



Group 2 #1

de la Guerra, Sheila

From: Margarita Martinez <Margarita@glasshousefarms.org>
Sent: Monday, January 28, 2019 10:20 AM
To: Adam, Peter; Hartmann, Joan; Lavagnino, Steve; Williams, Das; Hart, Gregg
Cc: Nelson, Bob; Litten, Jefferson; Bantilan, Cory; Elliott, Darcel; sbcob; Bozanich, Dennis; Culver, Mollie
Subject: D1 Public Comment
Attachments: Public Comment D1 Glasshouse Farms Jan 29_gsf.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.

Good morning all,

Please see attached D1 Public Comment Letter for Glass House Farms

Thank you,



Margarita Martinez
 Director of Human Resources
 M: (805) 512-4971
 E: margarita@glasshousefarms.org
 W: www.glasshousefarms.org



January 28, 2019
Santa Barbara County
105 East Anapamu Street
Santa Barbara CA 93101

Public Comment Agenda Item D1
Opposition to Live Scan Requirement for Agricultural Employees

Honorable Chair and Supervisors,

My name is Margarita Martinez and I am the Director of HR for Glass House Farms, a licensed operator in Carpinteria. Glass House is a member of the CARP Growers – Cannabis Association for Responsible Producers – and we take pride in exceeding local and state standards, responsible operations that are considerate of our neighbors and our community at large. Safety and investment in our workforce are core principals of our company ethos and values.

I have over 16 years of experience in human resources on the Central Coast. I previously worked as the HR Manager for Gills Onions and Rio Farms in Oxnard, where I oversaw 600 + employees.

Cannabis is no different than any other crop, and cannabis farm employers face similar human resources challenges as other agricultural employees. For example, our turnover rate can be as high as 150% in this industry and we struggle with workforce shortages.

We are highly concerned about the County's existing Business License Ordinance requirement which would mandate live scan of all our agricultural employees. The average costs for a live scan run from up to \$100 and can take an average of 2 to 3 weeks to get results. Since we have dozens of employees, this will be another significant cost we would have to incur. What is a live scan? Live scan takes fingerprints, which are digitalized and transmitted to the Department of Justice (DOJ). Then the records are transmitted to the agency requesting the results.

It is highly unusual in any other agricultural industry, or any industry for that matter, to live scan all employees. Since a live scan requires submittal of finger prints into a federal database, this level of review is reserved for executives of the business, not agricultural employees. **We urge your Board to amend this standard and remove the requirement for businesses to live scan all their employees. We support mirroring the existing State requirements which require live scan only for owners, and executives.**

In my experience, the Live Scan requirement could result in a significant loss of our existing workforce. It is unprecedented and unsubstantiated to require agricultural employees to submit live scan results into a federal database just to work on a farm in agriculture. It is also out of sync with California State Cannabis Regulations. This requirement will most certainly frighten our employees and make it even more challenging for us to maintain our existing workers.

As a start-up company, in a fragile new industry, this would truly be devastating for our ability to be compliant and also sustainable and successful. Our operation is already facing serious challenges in the form of local permitting timelines and costs, local and state taxes, shortages of licensed distributors and testing labs, implementation of track and trace, and competition with the black market.

Please consider amending this requirement to be consistent with the State, which requires live scan for owners, executives, directors and managers.

Thank you,

Margarita Martinez
Director of HR
Glass House Farms, Carpinteria, CA

de la Guerra, Sheila

From: Ivan Van Wingerden <ivan@ever-bloom.com>
Sent: Monday, January 28, 2019 10:44 AM
To: Adam, Peter; Hartmann, Joan; Lavagnino, Steve; Williams, Das; Hart, Gregg
Cc: Nelson, Bob; Litten, Jefferson; Bantilan, Cory; Elliott, Darcel; sbcob; Bozanich, Dennis; Culver, Mollie
Subject: Public Comment D1

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.

January 25, 2019

Santa Barbara County

105 East Anapamu Street

Santa Barbara CA 93101

Honorable Chair and Supervisors,

Re: D1 Cannabis Regulatory Amendments & Authorization of CEQA for State Provisional Annual Licenses

We support recommended action C – which would authorize the CEO to notify the State that we have submitted Coastal Development Permits, our site-specific CEQA is underway, and we are eligible for a provisional license at the State level. This is imperative for our ongoing compliance at the State level. It cannot be overstated how important this is for our ability to avoid any breaks in compliance.

We do NOT support the existing business license ordinance provision which requires live scan for all employees. We support amending the business license ordinance to live scan only ‘owners,’ as defined by the State. The State definition of ‘owner’ is a person with an aggregate ownership interest of 20 percent or more, the CEO, member of Board of Directors, and anyone who will participate in the direction, control, or management of the business (executives).

We support amending the Business License Ordinance (‘Ordinance’) to be consistent with the State regulations for the following reasons. The existing requirement to live scan all employees is

1. Inconsistent with the State regulations, which only require live scan for owners, and executives. The County’s stated goal at the beginning of the ordinance development process was to be consistent with the State regulations, and not duplicative or redundant.
2. An inefficient use of local resources because the State already conducts a thorough review of applicants’ live scan records. The State will not issue licenses to applicants whose owners’ live scan results show a felony on their record. This process takes many months.

3. Overly burdensome for local businesses, who are already struggling to meet the costs of compliance. Live scanning hundreds of employees will take us months and be very expensive.
4. Likely to exacerbate our already challenging ag employee recruitment and retention issues.
5. Alarming and scary for our employees. Asking them to submit fingerprints into in a federal database in today's federal climate of hostility towards immigrants and those here on temporary work visas is understandably concerning.
6. Unnecessary because we already have extensive internal vetting policies and procedures for onboarding employees. It is in our best interest to ensure our farms are safe, and that our workforce does not present a threat to other workers, or our business in the form of theft or diversion.

Finally, requiring live scan for all employees assumes that employees at cannabis farms are more dangerous, and need more oversight than other agriculture. The goal is to normalize the industry, and not treat it differently than other agriculture. At the majority of farms, the workforce is the same from the previous crops (e.g. flowers, strawberries, etc). This is true in our situation, in which we have kept all the same workforce from our previous cut flower operation

In conclusion, **please amend the Ordinance to only require live scan for owners, as defined by the State.**

Thank you,

Ivan Van Wingerden

de la Guerra, Sheila

From: Michel <mgamja@west.net>
Sent: Monday, January 28, 2019 10:06 AM
To: sbcob
Subject: Cannabis ordinance

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 Board of Supervisors,

Please add my comments to the record in the matter of the Cannabis Ordinance under consideration at the January 29, 2019 meeting of the Board.

1. All parcels of land proposing cannabis activities(grow, process, test, retail etc.) within the County must require a Conditional Use Permit(CUP). This will give the neighbors of any proposed operation an opportunity to vet the business and assess how it will impact their properties which were purchased prior to this land use being proposed for their neighborhood. Notification of all properties within one mile of any parcel applying for a CUP should be required.
2. No commercial cannabis agricultural activity on any parcel of 20 acres or less.
3. Security on all parcels where any cannabis activity occurs must be in keeping with the character of the neighboring properties, ie black plastic sheets and razor wire surrounding a field does nothing for the viewshed as tourists drive through the countryside. **Tourism may come to a screeching halt in the County rural areas if it looks like a series of third world prisons or internment camps dotting the landscape.**
4. Odor control must be required for all cannabis activities, whether indoor or outdoor. No cannabis odors or processing, or testing chemical odors, should be allowed to escape the premises.

Thank you for your consideration in this matter. If any questions arise as to my comments, please call or email me.

Respectfully submitted by,

Mike Adriansen

1301 Cougar Ridge Road, Buellton, Ca 93427, 1-805-453-1944, mgamja@west.net

de la Guerra, Sheila

From: Board Letters
Subject: FW: public comment
Attachments: doc02161920190128113700.pdf

-----Original Message-----

From: Boards, SBC <sbcbboards@co.santa-barbara.ca.us>
Sent: Monday, January 28, 2019 11:37 AM
To: Cuevas, Yesenia <Yesenia.Cuevas@countyofsb.org>
Subject:

TASKalfa 3051ci
[00:c0:ee:3e:6c:5f]

January 27, 2019

Dear Santa Barbara County Board of Supervisors:

RE: Cannabis Hearing to be Held at the Board of Supervisors Meeting, January 29, 2019.

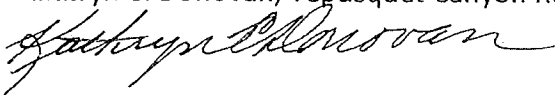
I have been attending meetings regarding the Cannabis Land Use Provisions and pending land use Ordinances that we need in the rural areas of our county.

My comments:

1. CUP'S are required on extensive Cannabis Activities; however, I think Cannabis Cultivation shouldn't require a CUP, it is a farming activity.
2. Cannabis Activities are already existing on AG 1 Properties 10 acres or less.
3. Notice of Applications for Cannabis Activities, should be within 1000 feet of a project or as suggested, within 2 miles of a proposed GROW, in an existing EDRN.
4. Limiting the Size of a Grow per APN seems unrealistic. An APN can be less than 10 Acres to many acres. 1 acre per a 10 acre APN; 1 acre for 100 acre APN, doesn't seem plausible.
5. In Tepusquet the owners are having trouble with sound (from generators) day and night; and, also lighting; the problem is addressed in Item #6 County Recommendations.
6. Odor control where needed; because of location some parcels might not need odor control in the rural areas. During the Land Use Permitting Process this would be addressed on individual applicants.
7. A concern in Tepusquet is hauling water from town to the GROWS in our Canyon, or from one parcel to another. A stipulation might be that the grow has to have their own permitted Water Well for their individual Marijuana Fields. This would alleviate Water Trucks from going up and down the Canyon and also from delivering water from one grow to another.
8. Finally, **enforcement** to shut down illegal operations not in compliance, **is needed**

Thank you,

Kathryn C. Donovan, Tepusquet Canyon Resident



de la Guerra, Sheila

From: Lillian Clary <mzlil2988@gmail.com>
Sent: Monday, January 28, 2019 11:25 AM
To: sbcob
Subject: Written public comment for 1//29/19 meeting
Attachments: Board letter final 1 28 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.

Please distribute the attached document to supervisors and staff and include it in the written public comment for agenda item 19-30085 (Cannabis Amendments)

Thank you.

Lil Clary

January 28, 2019

To: Board of Supervisors
Re: Agenda Item 19-300085 Cannabis Ordinance Amendments
From: Tepusquet Canyon Crisis Committee

Residents of Tepusquet Canyon who have had several years worth of experience with the **negative impact of the cannabis industry on our neighborhood** strongly recommend that

1. The county must correct an omission in the ordinance that creates possible ambiguity regarding the requirement for Conditional Use Permits on AG II properties in our Existing Developed Rural Neighborhood. (This item is detailed in written public comment submitted separately by David Clary.)
2. The county must change Notice requirements of the Planning Department to include what is currently an informal agreement that all property owners in the Tepusquet Existing Developed Rural Neighborhood will receive notice of Conditional Use Permit hearings for cannabis operations before the Planning Commission. This same Notice revision shall apply to other EDRNs in the county.
3. The county must limit the number of cultivation permits issued overall and to each grower.

In addition, residents support the Public Comment Letter signed by other county residents on Needed Regulations and on Staff Recommendations with inclusion of the recommendations listed above.

We very strongly support the points in that letter which recommend

- a. Prohibition of hauling water from off-site locations to cultivation sites.
- b. Caps on the size of cannabis grows to limit indoor grows and to limit outdoor grows to 1 acre per APN.
- c. Required odor control on all Ag I and Ag II parcels.
- d. Prohibition of the use of generators for night lights or security lighting or security cameras. No generators, period.
- e. Stronger enforcement actions that will shut down all operations not in compliance.

Lil Clary for the Tepusquet Canyon Crisis Committee

(During oral public comment at the 1/29/19 meeting of the Board of Supervisors I will be presenting the signature page for this statement.)

de la Guerra, Sheila

From: David Lafond <dl@lafondwinery.com>
Sent: Monday, January 28, 2019 11:35 AM
To: sbcob
Subject: Cannabis Ordenence

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

I am writing this letter as a concerned citizen and family farmer in the Santa Ynez valley and the Santa Rita hills specifically.

Over the past year 2018 I have watched the Iron angel grow from a few green houses to well over 50 acres. Santa Barbara Winery started 1962 We have been farming our family vineyard since 1971 . My self and two of our boys work at the winery and Vineyards three generations. We share a property line of about 1/4 mile with the Iron Angel Grow. That property line is the Santa Ynez river. My wife and I along with our four boys live in our home just across the river. We are in a location that can observe most all things occurring at Iron Angel. Last year 2018 is when most of the development occurred NOT in 2016. When the cannabis crop last year neared maturity they started a 24/7 security watch with teams of armed security circulating the property about every 15-20 minutes. This is done during the day and at night with search lights powerful enough to see the beams land on the hillsides miles away. With complete disregard to other property rights and values the patrols spent nights searching through the trees into the river and all surrounding properties. We have spent almost 50 years with our sustainable farming practices protecting the river and many other critical migratory and conservancy habitat areas on our property. We see and monitor the animals and their footprints in the dusty or muddy vineyard roads. Our vineyard is home to Beaver, badgers ,deer, wild boar, turtles, rabbits, coyote, mountain lion, owls hawks, and countless other creatures. They all depend on the Stewardship of the properties congruent along the Santa Ynez river to survive. Since the Iron angel has started massive operations we have noticed a change in these patterns. The river is no longer free from man's intrusion during the night. ATVs with search lights continually disturb the natural progressions and hunting areas. The barns are topped with multiple bare bulb intense security lighting that can be seen for miles. This is no place for supper grows. The security is necessary because of the size of this operation . There are no banks that can collect the profits from these operations? Denis Bozanich Himself stated at the We Watch meeting in Solvang that there are NO BANKS that can except the revenues generated by these drug businesses and none in the foreseeable future . This means they are operating on a cash basis. Mr. Bozanich told us that the employees are paid with a check and then the employees sign the check back to the employer and receive a cash payment???? I suspect that many don't bother with the check writing part. Living next to a property that has permits for 60 acres would mean that at any given time either 60 million dollars worth of drugs or 60 million dollars worth of cash is cycling through this business. Make no mistake this is NOT agriculture this is a DRUG BUSINESS. Any person would and should feel threatened living next door to a neighbor with 60 million dollars of drugs and or money on their property. This is now something we talk about at the dinner table on a regular basis . What will we do when a train of black SUV's comes on to our property and unloads a group of armed men to stage a robbery? Who will know? Cell phones don't work in most areas. If they did any Reponses would be at least 20 minutes? The drug growers have security and cameras but we don't..The bad guys know this and are not going to come

in the front door. The smell last year was enough to make one gag walking outside when the wind was blowing from the west which it does every day. For the last 4 months on top of the lights and smell we have been listening to a diesel generator running all day and night. It is hooked up to 60 - 70 semi truck shipping containers strewn about the fields across the river and at the bottom of our creek which runs by our home. The smell is also staggering at our tasting room 1/2 mile away built in 1999.

Many of our tasting room customers come from the Los Angeles area or other urban zones to get away and see our beautiful valley with its Farms and Ranches and stay in our hotels and eat at our restaurants. They do not come to see high security black covered fences with razor wire and a threatening guard in front. If we lose the trust of our customers and the tourist industry we will spend millions of dollars and many years trying to gain it back. The valley belongs to everyone not just the special interests of the drug growers/dealers.

In short this is what one gets with these large grows. My family and I are living it now.

I urge all supervisors to use common sense and limit these operations to 1 acre per property and allow this new industry to become secure. don't let the mega growers/dealers control our valley. If it must be so, let the food growing Farms and Ranches if they choose subsidize their income with the profits from one acre 1. The voters voted for recreational use not to turn our beautiful valley into a drug capitol. The tax revenue generated by these business will be nothing compared to the costs of enforcement and all the unintended consequences. Please do not go along with Mr. Dennis Bozanich's vision of WORLD DOMINANCE.

David Lafond

General Manager

Lafond Vineyard

6855 Santa Rosa Road

Buellton CA 93427

805-688-7921

805-452-4241 cell

de la Guerra, Sheila

From: Miyasato, Mona
Sent: Monday, January 28, 2019 12:02 PM
To: sbcob
Subject: FW: Letter on behalf of Cannabis

From: Alonzo Orozco
Sent: Monday, January 28, 2019 11:02 AM
To: Williams, Das ; Hart, Gregg ; Hartmann, Joan ; Adam, Peter ; Lavagnino, Steve ; Miyasato, Mona
Subject: Letter on behalf of 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.

Dear Supervisors: Adam, Hart, Hartmann, Lavagnino and Williams:

I'm in support of commercial cannabis in Santa Barbara County, and I also support the enforcement of odor abatement. Although, there's a small group screaming about crime waves and falling property values, I feel that the overall benefit to patients that are in real pain and the possible revenue that can be achieved by local growers is a big motivation to make the cannabis industry work in Santa Barbara County. Hope that you'll keep an open mind, and understand that there are other states that have accepted this as a way of life.

Sincerely,

Alonzo Orozco
4806 Sawyer Ave.
Carpinteria, CA 93013
(805) 284-3097

de la Guerra, Sheila

From: Angela Krablin <angela.krablin@gmail.com>
Sent: Monday, January 28, 2019 12:16 PM
To: sbcob
Subject: 201901 Letter to BOS.docx
Attachments: 201901 Letter to BOS.docx; 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.

January 25th, 2019

Dear Santa Barbara County Supervisors,

I am writing to express my views in anticipation of the meeting to be held Tuesday, January 29th at the BOS meeting.

I have resided in Santa Barbara county, on and off since 1985, when I relocated here from the East Coast, and have lived in my present SB county residence since 2011. What attracted me to this area over 30 years ago was the vast natural beauty of the region, particularly from Montecito to North County. I have grown increasingly alarmed in recent months, however, as the seemingly rampant and unplanned advancement of cannabis growth has changed the look, feel, and most importantly, the smell of our once-beautiful environment. What was once a place where residential dwelling and agricultural plots of land co-existed peacefully has now become the new Wild West, and increasing the once scenic and fragrant expanses are being replaced by acre upon acre of plastic hoop houses and the hideous stench of cannabis.

I am shocked by the lack of strong and enforceable regulation around the industrial growth of this newly-legalized crop, and feel strongly that immediate and sustainable controls need to be put into place to protect families, individuals, businesses, and institutions such as hospitals and schools from the negative effects of the mass migration of corporate cannabis farmers to our county.

Please note the letter of recommendations to The Board from Dennis Bozanich. As Dennis referenced; the Board requested that once the cannabis regulatory system was operational, staff should return with possible revisions to address and improve unforeseen issues....except, the regulatory system is not yet operational.

Only temporary state licenses have been issued thus far, and have the operators NOT come into compliance with the County ordinance requirements. The present County ordinance requires a LUP and an SBC business license along with a variety of other requirements. However, at this time, no LUPs have been issued and only a couple of business licenses have been issued. **The Board asked Staff to make recommendations AFTER the regulations were operational—so why is Dennis Bozanich making recommendations prior to the ordinance being actually operational?**

Further, the staff was asked to 'return with possible revisions to...address unforeseen issues.' The recommendations in Dennis Bozanich's letter do not address the biggest unforeseen issue—the giant elephant in the room—and that is the supergrows that are overtaking our hillsides. More on that later.

Responses to Dennis Bozanich's recommendations to The Board

1. Elimination of live-scan for ag employees

By its very nature, a cannabis farm introduces danger to the area in which it is being grown. The security of these massive supergrows is of utmost importance. Many cannabis farms employ armed security to protect what their ineffective fences cannot: a Federally classified

Schedule 1 drug that can have a value of tens of millions of dollars on just a few dozen acres. We need to require that everyone working around or near these farms to have thorough background checks, regardless of their role or responsibility.

2. Generators for security lighting and/or security cameras

Of concern is the fact that there is no effective way for the County to actively monitor or regulate cannabis growers that are using generators to ensure they are ONLY being used for security-related lighting or cameras. Generators, then, could easily be used to power other equipment utilized in the cultivation of cannabis.

Like any other proper business, cultivators should have worked the expense of these necessary elements into their business plans. Since a cannabis operation can net in excess of \$1.5M per acre, per year—they can afford to outfit their grow facilities properly.

Also of concern is the potential for light pollution should the security camera systems not be required to be motion activated. In lieu of allowing the pollution of dozens of generators running all day long, burning fossil fuels, a reasonable alternative would be the use of a solar system.

Current Issues that Require Amending the Cannabis Ordinance

Next, I want to address the true issues with the cannabis ordinance that the CEO's office failed to incorporate recommendations for remedying in their letter to The Board.

1. Acreage Cap per APN/Parcel/Property

There was a study performed of the cannabis ordinances for all surrounding counties (Ventura, Kern, San Luis Obispo), other central coast counties (Monterey, Santa Cruz) along with northern California wine country counties (Napa, Sonoma) and the emerald triangle counties of Humboldt and Mendocino. Of these counties, SBC is the ONLY county that does not have a cap on their cultivation acreage per parcel. Out of the nine counties listed about the largest outdoor grow allowed on a parcel is 2 acres while the average allowed grow is 1 acre. For interior grows the largest allowed of the nine counties is ½ an acre. Here in SBC, we have current existing grows of 50+ acres and proposed grows of over 70 acres! That is 70 times larger than the average allowed grow in the other counties.

We must limit the size of grows in this county as not to destroy our beautiful environment. Though many citizens voted to legalize cannabis, their understanding was that there would be robust regulations to protect small time farmers and preserve our county's rural agriculture.

Where we as a county dropped the ball was that we just copied and pasted the state emergency regulations. These emergency regulations contained a loop hole in them that didn't specifically prevent the stacking of small cannabis cultivation licenses. Every other county we

studied saw this loop hole and mitigated it by having caps on cultivation acreage per parcel—or outright banning cultivation. Either we missed it, or the cannabis industry lobbied hard for it to be kept open in this county. This has resulted in SBC having the most state cultivation licenses in the state. Some farms have over 200 of these small licenses (which limit cultivation to 10,000SF) stacked together to create these supergrows—something that was never intended.

2. Odor

In this study of the 9 counties mentioned above, nearly all of them require odor abatement on all cultivation, regardless of zoning. When the cannabis ordinance was prepared by staff and passed on from the planning commission to the BOS, the PC recommended odor abatement on ALL cultivation, including AG-II lands. The Ag Advisory Committee also recommended odor abatement on all cultivation. But for whatever reason, the BOS decided to pull the odor abatement requirement from AG-II. This has had a devastating effect on our rural residents and business. Even 1,000SF of cannabis puts out enough odor to nauseate someone a mile away when the wind shifts. Let alone an acre worth—or even 70 acres worth!

Again, a well-managed cannabis farm can net well over \$1M per acre per year. They can afford the odor abatement! There is going to be such a vast number of complaints that the county is going to be overwhelmed and will not have the resources to manage these issues. A simple solution is to require odor abatement. It protects rural businesses, residents, and the cannabis cultivators from nuisance complaints.

The County EIR states, “The EIR has deemed odor a nuisance due to the amount of public concern, and persistent, intrusive, and pervasive odor associated with certain cannabis activities including cultivation (EIR 8.4.1-MCR-2).” The county EIR has clearly indicated that odor is going to be a problem—everywhere. Why in the world would the BOS remove odor abatement requirements from any zoning when the EIR clearly identified this problem?

The ordinance only considers EDRNs and schools as ‘sensitive receptors.’ Isn’t every individual, school, hospital, and business a ‘sensitive receptor’?

Setbacks don’t work for abating odor. There are many examples of the nauseating odors from small grows drifting over a mile to affect local businesses. One only need drive on the 101 freeway through Carpinteria to fully understand the detrimental results of a lack of effective and enforceable odor abatement regulation. The 1,000 foot rule is an atrocity. For the sake of all individuals’ and businesses’ right to not have to tolerate the overwhelming stench of cannabis growing; amend our ordinance to require odor control.

3. EIR

There has yet to be a study completed to understand the environmental impacts of the supergrows that are presently being allowed in our county. The state EIR that was done when cannabis was legalized was based on a 1 acre cap per property and it did not study the impact of grows larger than an acre on a given property. No studies were done on properties with 70

acres of cannabis hoop houses. Our county EIR did NOT study the impacts of the type of pervasive grow that presently exists in the Santa Rita Hills (Iron Angel). We need to implement and enforce limitations on the extent of individual grows while we repeat the EIR to understand the true impact of what is being allowed in this county.

Further, our county EIR was based off an estimated maximum cultivation of 1,126 acres in SBC of which, only 104 acres of those were to be under hoop house. As of 1/18/19, there are 512 acres of state permitted cannabis in our county with FAR more than 104 acres under hoop house. The Iron Angel grow alone has almost 50 acres under hoop house, while American Real Estate has an LUP submitted for 70 acres of hoop house. The impact of such extensive grows is unknown and have the potential to be catastrophic to our environment.

4. Black Market & State Supply/Demand

California produces 15M pounds of cannabis annually. California consumes 2.6M pounds of cannabis annually (California Growers Association). That means that it only takes 867 acres of cannabis to supply the entire state of California.

Since it is ILLEGAL to ship cannabis outside of the state, we have to ask... where is all of this excess cannabis going? Are our ineffective cultivation laws making us complicit in supplying the black market with cannabis?

5. LUP vs. CUP

Because of the tremendous impact cannabis cultivation has on adjacent properties and individuals, all cannabis cultivation should require a CUP. Many other counties require hearings, public comments and planning commission approval.

Currently, the only recourse to an LUP cannabis grow is the filing of an after-the-fact nuisance complaint. This is a disservice to both the cultivator and the neighbor, as the cultivator is not protected by the Right to Farm Act, and therefore they are vulnerable to a shut-down of their business.

Presently, a cultivator could be issued a license, plant their cannabis, and immediately have a neighboring individual or business file a nuisance complaint due to the negative impact of the odor. The County would then launch an investigation and if there were proof presented of actual detrimental impact such as lost business, or ill health, the County would revoke the business license from the cultivator. The expense of the investigation...and likely lawsuit that would follow... would be tremendously costly and time-consuming for the County.

If a CUP is required in lieu of an LUP, there is the opportunity to identify these obvious issues prior to entitlements. This would save the business owner the headache of lost business and also prevents the cannabis cultivator from making an investment that could potentially be shut down with a nuisance complaint down the road.

This is a common-sense approach to mitigating a problem before it occurs. The current ordinance takes reactive, rather than beneficial proactive approach to this issue.

6. Unadjudicated Affidavits

In January of 2016, the BOS decided to give legal non-conforming status to those medicinal cannabis cultivators that were legally operating in the county prior to that date with the understanding that they could continue to operate in the same footprint, IE same locale and same square footage.

The only requirement was that these cultivators had to sign a sworn affidavit that they were previously operating a state license medicinal marijuana grow on that property, however, the County did not validate these affidavits, and many cultivators lied. There have been several prosecutions of people who perjured themselves on affidavits.

Satellite imagery prior to 2016 can easily be compared to imagery now, making it abundantly clear that folks either lied on their affidavits (as there are hundreds of acres under cannabis at this point in time that did not exist in the past) or they have illegally expanded their cannabis operations.

Either way, the county does not address this issue until someone files a complaint.

This is no way to regulate, and the County should adjudicate every single one of those affidavits and process every single person who lied. Not doing so basically enables people to get away with perjury and to continue to operate in a dishonest way with the County's unspoken endorsement.

7. The County is Currently Unregulated

As mentioned, cannabis cultivators in Santa Barbara County are currently operating on an unregulated basis and there is a lack of county regulations for cannabis cultivators operating under state temporary licenses. For an unknown reason, the county has decided to link the implementation of their regulations with the issuance of state annual licenses which have been pushed back another year.

Regulation must be implemented and enforced NOW. Implementation of our ordinance and regulations must not be an after-thought! Enough time has been granted. You MUST require that cannabis cultivators get their LUPs and business licenses by the end of March as originally planned.

I recommend that SBC uphold the original deadline of the expiration of the Temporary State License as the time by which cannabis operators must have submitted and received their SBC Land Use Permit and Business License. Both the County and the Operators will have had 15 months for the inland areas to apply for and issue the required permits and licenses by then.

Decoupling the SBC regulations from the the Provisional State Permit only makes sense and will prevent necessary delays for the implementation of the County cannabis ordinance. This will prevent another year of unregulated cannabis.

Recommendations

- 1. Limit outdoor cannabis cultivation to 1 acre per property and limit indoor cannabis cultivation to 22,000SF per property.**
- 2. Mandate and enforce odor abatement on ALL cannabis cultivation**
- 3. Eliminate LUPs for cultivation and require ALL cultivation to have a CUP**
- 4. Adjudicate all legal non-conforming affidavits before allowing them to get an SBC business license.**
- 5. Do NOT push back implementation of our ordinance and do not accept Dennis Bozanich's recommendation of allowing operators to get provisional state licenses without first getting county LUP's and business licenses.**

Conclusion

I urge you to consider the following:

- 1. The County should absolutely limit the size of cannabis cultivation on each property to prevent supergrows and maintain the beauty and safety of our county**
- 2. Critically needed odor abatement should be mandated and actively monitored and enforced on *all* cannabis cultivation so that odor does not affect nearby homes, businesses, and properties**

Thank you for your consideration,
A Concerned Citizen

de la Guerra, Sheila

From: Bozanich, Dennis
Sent: Monday, January 28, 2019 12:44 PM
To: sbcob
Subject: FW: CannabisRegulations BOSJanuary 27.doc

From: Karin Roser
Sent: Monday, January 28, 2019 11:39 AM
To: Miyasato, Mona
Cc: Bozanich, Dennis
Subject: CannabisRegulations BOSJanuary 27.doc

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 consider the following letter about Cannabis Regulatory Amendments

Thank You,
Karin Roser

January 27, 2019

RE: Cannabis Regulatory Amendments

Members of the Board of Supervisors

This letter is being written to strongly urge you to adopt Option #3 Ban cultivation on AG-1 Properties. This is the most reasonable option in the Controlling cannabis operations on AG-1 Properties amendment opportunities (#2). I am making this request based on the very personal experience of having a mixed-light grow on an AG-1 property behind my home with the prevailing wind bringing that skunk-like odor directly to our property.

We have been living with this very offensive odor for nearly a year. At times it is overpowering and this cannabis grow has clearly negatively impacted our quality of life and the ability to enjoy our property and our lifestyle. It has been so bad that on some very hot days we have had to close all of our windows to keep the odor from permeating the house. This odor is routinely noted by friends who visit, family who have come to spend a few days with us, people coming to work on our property from the person who shoes our horses every few weeks to the painter who spent a week on our property and many others in between. Many of our neighbors are also experiencing the truly life-changing impact of this grow. One of them is also noting headaches they believe are related to the grow. Another is convinced that they lost a sale of their property because of the distinct and powerful odor.

With property sizes of 10 acres or less, what you do impacts your neighbors. None of the odor abatement measures this grow has put in place have been effective and with the age of the greenhouses being used and their lack of airtightness, I doubt that any could be. Allowing cannabis cultivation on AG-1 properties is allowing one person to impact the quality of life, the property values, and quite possibly the health of all of the surrounding properties. This should not be allowed to continue and Option #3 of the Controlling cannabis operations on Ag-1 properties should be adopted. It is difficult to convey, in words, just how much this cannabis grow has changed our quality of life in the Santa Ynez Valley. Please protect our right to enjoy our property

Thank you for your consideration in this matter.

Sincerely,

Karin Roser
Jane Overbaugh
1885 Edison St
Santa Ynez, CA.

de la Guerra, Sheila

From: Lisa Bodrogi <lisa@cuvee.me>
Sent: Monday, January 28, 2019 1:00 PM
To: sbcob
Subject: Item #1 of Tomorrow's Board Hearing
Attachments: Ltr to the Board on Cannabis Ordinance.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 submit my letter for the Board's consideration on Cannabis Amendments at tomorrow's hearing. Please confirm receipt of this request.

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



A Special Blend of High Quality Land Use
and Public Relations Services

Santa Barbara County Board of Supervisors
c/o Clerk of the Board
105 E. Anapamu Street
Santa Barbara, CA 93101
Sent via e-mail to: sbcob@co.santa-barbara.ca.us

January 28, 2019

Re: Item #1 – Cannabis Regulatory Amendments

Dear Chair Lavagnino and Members of the Board:

We appreciate the will of your Board to create a Regulatory Framework to provide for a Cannabis Industry in Santa Barbara County. It is no secret that the industry stands to be a major source of taxation and Santa Barbara County is at the forefront of reaping those benefits. Likewise, creating a path for cannabis is in keeping with Santa Barbara County definition of Agriculture in its purest form as the “growing of plants”. We support the current Board of Supervisors for establishing the Regulatory Framework to allow cannabis to become a part of our working landscapes.

The Cannabis Ordinances have been enacted in the Inland Area for only six months and the Coastal Zone is just starting to open the process of obtaining entitlements and licenses under the Board enacted Ordinances. For this reason, we believe it is too soon to re-open a slew of changes. Changes to the Ordinance need to maintain a spirit “to improve the effectiveness of the cannabis regulatory system.” This involves addressing nuisances on adjacent lands while providing realistic tools and thoughtful guidance to allow the industry to prosper, rather than a process that is so onerous and cumbersome it is destined to fail.

It is our hope that as the cannabis industry settles in under the existing rules and regulations in place, and not under temporary/provisional mechanisms we can have meaningful dialogue void of emotionally charged fear and rhetoric. Just as experienced when the wine industry started developing in the mid-1990’s it is my sincere hope that through education and outreach we can find ways to allow a cannabis industry to grow and prosper in Santa Barbara County as well.

Lisa Bodrogi
Land Use Planning & Public Relations
PH: 805-937-8474 • Cell: 805-260-2461 ~ Lisa@cuvee.me • www.CuveeConnections.net

To this end, and in the spirit of the presentation before you today, “to improve the effectiveness of the cannabis regulatory system” we offer the following comments:

Item C.2: The State has developed a mechanism to allow Temporary License holders a path to a Provisional Status. Santa Barbara County is ahead of most counties in developing a Regulatory System to allow cannabis to be grown similarly to other agricultural crops on large acreages. As such, we propose that all cannabis operators, whether or not they are operating under a Temporary License be authorized to apply for their Annual State license so long as CEQA review is underway. In other words, Item C.2 would be a stand-alone provision for all cannabis operations pursuing permits and licenses and not only those who currently are operating under a Temporary License. This would provide a more fair and equal playing field and not create a disadvantage to those operations who are pursuing their permits and licensing under the enacted Ordinance provisions.

Other Possible Amendments:

Item 1. We support Option #2 to allow existing and new structures the ability for a Testing Lab on Ag-Zoned Lands.

Item #2. We do not object to making controls for cannabis more restrictive in AG-I zone districts so long as CEQA is not triggered in doing so. We do request a clarification of the use of the roadway providing sole access through an EDRN is not meant to restrict cannabis transportation routes using major thoroughfares or highways where the EDRN straddles these access ways, such is the case along Hwy 246.

We support Options #1 or #2 as means to add further controls on AG-I properties, but raise concern with the Appeals process. The Appeals process has been abused by members of the community that are not directly affected or “aggrieved”. For a nominal fee these complaints can virtually shut down the industry before it gets started. The voters of the State and the Santa Barbara County Board of Supervisors are working through the regulatory dynamics to make this crop part of our working landscapes. More needs to be done to protect those who are willing to make the investment in Santa Barbara County agriculture and pay the extensive permitting, licensing, and taxation fees associated with doing so.

Item #3. We support Option #1 to eliminate Live Scan requirements for employees. We support elimination of Live Scan overall, as it puts the County CAO’s Office in the position of overseeing criminal activity which is more appropriately dealt with in the DA’s Office. Moreover, employers have the right to choose whom they hire regardless of the outcome of a live scan.

Item #4. We support Option # 1 to pre-qualify applicants and hold random selection processes for each of the six community plan areas plus two countywide selections for Storefront Retail Dispensaries.

Item #5. We support Option #1 to allow the Sustainability Division of the Community Services Department who has the expertise, to evaluate Energy Plans.

Item #6. We do not support increased authority to reject renewals under the options presented. While we do support tighter reins on violators and need for enforcement of bad actors, we think the options presented are too strict. Predominately the timeframe to apply for a renewal no less than 60 days or failure to pay taxes on time. Human error can be a cause for missing a deadline that is not an intentional act to violate. Likewise, so long as the holder of a suspended LUP is working in good faith to correct the non-compliance their license should not be automatically revoked. The Regulatory Framework crafted by Santa Barbara County for cannabis is, by no means, an easy permit path. Cannabis has to comply with more regulations, permitting and licensing than any other agricultural crop. It is unprecedented. There needs to be a window of opportunity to enable this industry to get off the ground in a fair and balanced manner.

Item #7: While we recognize the need to use generators as an alternative source of energy, particularly in the more remote areas where cannabis growing may avoid nuisance complaints, we are concerned with the idea of re-opening the Programmatic EIR at this time. Further consideration and scoping should be done in the same spirit of “improving the effectiveness of the cannabis regulatory system”.

Cuvée Connections has been representing Agricultural interests for the past 20+ years. We were instrumental in growing a Santa Barbara County Wine Grape industry, have worked with a variety of farmers and ranchers in expanding their cooler operations, wineries, agricultural preserves and parcel map configurations. We are a strong advocate for any and all tools that enable our Santa Barbara County Farmers and Ranchers more opportunities to expand their enterprises that keep our farmers farming.

We recognize that alignment of cannabis into our working landscapes is dynamic. We appreciate your thoughtful consideration in creating a Regulatory Path that is not too onerous that it becomes unachievable. We will continue to support well-thought-out tools, concepts, and ideas that will allow for cannabis growing in Santa Barbara County.

Kindly,



Lisa M. Bodrogi
President, Cuvée Connections Inc.

de la Guerra, Sheila

From: S G <sasha477m@gmail.com>
Sent: Monday, January 28, 2019 1:56 PM
To: Hart, Gregg; Williams, Das
Cc: Bertrand, Ethan; Hartmann, Joan; Adam, Peter; Lavagnino, Steve; sbcob; Miyasato, Mona; concernedcarpinterians@gmail.com
Subject: Re: Save Carpinteria, Please

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.

Thank you, Gregg, for your reply and message.

Please know that Carpinteria as a community has been impacted significantly by the cannabis growing operations to date and the perception is that Santa Barbara County has made the safety and health concerns of the residents of the Carpinteria Valley a secondary concern, which is highly unfortunate. The Carpinteria Valley is a small, eco-sensitive area which is not suited to having large scale industrial production of the kind that has been emerging with cannabis operations adjacent to homes and schools. It is further unfortunate that much of this industrial activity developed during the time our community was recovering from the impact of the Thomas fire and mudflow - many of us in the community have been surprised at what the County has allowed so far.

Like many other residents, this issue carries with it a very personal note for me and for my family. We have a cannabis growing operation directly adjacent to our home and my family has suffered sinus and other health issues during the period cannabis growing has taken off. Our way of life has been impacted - we have had to keep our doors and windows closed at all times, something we never contemplated living in such a temperate climate. Even with the windows closed, I have had evenings where the smell of cannabis permeated my bedroom. Honest. This is unacceptable and the County needs to accept responsibility and get this issue under control as soon as possible.

I recently attended a public presentation that summarized the level of cannabis growing permits issued by the various counties across California. Santa Barbara County was off the charts (literally) in comparison to the other counties, yet this all somehow happened before the necessary safeguards and regulatory oversight were implemented. Quite shocking, considering the leadership position this area has been otherwise known for in the area of environmental responsibility over many years.

For most other types of industrial production, safeguards and regulatory oversight come first, before production is allowed to take off. We hope the County sees the errors of its ways and makes the changes necessary to protect the health and safety of the residents of Carpinteria.

I would appreciate if you could include this follow up note with my original message as a matter of public record.

Thank you in advance for doing the right thing for the residents of Carpinteria.

Regards,

Sasha Globa

Resident and Taxpayer (20 years), Carpinteria

On Mon, Jan 28, 2019 at 1:08 PM Hart, Gregg <gHart@countyofsb.org> wrote:

Good afternoon Sasha,

Thank you for contacting my office on this matter. I'm carefully considering all of the information that is before me for tomorrow's Board hearing on cannabis regulations. I appreciate your feedback on this important issue. The discussion for tomorrow will take place no earlier than 1:30pm, and public comment can be provided in person at the County Administration Building's Board Hearing Room (105 E. Anapamu Street, Santa Barbara), or through teleconferencing from the Betteravia Government Center (511 E. Lakeside Parkway, Santa Maria). The meeting can also be viewed live on the web. For more information, please visit www.countyofsb.org/bos.

Thank you for your advocacy and engagement.

Sincerely,

Gregg Hart

Santa Barbara County Supervisor

Second District

From: S G <sasha477m@gmail.com>

Sent: Monday, January 28, 2019 8:03 AM

To: Williams, Das <DWilliams@countyofsb.org>; Hart, Gregg <gHart@countyofsb.org>; Hartmann, Joan <jHartmann@countyofsb.org>; Adam, Peter <peter.adam@countyofsb.org>; Lavagnino, Steve <steve.lavagnino@countyofsb.org>; sbcob <sbcob@co.santa-barbara.ca.us>

Cc: Miyasato, Mona <mmiyasato@countyofsb.org>; concernedcarpinterians@gmail.com

Subject: Save Carpinteria, Please

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,

I live in Carpinteria Valley and would like to express my views on commercial cannabis in advance of the Board of Supervisors Meeting on 1/29.

Carpinteria Valley has been sold down the river. The foxes are running the henhouse. We see very little daylight between the cannabis lobby/growers, our Board of Supervisors (notably the Supervisor for the 1st District, Das Williams), and Dennis Bozanich (Cannabis Czar who behaves more like a cannabis salesman than a neutral arbiter). We will be making FOIA requests to understand how much money each of you has taken from the cannabis industry for your campaigns and how much you have personally benefitted from the cannabis industry.

WE NEED A FAIR PROCESS:

--The Board of Supervisors and county are not following a neutral process when it comes to cannabis. They are using a very different process than they have used for review of other land-use related matters, such as the past winery regulations and short term rentals analysis. These other regulations all came through Planning & Development first, with proper environmental reviews every step of the way and sufficient opportunity for public comment.

--For cannabis regulations, the original ordinance was created behind closed doors in an unprecedented "ad hoc committee" with extensive cannabis industry vetting, to the exclusion of community members. This has resulted in multiple incompatible and unacceptable impacts to the communities throughout the county.

--The licensing process has been handled very poorly to date. Blanket authorizations were issued by County CEO staff without any inspection, analysis or validation of the assertions in the applicant declarations. This has subjected us residents to significant negative impacts (bad air quality/horrific odor, noise, crime, diminished property values), all without sufficient regulation or the county being able/willing to adequately enforce. Why should we residents suffer as the county keeps providing flexibility and extensions to the growers?

--All issues related to permitting and inspection should be managed/overseen by the experts in Planning and Development. Land use experts and public safety personnel (the experts) should be in charge, NOT the CEO Office. We want the county to follow the same process followed for past reviews (eg for the wineries and STRs).

WHAT WE WANT:

-
-
- We want a full scale independent review
- and revision of commercial cannabis regulations in Santa Barbara County, following the proper process and involving intensive public comment and dialogue and a seat at the table for citizen groups, as well as full CEQA review.
-
-
-
- We demand that the county make commercial
- cannabis subject to the same process as any other land use issue. It should go through the process outlined in the government code for land use ordinances, allowing the Planning Commission to be the vehicle to vet any changes and engage public input.
-
-
-

-
- IMMEDIATE MORATORIUM ON LICENSES: While
 - this review is occurring, we demand a complete and total halt to all new cannabis licenses or authorizations of any nature in Santa Barbara County until a thorough and independent review of existing licenses and the procedures for granting licenses occurs.
 - Right now, the county is not protecting public health, safety and welfare, and is not minimizing impacts to the community and the environment.

-
-
-

-
- A Conditional Use Permit (CUP) should
 - be required for ALL COMMERCIAL CANNABIS ACTIVITIES in all zones. This will give more transparency, an increased voice to community members, and allow appeals.

-
-

-
- The county needs to enforce shutdown of
 - “grandfathered operations” in June 2019 as promised.

-

OUR PROPERTY VALUES HAVE SUFFERED AND WE ARE APPLYING FOR TAX RELIEF
 Our property values have fallen due to the commercial cannabis impacts (odor/air quality, traffic, crime, etc). As a result, we are going to apply for property tax reassessments. We believe the county should own the total Profit & Loss from its commercial cannabis regulations - both the tax dollars it brings in, as well as damage it has done to our property values.

ENFORCE STRICT COMPLIANCE RE IMPACTS - ODOR/AIR QUALITY, NOISE, NIGHT LIGHTING, CRIME:

When we complain about commercial cannabis impacts, we and fellow residents are told to be patient and wait for repeatedly-extended license deadlines, and the growers are allowed to meanwhile continue. We hope the Board of Supervisors will represent the 300k residents of Santa Barbara County, not just the growers, in aggressively enforcing and shutting down operations violating the regulations. This means NO SMELL emanating past grower property lines. NO NIGHT LIGHTING. NO NOISE PAST SET LIMITS. The county needs to significantly increase enforcement powers and actions. They need to issue stop orders and shut bad operators down, not just issue fines. We residents should not suffer on account of bad actors.

Greenhouses in Carpinteria Valley vent and open from their roofs and are not closed-loop systems, such that the odor masking around the perimeter is NOT likely to contain the smell emanating from the top and wafting across our valley. We want full air filtration to be required to ensure no odors escape without being treated.

NO commercial cannabis activities should be located within 2 miles of schools, day care centers, youth centers, parks or residential areas, including cities, townships, EDRNs. Residents are sensitive receptors!

NO ONSITE TESTING LABS ON AG PROPERTIES, NO GENERATORS

On-site testing labs on agricultural properties is NOT an acceptable agricultural use. It is industrial, given the volatile chemicals involved. Generators for security systems and lighting are unacceptable, industrial applications and will cause significant noise impacts for neighbors. CEQA environmental review needs to happen for these proposals.

Thank you Sasha Globa

de la Guerra, Sheila

From: Sharon Salomon <sharonsalomon@gmail.com>
Sent: Monday, January 28, 2019 2:16 PM
To: sbcob
Subject: Re: Cannabis concerns

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 give a copy of my letter to each board member
Thank you,
Sharon Salomon

On Mon, Jan 28, 2019 at 2:12 PM Sharon Salomon <sharonsalomon@gmail.com> wrote:
Dear Board Members,

I have many concerns regarding cannabis cultivation from armed guards visible from our streets to the increased traffic and of course, to the stench.

You tout yourselves as environmentally progressive but you allow who knows what chemicals that hide the cannabis odors to filter into the air we breathe. I hope the chemicals are organic (which they should be for medical grade cannabis) and highly regulated (as other chemicals are in this county) so we do not end up with a cancer cluster here in our beloved communities. If we do, it is on your heads.

Respectfully submitted,
Sharon Salomon

de la Guerra, Sheila

From: Rob Salomon <robb.salomon@gmail.com>
Sent: Monday, January 28, 2019 2:18 PM
To: Williams, Das; Hart, Gregg; Hartmann, Joan; Adam, Peter; Lavagnino, Steve; sbcob; Concerned Carpinterians
Subject: Board Meeting Jan 29, 2019
Attachments: Letter to BOS 1-28-2019.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.

Please find attached a letter to the members of the SB BOS containing my thoughts on the status of the County's cannabis regulation. If this doesn't reach the supervisors individually, hopefully the clerk will distribute it to them.

I appreciate each of you taking the time to review the letter.

Rob Salomon

January 28, 2019

To: Santa Barbara County Board of Supervisors

Re: Cannabis Operations in Santa Barbara County

I came from the east coast to California in 1962 to attend college in the Bay Area. It didn't take me long to identify Santa Barbara as a dream destination for my later life. Fifty-two years later, my wife & I bought a beautiful home in Carpinteria on a beautiful 6.5 acres with 80 avocado trees, 1 mile from the beach. We felt we had found a perfect spot for ourselves, our two dogs, our kids & our grandchildren. Carpinteria is an eclectic, bucolic, old fashioned California beach town that offers cultural, ethnic, social & economic diversity. I believe those values are under attack.

The attempt to regulate cannabis cultivation & derivative operations has failed. Supervisor Williams, in an April 11, 2017 press release wrote the following"

*The very reason why many of us in Carpinteria are experiencing nuisances from marijuana is the 'ban without a plan' that was instituted by the BOS early last year; they banned new operations & grandfathered previous grows as legal nonconforming. **THAT 'BAN' IS NOT WORKING.** (my emphasis)*

The foundation of the regulatory plan, the ban, failed very early on. The ban, I believe, was the foundation of the regulatory plan in order to allow SBC an opportunity to marshal its personnel, technological, infrastructure, planning & financial resources to effectively control what everyone anticipated to be a monstrous industry. Because the ban failed, two years later, none of these resources have been effectively marshaled. The cannabis industry has overrun our government.

Supervisor Williams recognized that the regulatory plan was fundamentally flawed & he continued in that press release as follows:

Our only way to enforce (including the odor nuisance) is through zoning regulations so we need to pass a law to set up what those zoning expectations (including odor control) are & a permit fee to make sure we have a large enough enforcement staff to be effective.

Subsequent to the failure of the 'ban without a plan' the BOS has set up other markers & issued other mandates that have equally failed. The BOS has refused to acknowledge that because the underlying foundation of the regulatory plan failed the entire plan has failed. The BOS has instead added band-aids & sutures to a fatally, fundamentally flawed plan. They have succeeded only in making Santa Barbara County's cannabis regulatory plan so complex that it is incomprehensible to the public & thus vulnerable to abuse by professionals inside & outside government. In an email to me on Nov 25, 2017, Supervisor Williams wrote to me as follows:

In 14 years of public service, I've never come across a policy arena so difficult to manage. But I'm still working on it.

There is little question that transparent simplicity is the best form of democracy. As bureaucracy becomes more complex, the public becomes vulnerable to “tyranny by bureaucracy”, where there is such complexity & contradictions in the law that a government official or bureaucrat can find support for just about any decision or action. That works fine when those in power are sympathetic to your own interests, not so good when they are not. This is one reason, of many, it will be very dangerous to centralize cannabis regulatory power in the County CEO or a cannabis czar position.

The foregoing assumes the chaos & complexities we now face are the result of the failure of good-faith efforts of the BOS. There is a more ominous possibility that seems to be gaining credence among SB citizens.

The ominous possibility is that we are where we are as a result of a scheme, professionally constructed, directed & executed, designed to enrich & empower a relatively small segment of Santa Barbara County at the expense of the interests of a large segment. I don't know that such is the case but I predict if the BOS continues down the path it has apparently chosen, there will be no shortage of investigations to uncover the motivations that drove their choices.

Enrichment & empowerment that do not balance the competing interests of a constituency & that result from innocent government mistakes or from more nefarious motivations of government officials are both perversions of capitalism & democracy.

Finally, the cannabis legalization movement was spearheaded by the concept of *medical* marijuana. The Hippocratic Oath, “First, do no harm” remains a foundation of medical practice. While I have little doubt that cannabis provides significant medical benefits, I find it sadly ironic that Santa Barbara County's attempt to regulate the cannabis industry has resulted in significant harm to a significant segment of the County's population.

It is time to take the steps to change the direction the Board of Supervisors is taking us.

Respectfully submitted,

Rob Salomon

de la Guerra, Sheila

From: Sashi Moorman <m.sashi@mac.com>
Sent: Saturday, January 26, 2019 9:37 PM
To: sbcob
Cc: mgsorongon@me.com
Subject: Cannabis Ordinance
Attachments: Letter to the BOS.pages; ATT00001.htm

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,
Please share the attached letter with the Board of Supervisors. It concerns the upcoming hearing on the Cannabis Ordinance.

Thank you,

Sashi

Sashi Moorman
Managing Partner/Winemaker
Domaine de la Côte • Sandhi Wines • Evening Land • Piedrasassi
mobile: +01 8054030605
<http://www.domainedelacote.com>
www.eveninglandvineyards.com
www.sandhiwines.com
www.piedrasassi.com
www.provignage.com

Dear Santa Barbara County Supervisors,

I am a 15 year resident of Santa Barbara County. I own several local business and I live in Lompoc with my wife and 11 year daughter. We cultivate vineyards, grow wheat, operate several wineries, bake bread and sell our products at the Santa Barbara Farmer's Market. We are deeply invested in our community — we live, work and contribute daily to the local economy and support the unique qualities of Santa Barbara County that make it one of the most beloved coastal agricultural regions in California.

To say that I am concerned with the hands-off approach that the Board of Supervisors has taken with large cannabis grow operations in our county is an understatement. Being a local winery owner, I know very well the regulations that Santa Barbara County imposes on our local wine industry. The permitting process is strict and cautious. I believe that this position is consistent with the feelings of our community and that the Board of Supervisors are dutifully respecting their constituents' concerns. Therefore, I am absolutely dumbfounded at the seemingly lax attitude that the Board of Supervisors has taken with the local cannabis industry.

Where the Board of Supervisors stands on the cannabis grow operations in the Santa Barbara County is not consistent with the rest of California's premium wine growing regions. We need only to look at Napa County and Sonoma County to see that their concerns regarding the impact of growing cannabis on their local wine industries are very real. Cannabis grow operations are not consistent with an environment that promotes wine tourism, an important cultural asset for our local economy. Our wine industry plays a vital role in our community by employing thousands of agricultural workers, supporting hundreds of local businesses, and contributing to making Santa Barbara one of the top tourist destination in the world, as recently recognized by the New York Times.

The eyesore of cannabis grow operations and the resulting fumes that are produced by the plants will have an enormous negative impact on our local wine industry and local community at large. I implore the Board of Supervisors to do their due diligence and take measures to protect Santa Barbara County's wine industry from the deleterious encroachment of cannabis grow operations. The local wine industry has poured millions of dollars into Santa Barbara County. We have committed to our vineyards and our businesses for the long term through purchasing properties and signing decades long leases. Vineyards and wineries are decades long investments.

The potential damage to our local economy will be serious, affecting both businesses and residents that call Santa Barbara County home. Following the regulations of other prominent California AVAs would be an excellent starting point: Limiting the acreage of outdoor grow operations, strict odor abatement, and enforcing landscaping codes to limit visibility from roads and public commercial zones.

It is not an exaggeration to state that the Santa Rita Hills AVA has quickly become one of California's most prestigious wine growing regions. We have recently seen new vineyard developments from Gallo, Kendall Jackson, and benchmark wineries from Napa Valley (Screaming Eagle) and Burgundy (Domaine de Montille). The wines industry in Santa Barbara County will continue to bring more and more visitors to our community to enjoy the natural beauty of our landscape, the world class wines, and the genuine hospitality of our local hotels and restaurants. The cannabis industry threatens the ability for our industry, and the countless businesses that mutual benefit from our growing success, to flourish, and materially contribute to our local community and economy.

Thank you for your time and attention to our concerns.

Sincerely,

Sashi Moorman
Managing Partner/Winemaker
Domaine de la Cote, Sandhi, and Piedrasassi

de la Guerra, Sheila

From: Lenzi, Chelsea
Sent: Monday, January 28, 2019 2:57 PM
To: sbcob
Subject: FW: Letter to Supervisors for BoS meeting Jan 29 2019
Attachments: Addendum to Comment from 84 residents Agenda now 97 residents.docx

From: Sharyne Merritt [mailto:sbcountyneighbors@gmail.com]
Sent: Monday, January 28, 2019 2:53 PM
To: Lenzi, Chelsea
Subject: Re: Letter to Supervisors for BoS meeting Jan 29 2019

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.

Hi Chelsea,
Thank you for posting our letter to the supervisors
"Comment from 84 residents Agenda item 1 Cannabis January 29 2019

Since I sent it to you at 8am, I have received another 12 signers. If you are going to create a second public comment file, could you include the names on the attached document.

Thank you,
Sharyne Merritt

On Mon, Jan 28, 2019 at 8:14 AM Sharyne Merritt <sbcountyneighbors@gmail.com> wrote:

Attached is a letter signed by 84 residents of Santa Barbara County regarding Agenda item 1 Consider recommendations regarding options for Cannabis Regulatory Amendments

Please send this to all Supervisors so they can review it before the meeting.

If you are not able to get it to the Supervisors today, please let me know.

Thank you,
Sharyne Merritt

January 28, 2019

Dear Santa Barbara County Supervisors:

We are writing in regard to the Cannabis Ordinance that will be discussed January 29, 2019.

Santa Barbara County is valued by its residents and visitors alike for its quality of life, communities, and spectacular landscape. These assets need to be protected as does the economic vitality they bring to our County.

- (1) There are five very specific and important areas for regulation we feel need to be implemented in order for the cannabis industry to co-exist peacefully with those of us who live in Santa Barbara County.
- (2) Specific options among the Staff's Possible Amendments should be implemented

NEEDED REGULATIONS

1. Land use

- Conditional Use Permit (CUP) must be required for **ALL** cannabis activities — cultivation, nursery, micro-business, distribution, manufacture, testing — in **ALL** zones.
- **NO** cannabis activity on AG-1 properties of 20 acres or less.
- Notice for applications for all cannabis activities must be sent to all property owners within **two miles** of the application location and to all property owners within an EDRN.
- **NO** cannabis activities may be located within **two miles** of schools, day care centers, youth centers, senior facilities, parks, residential areas, cities, townships, EDRNs.

2. Size limitations

- There must be size limits (caps) on cannabis grows within Santa Barbara County to protect our environment, quality of life, and tourism. Limit **indoor grows to 22,000** square feet; limit **outdoor grows to 1 acre per APN**.

3. Water

- No cannabis permits of any kind should be issued in watersheds deemed by the state to be high risk. Prohibit transportation and importation of water from an outside source. Consider aquifer status, impact on region-wide riparian water rights, impact on private wells when evaluating applications.

4. Odor abatement

- Change LUDC C6 to require odor abatement in AG-II as well as AG-I (indoor and outdoor) and prohibit odors from being experienced outside the parcel whether residential or non-residential.

5. Enforcement

- There must be increased enforcement of the cannabis industry.
- Santa Barbara County must create a means for tracking acreage of cannabis grown in the county and NOT rely solely on state licenses.
- Enforcement priorities must be on all fronts simultaneously in addition those that are complaint driven. This includes **prompt** shutting down of all operations not in compliance with the law (including expired temporary license holders, invalid licenses, as well as new operators without a Provisional Annual license, a local land use entitlement, and a local cannabis business license). If funds generated by the cannabis tax do not cover enforcement needs, the County must find funds elsewhere.
- Complaints must be allowed to state “in the vicinity of . . .” and NOT require an APN or physical address; approximate location needs to be sufficient. Complainants must not be required to provide ‘evidence’ of violations.

POSSIBLE AMENDMENTS

1 Cannabis testing on agricultural lands

- No cannabis testing on AG-I or AG-II. Testing only on industrial zoned parcels.

2. Controlling cannabis operations on ag-1 properties adjoining rural/urban lines

- We support Option #3 — ban cultivation on AG-I properties in the LUDC.

3. Live Scan

- No consensus

4. Consider alternative methods for allocating storefront retail

- We support Option #1 with *Request for Proposal*-type application process

5. Change energy plan review to csd

- We support Option #1 — Amend County Code § 50-10 to specify the Sustainability Division in the Community Services Department

6 Increase authority to reject renewals

- We support Option #1 — Amend county Code § 50-17 to state, “Any application for a cannabis license shall be denied ...”.

7 Generators for security lighting and/or security cameras

- **Prohibit** generators for lighting and/or cameras. Generators are environmentally unsustainable, noisy, and will produce light all night. This will disturb neighbors and flora/fauna – remember many grows are located near water sources as is native habitat. Allow **ONLY motion-activated** solar-powered battery lighting and cameras. They may **NOT** be on all night – **ONLY** when motion is detected. Lights must be fully shielded, focused downward, and turn off within two minutes.

Thank you for your consideration

Signed in alphabetical order on next page

Addendum to previous list of 84 residents

- 85 Greg Campbell
Lompoc
- 86 Nancy Emerson
Solvang
- 87 Stephen Figler
Ogan Rd
Carpinteria
- 88 Kat Gaffney, Winemaker
Spear Vineyards
Lompoc
- 89 Jessica Jankoski
Buellton
- 90 Kathy Joseph
Fiddlehead Vineyard
Lompoc
- 91 Jim Mannoia
Carpinteria
- 92 Charles Osberg
Lompoc
- 93 Gina Osberg
Lompoc
- 94 Charles Sorensen
Buellton
- 95 Peter Work, grape grower and wine maker
Ampelos Vineyards
Sta Rita Hills
Lompoc
- 97 Rebecca Work, grape grower and wine maker
Ampelos Vineyards
Sta Rita Hills
Lompoc

de la Guerra, Sheila

From: Finley, Jan <jan.finley@sothebyshomes.com>
Sent: Monday, January 28, 2019 3:13 PM
To: sbcob
Subject: Cannabis Land Use Ordinance

Importance: High

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 afternoon,

I am writing to you today as I unfortunately will not be able to attend the meeting tomorrow. There has to be regulation of this crop. Driving through Carpinteria as I did last night was so asphyxiating - there is no way I would live around that smell. This smell will harm values in all of the areas that are under 20 acres.

Also I attended a funeral in Solvang last Saturday near a cannabis farm. The neighbors were telling me horror stories of where new owners of a property on their street were operating such a business and there were all kinds of commotion there including the SWAT team and the county when called said they couldn't do anything? Is this true??

We need to make our community safe. These farms should not be anywhere around families - they need to be out away from the community - I don't care what anyone says, there is a different element of character of people working and frequenting these places and too much traffic too. It seems we have opened our county to the cartel - that is the word on the street. ☹️

Jan Finley
905-698-7549
1072 Cota St.
Santa Ynez, CA
93460

Wire Fraud is Real. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

de la Guerra, Sheila

From: Sean D. Pitts <sean@happycanyonvineyard.com>
Sent: Monday, January 28, 2019 3:13 PM
To: sbcob
Subject: Cannabis Ordinance Comments, BOS meeting scheduled for Tuesday, January 29th
Attachments: HCV_Cannabis_Ordinance_Letter.pdf; ATT00001.htm

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:

Please see attached letter in regards to the Cannabis Ordinance that will be discussed on Tuesday, January 29th at the BOS meeting.

Please consider our thoughts, comments and opinions on this matter.

Best Regards,
Sean



HAPPY CANYON
VINEYARD



JANUARY 28, 2019

TO:

Santa Barbara County Supervisors

FROM:

Sean D. Pitts
Executive Winemaker and Managing Director
Happy Canyon Vineyard
P.O. Box 189
Santa Ynez, CA 93460
805-203-0749
sean@happycanyonvineyard.com

Dear Santa Barbara County Supervisors,

I am writing in regard to the Cannabis Ordinance that will be discussed on Tuesday, January 29th at the BOS meeting.

As lifelong Santa Ynez Valley residents, viticulturist, wine grape farmers and wine producers, we are writing with concerns over the current influx of cannabis grows in the Santa Barbara County. While we are supportive of agriculture and new business in the county, we believe the current regulations should be amended to benefit everyone.

We believe that cannabis growers in Santa Barbara county should be subject to size limitations like they are in other counties in California. Size limitations will help reduce odor (which benefits our family and our business), require less security, attract less crime, maintain the rural landscape which we all love and strive to protect. We ask that you please limit the size of indoor and outdoor grows to one acre per property, with a minimum property size of ten acres. This will bring us into alignment with most other counties in California.

We also believe that all cannabis grown in our county (indoor or outdoor) should be required to have odor abatement. The odor from the cannabis grows is already overwhelming in parts of our county. This affects our homes, our businesses, our children and the tourism which this county relies so heavily. Other counties and states have odor abatement requirements that significantly reduce the odor near the grows.

There is an application for a 30+ acre grow near our property. They are asking for an 8 ft high security fence and will require security round the clock. The size and scope of this grow will affect our family and our business negatively. However, if these restrictions were in place it would



HAPPY CANYON
VINEYARD



drastically reduce my concerns for both our wine business and the safety and security of our family's home.

Thank you for your time and attention.

Best Regards,

Sean D. Pitts

Sean D. Pitts
Executive Winemaker and Managing Director
Happy Canyon Vineyard

de la Guerra, Sheila

From: Jodi Pitts <jodi_pitts@yahoo.com>
Sent: Monday, January 28, 2019 3:53 PM
To: sbcob
Subject: Letter to Board of Supervisors
Attachments: Letter to BOS.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.

Please see attached letter and distribute to all board members.
Thank you,
Jodi Pitts

JANUARY 28, 2019

TO:

Santa Barbara County Supervisors

FROM:

Jodi Barrack Pitts, Thomas J. Barrack III, , Brett Barrack
P.O. Box 189, Santa Ynez, CA, 805-203-0749

Dear Santa Barbara County Supervisors,

We are writing in regard to the Cannabis Ordinance that will be discussed on Tuesday, January 29th at the BOS meeting.

As lifelong Santa Ynez Valley residents, viticulturist wine grape farmers, and wine producers, we are writing with concerns over the current influx of cannabis grows in the Santa Barbara County. While we are supportive of agriculture and new business in the county, we believe the current regulations should be amended to benefit everyone.

We believe that cannabis growers in Santa Barbara county should be subject to size limitations like they are in other counties in California. Size limitations will help reduce odor (which benefits our family and our business), require less security, attract less crime, maintain the rural landscape which we all love and strive to protect. We ask that you please limit the size of indoor and outdoor grows to one acre per property, with a minimum property size of ten acres. This will bring us into alignment with most other counties in California.

We also believe that all cannabis grown in our county (indoor or outdoor) should be required to have odor abatement. The odor from the cannabis grows is already overwhelming in parts of our county. This affects our homes, our businesses, our children and the tourism which this county relies so heavily. Other counties and states have odor abatement requirements that significantly reduce the odor near the grows.

There is an application for a 30+ acre grow near our property. They are asking for an 8 ft high security fence and will require security round the clock. The size and scope of this grow will affect our family and our business negatively. However, if these restrictions were in place it would drastically reduce my concerns for both our wine business and the safety and security of our family's home.

Thank you for your time and attention.

Sincerely,

Jodi Barrack Pitts, Thomas J. Barrack III, Brett Barrack