represents several clients relative to their applications for cannabis outdoor cultivation/ processing/ nursery within the Inland areas (Lompoc and Buellton) of the County. Most of our clients have been in the permit process for since 2018-2019 and have been working diligently towards permit approvals. Because many of these applications are subject to Conditional Use Permits (CUP) and require Planning Commission (PC) review, it appears quite likely that the 1,575-acre Inland area cap will be closed by the time most CUP applications are presented for review and approval by the Planning Commission. We ask that the Board of Supervisors consider *expanding* the Inland area cannabis cultivation acreage cap to allow those applicants already in the permit process to obtain licensure.

While the CEO Cannabis Team and P&D staff have been doing an excellent job in managing the multiple cannabis applications that are before them, there remain many worthy cannabis projects that warrant the County's consideration and approval.

As a seasoned planning practitioner, I can attest that the processing of CUPs is always complex and time-consuming, weather a project is related to the request for cannabis cultivation, a winery, or a guest ranch. The hardworking staff from the County CEO's Office and P&D's Development Review division have made tremendous efforts to facilitate the licensing and permitting process, but our experience has been that the longer an application is under review (which is typical for CUPs), new issues seem to emerge which require months of internal review, project revisions, and negotiations in order to arrive at appropriate solutions. These emerging issues have been compounded, unfortunately, by the threat of appeals, staff turnover, and a need to increasingly coordinate with state/ federal agencies to ensure project consistency under differing regulations.

Santa Barbara County Board of Supervisors
Cannabis Cultivation Acreage Cap
September 13, 2021
Page 2 of 2

As you might imagine, cannabis applicants have made substantial investments in land, water wells, infrastructure, and cannabis permit applications, in many cases prior to changes in County policy which established the cap, CUP requirements, 50' setbacks, etc.

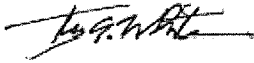
We should try to provide every opportunity to allow the best projects to move forward.

We ask that you seriously consider this issue and direct staff accordingly.

The cannabis industry looks forward to your support and thoughtful deliberations.

Should you wish to discuss these topics further and/or require any additional information, please do not hesitate to give me a call at (805) 698-7153. I may also be e-mailed at twhite@twlandplan.com.

Most sincerely,

A handwritten signature in black ink, appearing to read "Troy A. White". The signature is written in a cursive, flowing style with a horizontal line extending to the right.

Troy A. White, AICP
Principal

de la Guerra, Sheila

From: Tyler Thomas <tyler@dierbergvineyard.com>
Sent: Monday, September 13, 2021 5:12 PM
To: sbcob
Subject: Board Hearing Agenda Item 4 relating to Cannabis

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.

For tomorrow's hearing. Hoping being 8 minutes late doesn't hurt me.

Dear Board of Supervisors,

I appreciate the discussion surrounding cannabis and its potential to impact winery and vineyard business through aroma intrusion in the Sta. Rita Hills. It is my understanding a large portion of the total acreage cap is concentrated in the Sta. Rita Hills where we have some of our most profitable and well established winery businesses. Businesses that have helped Santa Barbara County - writ large - gain international recognition for its wines.

On behalf of the Dierberg Family we support smaller acreage caps on Ag II parcels and increased distance from property boundaries and/or classifying wineries as sensitive receptors and increasing distance from those sensitive receptors. Much of this could be accomplished through a CUP and frankly, it should be considered county wide. If the last few years have taught us anything it is that when it comes to potential agriculture conflicts due to pesticide drift or aroma impacts on other businesses, unlimited sized grows had difficult to mitigate impacts (within the current ordinance) that the Board underappreciated. Making a CUP required will open the way to mitigate these impacts.

Finally, I'd like to note that this note was slightly tardy and hastily written in part because you are holding a hearing on a topic completely relevant to our business during our absolute busiest time of the year. I hope you forgive its brevity and any lack of clarity and engage us in meaningful discussions on how to protect the millions of capital we've poured into this county and 1.7 billion in added value each year. Best regards,

--
Tyler Thomas
Star Lane • Dierberg Vineyards
President • Winemaker
805.697.1454 (winery direct)
805.245.3484
"Keep fermenting" - Someone

de la Guerra, Sheila

From: zahid sadiq <zidi05@gmail.com>
Sent: Monday, September 13, 2021 9:48 PM
To: Ramirez, Angelica
Cc: sbcob
Subject: Re: Provisional Cannabis Licenses

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.

Good evening,

Your email just came through after 5:00 PM. If you could please include my comments and following questions for the Sept 14th meeting.

So my first question is where is the current tax revenue coming from if there are only 29 business licenses issued and most farms are not even yet operational. Are the revenue coming from non-conforming provisional licenses and what \$ amount is from the business license holders and what \$ amount from the others.

Second, When are non-conforming provisional licenses expiring for the farms in the county. In reading the 50-5 (b) There is no time limit set by the CEO office as to how long they can continue to operate without completing and complying with the business license requirements. It has already been three years since the cannabis ordinance was in place. What does "timely" even mean? As written it is very vague. Is three years not enough to comply? Unless a set time is identified to comply, the county is complicit in helping these operations thrive under the disguise of paperwork thus encouraging unfair competition. When will the county take a hard and fast stance and give a set date to comply. Or you would rather let them slide until 2023 when large licenses will become available for these farms to apply for.

In comparison, Our small outdoor farm has in two years three compliance inspections, two business license inspections, multitude of agencies and departments inspections, for just a less than 10,000 sq. ft canopy. The cost of these inspections are in thousands of dollars and billable hours are excessive. Just the last inspection had 7.5 billable hours. When the P&D has all the paperwork on file from the two years of inspections. Why does it take 3.5 hours to review paperwork? I agree travel time should be billed for time travel from the Santa Maria office but 7.5 hour is excessive. While on the subject, so far no one has even given an accounting for fees charged for business license renewal. Who gets interest on the deposits on hold?

Thank you for your time.

On Mon, Sep 13, 2021 at 4:57 PM Ramirez, Angelica <aramirez@countyofsb.org> wrote:

Good afternoon,

If you wish to bring the below item up during tomorrow's meeting, the following methods of participation are available:

1. You may observe the live stream of the Board meetings in the following ways:

- Televised in English and Spanish (SAP channel via Comcast and Cox) on local cable channel 20;
- Online at: <http://www.countyofsb.org/ceo/csbtv/livestream.sbc> ; and
- YouTube at: <https://www.youtube.com/user/CSBTV20>

2. If you wish to provide public comment, the following methods are available:

- **Distribution to the Board of Supervisors** - Submit your comment via email prior to 5:00 PM on the day prior to the Board meeting. Please submit your comment to the Clerk of the Board at: sbcob@countyofsb.org. Your comment will be placed into the record and distributed appropriately.
- **Attend the Meeting In-Person** - Individuals are allowed to attend and provide comments at the Board meetings in-person. Please note: If you attend the Board meeting in-person, you will be required to wear a face covering or mask at all times regardless of vaccination status.
- **Attend the Meeting by Zoom Webinar** - Individuals wishing to provide public comment during the Board meeting can do so via Zoom webinar by clicking the below link to register in advance.

Register in advance for this meeting:

https://countyofsb.zoom.us/webinar/register/WN_55_k6WnUTJG_N2xbvShp2A

If you could please indicate what portion of the meeting you are commenting on, for example, General Public Comment (items not listed on the agenda), Departmental Item #4. If you wish to comment on Cannabis Compliance, Enforcement, and Taxation for Fiscal Year (FY) 2020-2021 than please state you are comment on Departmental Item #4. If you have any questions please feel free to contact us.

Kind regards,

Angelica Ramirez

Clerk of the Board of Supervisors

County of Santa Barbara

105 E. Anapamu Street, Suite 407

Santa Barbara, CA 93101

t: 805.568.2240

aramirez@countyofsb.org



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From: zahid sadq <zidi05@gmail.com>
Sent: Monday, September 13, 2021 10:12 AM
To: sbcob <sbcob@co.santa-barbara.ca.us>
Subject: Provisional Cannabis Licenses

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.

Hello,

How can I get the board to discuss publicly concessions given to provisional cannabis licenses. It has been three years since county resolution on cannabis and most farms are still operating without County Business Licenses.

Please let me know the procedure as none of the board members have responded to my email of August 13th.

Thanks