

Lenzi, Chelsea

From: ruizsblaw@cox.net
Sent: Thursday, August 10, 2017 7:00 AM
To: Metzger, Jessica; Cannabis Info; Williams, Das
Cc: Wolf, Janet; Adam, Peter; Hartmann, Joan; stevelavagnino@countyofsb.org; Allen, Michael (COB); sbcob; Lea@coastalview.com; Nick@Independent.com
Subject: Cannabis Land Use Ordinance and Licensing Program EIR
Categories: Public Comment

I am a resident of the City of Carpinteria, my residence address is 1483 La Paloma. I am submitting these Comments to formally respond to the NOP and Scoping of the EIR for the referenced Project. I have reviewed the material on the website and I attended the Santa Barbara Scoping meeting.

CEQA requires that you consider the expertise of Commenters in assessing their Comments so I will provide a brief introduction on my local land use and CEQA expertise. I was General Counsel for the Goleta Water District for about 20 years, late 80's through 2007. In that capacity I reviewed and was engaged in just about every Goleta area EIR prepared in that time period. I served on the City of Santa Barbara Water Commission for about 10 years where we had authority to review and approve all water and wastewater related CEQA documents. My name will forever be stated in the California Supreme Court Reports under the case, Citizens for Goleta Valley vs. the Santa Barbara County Board of Supervisors (the Hyatt/Bacara case, a landmark CEQA case). I was on the local Steering Committee for the initial Cachuma Contract Renewal in 1995 where we oversaw, managed (and paid for) the EIR/EIS prepared for that Project. That EIR addressed, among other matters, local Commercial Agriculture using Cachuma Water. I have worked on several Community Plan EIRs including the Goleta Community Plan, the first City of Goleta General Plan, the most recent City of Santa Barbara General Plan Update, and the 1990 and 2010 UCSB LRDP EIRs.

Considering that background, much of it representing local public agencies as a Staff member, I understand the challenges presented by the unwieldy Project description for this EIR. You are tasked to address issues related to retail sales, off cultivation site processing, manufacturing and distribution, hemp growing (?) and the issue that I am interested in, cultivation in the Carpinteria Valley on lands that are zoned Ag and are and have been in production. It is my strong legal opinion, based on my professional experience and as a lifetime South Coast resident (my 10 year old daughter is a 9th generation South Coast resident), you need to do area specific analysis if you are to prepare a valid and adequate EIR for this Project. At the Santa Barbara Scoping meeting I heard East Goleta activists upset about something they have heard proposed for their neighborhood. More power to them but that has no application to the issues of cultivation by established farmers, in the Carpinteria Valley. I do not want the underlying anti-cannabis perspective by some in our community to inappropriately "flavor" the result of this matter in the Carpinteria Valley. If our long established local family farmers want to grow cannabis legally, please let them be successful. I will explain why I believe it is one of the most critical environmental issues pending on the Santa Barbara County South Coast today. Likewise, I have read about the controversy in Tepusquet Canyon. Good luck with that one but that also has absolutely nothing to do from a CEQA perspective, with the issues in the Carpinteria Valley.

I propose that you have a Section of the EIR dedicated to a CEQA analysis of the "impacts" on the longterm viability of Carpinteria Valley Commercial Agriculture, and those established farmers who have identified an interest in sustaining Commercial Agriculture in the Carpinteria Valley with the cultivation of cannabis, from the implementation of County regulations proposed here. An obvious baseline would be to analyze the difference in impacts to Commercial Ag longterm viability with no County regulations over and above those already established by the State, compared to whatever levels of regulation may be proposed by the County. My practical issue is that I want the County and its decision makers to weigh the benefits of sustaining Commercial Agriculture in the Carpinteria Valley, and where the line

is drawn where proposed regulations may make the Commercial endeavor of being a successful cannabis farmer in the Carpinteria Valley, infeasible.

As we all know cannabis odor has become an issue in Carpinteria. I have been following these matters closely since the November election and several local social media participants have been very vocal and aggressive in the discussions. As the County has already established, some of these odor complaints have been the product of mistakes, County inspections have determined that some of the reports targeted properties where no cannabis cultivation is occurring. I do not question odor reports from my immediate neighborhood, and all that area on the mountain side of El Carro in the immediate vicinity of the Everbloom greenhouses. Look at Google Maps how close my backyard is to Everbloom. I know what cannabis cultivation smells like. I have never smelled it from my residence. I invite County staff to visit my backyard for a couple hours or as you wish, and determine for yourselves if you detect any unpleasant odors. I assume there is no such device yet that can detect cannabis odors, if there is one, I invite the County to install one in my backyard.

My goal here is to promote a Carpinteria Valley specific EIR analysis with appropriate alternatives, so the decision makers have all the information necessary to consider the impact on longterm Commercial Ag viability in the Carpinteria Valley, from any County regulations proposed. I want us to avoid the anti-cannabis hysteria that is unfortunately rampant in these debates today. I understand people are going to be vociferous in their opposition to retail sales in their neighborhoods. God bless them, that has nothing to do with the CEQA issues related to cultivation on existing producing Ag lands, in the Carpinteria Valley.

In following the local social media on these matters, I saw one participant encouraging others to submit to him odor reports, and he would bundle them and submit them to the County. I hope County staff rejects that approach. Those comments have no credibility and it would require a big waste of our time and County time and resources to respond to that. You have made it simple enough for any individual who is interested, to participate as an individual resident. In the course of these social media discussions, it has become apparent that in certain parts of the City of Carpinteria, backyard personal grows are proliferating and generating all the odor complaints on the ocean side of the Freeway. It is my opinion that existing Commercial cannabis cultivation cannot be smelled by any residents on the ocean side of the Freeway but of course many people on that side have registered odor reports. I believe today the County knows just about every existing Carpinteria Valley Commercial cultivation site and the analysis of odor reports should follow accordingly. For those who live next door to a large facility, yes, that can be credible. For those who live a mile or more away from a known facility, mistake, exaggeration, and/or anti-cannabis hysteria.

And that begins to raise what I expect in Carpinteria will be a decisive issue, how will odor be regulated and what will that cost the farmers to comply? With my background in local water I know better than most the challenges of making and meeting water quality regulations that require measurements and have criteria in parts per billion. I know how much it costs. I know we need to be reasonable and informed as we make these decisions on this subject because the preservation of Commercial Ag in the Carpinteria Valley is a significant County of Santa Barbara environmental issue and we need to get this right. How is odor regulation going to be implemented? What will the offsite odor criteria be? I have stated that I have never smelled any cannabis cultivation from my residence and I live just a few hundred feet from Everbloom. Of course we have people residing at or near the beach who swear they smell it all the time. How will these regulations be monitored and enforced, who will do it, how much will it cost, and how is it paid for? I know some in the County are counting on significant revenue from the cannabis industry, but if you do not allow the farmers, who do in fact know what they are doing, to be financially successful, they are not going to generate any revenue for you. There is a sense among people who know little or nothing about the cannabis industry, that it will be a guaranteed gold mine for any farmer who tries to cultivate. On a Statewide basis we are just starting to see what it will look like and we know that eventually there will be tremendous competition from big business and the price of cannabis will inevitably go down from here. Yes Carpinteria poses some challenges that can be reasonably met. But we need to allow our farmers to successfully compete with what we know will be less regulated farms in other parts of the State.

My background in local water had me working with Goleta and the remnant Santa Barbara farmers that we have left, for 30 years. Some of the old time Goleta farm families have "children" my age who I have known since High School.

Preservation of Commercial Ag was a recurring theme in many of the Goleta area EIRs I worked on. Local Ag that uses Cachuma Water was a driving issue in the 1995 Cachuma Contract Renewal and supporting Ag was critical to our negotiations to get the Federal Government to give us a better "Ag" water rate and interest concessions. Preservation of Ag will again be a critical issue that I will promote as we get into the next Cachuma Contract Renewal which the County has already initiated and will manage. Much like the odor issue but with a lot less credibility at least as it may apply in the Carpinteria Valley, there have been claims about how cannabis cultivation will use huge and unreasonable amounts of water. This is again area specific but in the Carpinteria Valley where for the most part we are talking about existing farmers converting crops from cut flowers to cannabis, I expect there will be no increase in water use. It is important that you address this issue and put it to bed because it is too easy for the hysteria mongers to use without reliable scientific information on the subject. I am sure our Carpinteria farmers who are currently legally cultivating cannabis can tell you exactly what the numbers are. I hope you understand that our established Carpinteria family farmers are some of the most efficient Ag water users on the face of the Earth. In the Scoping Document at 4.3.13 Public Utilities, it begins: "The Project would increase demand for water ... " Again area specific and in the Carpinteria Valley I expect that is not an accurate statement. You should not make statements like that at this juncture on a controversial matter without reliable evidence in the record to support it.

I also believe it is entirely speculative to assume what level of new cultivation we may see here. As touched on above, there will be tremendous competition from areas of the State where property is much cheaper and the regulation of Agricultural is much less onerous. I do not expect to see any significant new greenhouse development. Initially I expect almost all major cultivation will be conversion of crops by existing farmers to cannabis with very little legitimate environmental impact. I hope you have the resources to study and report on the actual environmental issues raised by an existing Carpinteria farmer converting from cut flowers to cannabis. That is the valid CEQA Baseline in the Carpinteria Valley.

I will wrap up and summarize here. My issue is the preservation of Commercial Agriculture in the Carpinteria Valley consistent with the County's Ag Preservation policies. For the rest of my life I will be dedicated to protect Carpinteria Ag lands from being converted to development, as the County has allowed to happen in the Goleta Valley during my lifetime. As stated above my 10 year old daughter is a 9th generation South Coast resident. I hope she chooses to stay here and live in Carpinteria where we are so happy and enjoy such a wonderful quality of life. It is my opinion based on my lifetime in local land use, that the most critical factor in that effort is to prevent in the Carpinteria Valley what happened in the Goleta Valley. When I was my daughter's age Goleta was covered with thriving Ag. As the financial viability of Ag waned and pressures to develop new housing mounted, the County allowed prime Ag lands to be converted to development and there we have it, Goleta 50 years later. For those who were not around look at an aerial shot of Goleta 50 years ago and Google Maps today. For those who do not believe the same could happen in Carpinteria, they are uninformed and/or naive. I can see it now, the struggling farmer willing to sell, the developer willing to promise to only build "Workforce Housing", and County staff saying we like Workforce Housing way more than we like greenhouse farmers, let's do it. And there goes the quality of life in the Carpinteria Valley forever. Just look at what is happening in the City of Santa Barbara with their AUD Program. Longtime City residents are in revolt. In 10 years every square inch of the City that is not a park is going to be covered with development and most of the new residential is going to be high density with no parking. Throughout my life on the South Coast there have always been these euphemisms, today it is Workforce Housing. Those euphemism have all really meant the same thing, let's develop as much as we can possibly get away with. That is one of the reasons we moved to Carpinteria. I worked with and for successful local developers, it is my opinion that for a residential developer with the resources to have a longterm view, Carpinteria is a much better target than Goleta ever was. It is an idyllic residential setting, we have the World's Safest Beach, lots of Ag land that could be bought relatively inexpensively. It could happen and if we are not diligent, it will.

The issue that is apparent to me and apparently not to most of the anti-cannabis activists is that the historic market for cut flowers and other Carpinteria Valley greenhouse farmers' products has literally gone South and is not coming back. Our Carpinteria farmers are at risk and some see cannabis cultivation as the business of the future that can preserve their family farms and businesses. Not only is Ag a critical environmental issue in the Carpinteria Valley but it is an economic driver and major employer. It is my view that we should treat our remnant successful established South Coast

farmers, in the same manner as an Endangered Species, which they are. In my humble opinion our local farmers are the most valuable "endangered species" we have in Santa Barbara County and they should be treated accordingly.

It is certainly not unusual to have area specific land use regulations. Who knows what the future will hold but I will start my advocacy with, for existing Carpinteria Valley greenhouses where the farmer wants to convert from an existing crop to cannabis or continue a currently lawful cannabis cultivation, no significant regulation is warranted or necessary. I know that politically you need to do something about odor but that must be a reasonable regulatory approach where the farmers will have very clear Notice of what they are expected to achieve to comply, and based on the best available scientific evidence in the record, and not on arbitrary, subjective personal opinions and anti-cannabis hysteria. All Ag comes with odors. I would much rather live next to a cannabis cultivation (which I do) than a pig farm, dairy or chicken farm. Even most crop cultivation comes with odors as demonstrated by the mistaken cannabis odor reports that the County has already documented in the Carpinteria Valley. When you are done listening to the anti-cannabis activists I hope you will consider the fact that California voters spoke overwhelmingly at the November election in the manner that is one of the more eloquent ways the People are empowered to speak, through the enactment of Legislation. I hope the County of Santa Barbara will respect that vote.

Please allow a step away from the anti-cannabis hysteria that has become a major theme in this discussion and focus on Ag preservation in the Carpinteria Valley. Listen to our longtime successful family farmers. Work reasonably with them and treat them as they should be treated, as some of the most important members of our community. Please promote the preservation of Ag in the Carpinteria Valley.

Russell R. Ruiz

Lenzi, Chelsea

From: Allen, Michael (COB)
Sent: Thursday, August 17, 2017 1:14 PM
To: Alexander, Jacquelyne; Lenzi, Chelsea; sbcob
Subject: FW: Marijuana issues

FYI...

From: Hartmann, Joan
Sent: Thursday, August 17, 2017 12:38 PM
To: 'morganhrs@gmail.com'
Cc: Allen, Michael (COB) ; Litten, Jefferson ; Farnum, Elizabeth
Subject: RE: Marijuana issues

Dear Mr. and Mrs. Malone,

Thank you for writing and I am so sorry to hear about your allergies, and those of your horses and dogs. I also appreciate having the link to the article you provided.

I am forwarding your letter to the Clerk of the Board so that he can forward your letter to the other board members.

As you may know, the Board has appointed an ad hoc committee to do the initial work on this, but I do hope that the risk to sensitive people and animals who may be allergic is an issue that the environmental analysis now underway will address.

With your letter now in hand, I will certainly be asking questions about this.

Warm Regards,

Joan

Joan Hartmann
3rd District Supervisor
Santa Barbara County
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105 East Anapamu Street Santa Barbara, California 93101
Solvang Office: 805-686-5095
1745 Mission Drive Solvang, California 93463
Jhartmann@countyofsb.org

From: morganhrs@gmail.com [mailto:morganhrs@gmail.com]

Sent: Thursday, August 17, 2017 9:03 AM

To: Hartmann, Joan <jHartmann@countyofsb.org>

Subject: Marijuana issues

Supervisor Hartmann,

I have been keeping a close eye on the current marijuana growing issue, as the canyon I live in is exploding with white hoop green houses growing it by the acre. I just recently sent a letter for the environmental impact meeting that is coming up. I wanted to write to you personally, as I have recently discovered another deadly issue associated with marijuana grows. The pollen. I have allergies, I have had them my entire life and have learned to live with them. I live in Cebada Cyn, in Lompoc , (unincorporated). My next door neighbor passed away and the property was sold. This is residential/ag as the area has 20 acres parcels. Hoop houses have sprung up and while more of these hoop houses were already operating down the street ,(a known marijuana grow), this new owner was supposed to be growing fingerling potatoes and organic garlic and is right next door to me. Well, when those green house doors are open, you can smell the marijuana wafting out. I have had prior skin allergies to laundry detergent, but remedied that with unscented detergent, but now they are back and nothing I have done can get rid of them, my horses are having allergic skin reactions and now I have one of my dogs, with allergies, that are making her miserable, constant ear infections and now hot spots on her back, so a skin allergy. Being retired law enforcement, I handled marijuana, always with gloves on, being a former evidence officer, I know even walking into an evidence room with contained/sealed marijuana, it gave me headaches. I am well aware of the mold and mites it can grow as well. I had to be very careful with the storage and handling at all times. Marijuana grows all year, so am I now doomed to a county with no oversight, with no thought to the people who have to live next door to these grows? I am miserable, my animals are miserable. The only change? The growth in marijuana. Our street is being called 'reefer ridge' and the canyon 'reefer canyon'. In the back of the canyon, there is a supposed 300 acre grow being fed off a nearby spring. Where is the accountability? Where is law enforcement? Where are the rights of the residents that have been here for years? Water consumption has skyrocketed. Just check with PG&E, if you want to know where the grows are, these grows take a lot of electricity as well. They have to have permits for those meters.

Here is just one article of MANY, available on the Internet about marijuana allergies:

<http://www.thedailybeast.com/you-can-be-deathly-allergic-to-weed>

I am a very unhappy resident of Santa Barbara County,

Jeanne Malone and James Malone (also retired law enforcement)
District 3 resident