

de la Guerra, Sheila

Group 1

LATE
DIST

A-13

From: SB Coalition for Responsible Cannabis <coalition4responsiblecannabis@gmail.com>
Sent: Monday, April 8, 2019 8:06 PM
To: sbcob
Cc: Lenzi, Chelsea
Subject: Fwd: Updated Provisional License Numbers

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 Board of Supervisors,

We re-checked the Provisional Licenses at the end of the day today. Below are the numbers; Santa Barbara County holds 57% of Adult Use Provisionals.

Statewide Numbers

Total Adult Use Provisional: 425

Total Medicinal Provisional 142

Total PROVISIONAL. **567**

Santa Barbara County numbers

Total Santa Barbara Medicinal 26 18% of State

Total Adult Use Provisional. 244 57% of State

Total Santa Barbara Co Provisional: 270. 47% of State

When last checked, SB County comprised less than 2% of the State population.

Thank you for your attention to this matter.

Coalition for Responsible Cannabis

de la Guerra, Sheila

From: Susan Ashbrook <sjashbrook@gmail.com>
Sent: Monday, April 8, 2019 8:30 PM
To: sbcob; Adam, Peter; Nelson, Bob
Cc: Miyasato, Mona
Subject: Public Comment 4-9-2019

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.

Dear Board of Supervisors,

Residents from Cebada Canyon have joined the fight against commercial cannabis grows on AG1 5 acres, AG1 10 acres, AG1 20 acres and EDNR's. Our canyon residents share a deep concern about commercial cannabis cultivation that we have felt and observed for over two years. While enforcement has shut down several growers, cannabis operators change names and LLC's and refile for permits.

Cebada Canyon will have at least 6 commercial cannabis grows applying for a CUP (Conditional Use Permit). We need YOUR help or the quiet lifestyle we love about our canyon will be changed forever.

You are aware of the ill effects of odor, fumes and respiratory problems, traffic safety on our rural roads, crime, increased fire hazard, environmental hazard caused by illegal grading. Two commercial grows in our canyon have been raided by law enforcement for lack of permits and lying on applications, yet they are already back in business. But there are a few more reasons why we are against commercial cannabis in Cebada Canyon:

- The County has no restrictions on the number of acres that can be cultivated per parcel. In other words, a neighbor can have hoop houses on their entire property.
- Use of generators 24 hours a day for security, drying, processing and lighting on grow sites is in front of the planning commission. With controlled lighting, growers are getting 4-6 crops a year. Noise, traffic and the "skunk" smell will be constant.
- Health and safety of residents and our environment is at stake as more data surfaces about the cannabis industry.
- Santa Barbara realtors are saying that properties near cannabis operations are falling out of escrow.

Please vote against commercial cannabis grows on AG1 5 acres, AG1 10 acres, AG1 20 acres and EDNR's before it's too late.

Susan Ashbrook and Derek McLeish

de la Guerra, Sheila

From: Catalina Mclsaac <catalina@catalinamcisaac.com>
Sent: Tuesday, April 9, 2019 5:34 AM
To: sbcob
Subject: 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 Board of Supervisors:

Congratulations! You are the new cartel in town. You want to make money off selling drugs. Cannabis is a drug. What's next, poppies for heroin, meth? There's a lot of money in drugs. What happened to the "Just Say No!" campaign? And if you think our kids aren't influenced by your outsized python embrace of cannabis you are seriously naïve.

Yes, I'm for decriminalization of cannabis, but I'm against wholesale marketing of cannabis as the new gold rush. What happens to the thriving wine industry in Santa Barbara County when cannabis becomes the new neighbor and ruins the vineyard next door? What happens to legitimate agriculture when big money buys up tracks of land, horse ranches and green-houses to grow drugs (meth is a natural companion product in the smaller hidden cannabis enterprises)? What happens to neighborhoods when the policy message is grow cannabis, grow it now and grow it every -where. If the policy continues to be cannabis cash first and to hell with neighborhoods, look no further than Guerrero, Mexico and you get a vision of the future of Santa Barbara County. Drugs and cartels are a happy marriage and you are now flirting with marriage to a scourge.

Your decisions have long term effects. You have the opportunity to protect Santa Barbara County from the thirst for cannabis which is a thirsty plant. Cannabis taxes our water resources and the purity of our ground water when the pesticides seep into our soil (cannabis is a delicate grow and needs poisons to protect it).

However, if you are still determined to ride the cannabis train for perceived short term gain and definite long term loss, then do your constituents a favor and, at the very least, limit the size of property appropriate for regulated commercial and permitted cannabis crops to forty acres in agricultural zones that do not border any vineyards or residential communities, including EDRN's. This is a reasonable request.

Concerned resident of Santa Barbara County,

Catalina Mclsaac

de la Guerra, Sheila

From: Valerie Bentz <valeriebentz@gmail.com>
Sent: Tuesday, April 9, 2019 3:25 AM
To: sbcob; Williams, Das; Hart, Gregg; Hartmann, Joan; Adam, Peter; Lavagnino, Steve
Subject: Concern about health and well-being of Carpinterians and others from Cannabis Growing

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 Board of Supervisors,

I am writing to you in my capacity as a private citizen and as a concerned Carpinterian. I wanted to express my strong support for the letter sent to you from the Santa Barbara Coalition for Responsible Cannabis (excerpted below). Things are getting worse - not better - here in Carpinteria Valley. I moved here five years ago in the hopes of finding a place to stay through my retirement. I pay a lot of taxes here. Now I am seeing my community destroyed in the interests of the pocket books of the cannabis growers. It is your responsibility to work for a good community for all.

Sincerely,

Valerie Bentz, Ph.D.
Resident of Carpinteria

P.S. I fully support the letter below.

LETTER FROM SB COALITION FOR RESPONSIBLE CANNABIS EXCERPTED BELOW:

Dear Supervisors,

Thank you for the opportunity last week to convey to you our Coalition's grave concerns about the impact of the County's Cannabis Ordinances (both land use and licensing) on the quality of life for County residents. We appreciate your response to our request to combine the two agenda items on April 2, 2019 concerning cannabis.

We appreciate that the majority of you, in particular Supervisor Adam, seem to acknowledge the unrelenting impacts that the "legal" non-conforming and unregulated cannabis cultivation sites continue to inflict upon residents and communities ranging from Tepesquet to Carpinteria.

Unfortunately, the proposed amendments to the Cannabis Ordinance, A-13, do not address the crux of the issue, which is the continued acceptance on the part of the county of these nonconforming and in most cases expanded uses. ***We request that you revise and further amend the ordinance so it does not imply the nonconforming uses can continue.***

Here are pertinent excerpts, enumerated and excerpted from the letter we sent to you last week [attached]. We continue to request that you amend the ordinance to include these important actions:

2. The Board should direct staff to review and investigate unlawful expansions and changes to those grows determined to be Legal Nonconforming Uses, and terminate them.

3. The Board should clarify that only those legitimately designated and continuing nonconforming uses which have an application called complete for processing under the Land Use and Development Code (LUDC) and Article II by P&D prior to 2016 should be processed.

4. For all applications which have not been called complete by P&D, the Board should direct staff to order termination of nonconforming uses as of the dates described in the ordinance.

We also urge you and your staff to be cognizant of the fact that both Article II and the LUDC provide:

“Upon recommendation of the Planning Commission, or upon petition by a person or persons affected by a nonconforming use of buildings or land or both, or on its own initiative, the Board of Supervisors may set a date for, and call a public hearing to determine whether or not a nonconforming use of land or buildings or both, or an unpermitted expansion of or change in such use should not be ordered terminated.”

We continue to request that the Board acknowledge that this specific rule applies to cannabis grows under the Nonconforming Use provisions of Section 1003 (which was not certified by the Coastal Commission to apply in the coastal zone in the first place, because it is outside of the LCP). Any unpermitted expansion or change in a nonconforming use, both within and outside of the coastal zone must be terminated.

Finally, we would like to draw your attention to the fact that as of close of business on Sunday, April 7, the State of California had issued **651 Provisional Licenses** statewide since late February--411 Adult Use Provisional Licenses, and 240

Medicinal Provisional licenses, all valid for another year. Of those, **244 Adult Use provisional licenses and 26 "Medicinal Provisional" licenses were issued to Santa Barbara County growers, the majority in Carpinteria. This comprises approximately 60% of the total** issued Statewide. We have attached the public list, available at the CDFA website, for your reference.

We are puzzled about how the County could have authorized the issuance by the State of these Provisional licenses when none of the sites have actually gone through the County permitting and licensing process-- in fact, most have incomplete applications, according to the County Planning website. Some of these locations and business names do not even exist in the County planning public website. We ask that you direct staff to review the completeness of land use applications and CEQA review **prior** to informing the State that a grower is eligible for a Provisional license.

Supervisors, we implore you to take the actions necessary to insure that your **stated** intent to mitigate the impacts of unpermitted cannabis operations is addressed **immediately**. Please incorporate the language we provided you last week, enumerated above!

See more at valeriebentz.com
Transforming Consciousness for a Livable World

Valerie Malhotra Bentz, PhD, MSSW
Professor | School of Leadership Studies
Fielding Graduate University
5367 Ogan Rd. | Carpinteria, CA 93013
office 805-395-0709
vbentz@fielding.edu



CHANGE THE WORLD. START WITH YOURS.

de la Guerra, Sheila

From: Sarah Trigueiro <sarah.trigueiro@gmail.com>
Sent: Monday, April 8, 2019 9:56 PM
To: Williams, Das; Hart, Gregg; Hartmann, Joan; Adam, Peter; Lavagnino, Steve; sbcob
Subject: Carpinteria & 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,

I wanted to express my strong support for the letter sent to you from the Santa Barbara Coalition for Responsible Cannabis (included below). On a very regular basis, I experience significant and quality-of-life-reducing impacts from commercial cannabis operations in Carpinteria Valley, and I am also empathetic to my neighbors and local businesses that are suffering for a myriad of reasons - poor air quality, respiratory issues, nauseating odor, constant traffic on formerly sleepy one-way roads like Cravens Ln, night lighting, and having to lock our doors at night for fear of the industry growing around us. I am also concerned about the schoolchildren here, who go to school to learn and have to deal with the befouled air.

The bottom line is that our greenhouses are open systems that vent to the outside air not just along their perimeters - they are not structured to contain the cannabis fumes. The Byers odor masking system has not been independently tested and peer reviewed as being 100% effective in our context, and--worse yet--we are just now learning from other counties' research that it leaves behind a residue that cumulatively builds and does not degrade for a period of time - the unknown Byers system impacts to our health and the health of the ecosystem around us are very troubling and were not part of the CEQA review/EIR report. In fact, while the county's EIR addressed odor concerns, it did not address air pollution caused by VOCs that cannabis plants emit, particularly as, when VOCs interact with CO2 from the freeway and traffic (both prevalent in our Valley area), the result is dangerous ozone. We often have inversion layer weather patterns here in Carpinteria Valley, and this bad air can get trapped, further compounding the risks to our health and well-being.

It is deeply troubling that we are adding more acreage through the permitting process at this very moment - going from approximately 130 acres to the 186 acre cap within a 4 square mile area surrounded by EDRNs, residents and other sensitive receptors. We residents are the experimental subjects for an odor masking system pragmatically doomed to fail. Closed systems with charcoal filtration are how this is

done right - we are putting proverbial lipstick on a pig here, with very subjective, un-confidence-inspiring standards and an enforcement system based upon resident complaints vs requiring proactive objective measurement in the hands of the responsible parties and county. We ask that you not grant any CDPs or land use permits until growers have proven objectively that they are able to contain and filter all escaping vapors and ask that the regulations be updated to require stronger technologies to contain VOCs and odor - namely charcoal filtration from all venting sites - as well as objective measurement and certification regarding escaping VOCs, with proactive testing by the county (not just based on resident complaints).

I ask you to please also consider the non-conforming use issues and proposals outlined below. The unverified affidavits and concomitant non-conforming use proliferation are what allowed commercial cannabis to vastly expand, to the detriment of our communities and environment. It is time to fix our county-wide mess and hold people accountable to making truthful representations to government.

I thank you for the work you are doing and applaud Peter Adam for quoting Oliver Wendell Holmes in the last meeting in regard to the conundrum of balancing personal liberties: "The right to swing one's fist ends where the other man's nose begins". Indeed, it seems that Oliver Wendell Holmes was prescient to our situation in using the analogy of a nose!

Kind regards,
Sarah Trigueiro
Carpinteria, CA

LETTER FROM SB COALITION FOR RESPONSIBLE CANNABIS EXCERPTED
BELOW:

Dear Supervisors,

Thank you for the opportunity last week to convey to you our Coalition's grave concerns about the impact of the County's Cannabis Ordinances (both land use and licensing) on the quality of life for County residents. We appreciate your response to our request to combine the two agenda items on April 2, 2019 concerning cannabis.

We appreciate that the majority of you, in particular Supervisor Adam, seem to acknowledge the unrelenting impacts that the "legal" non-conforming and unregulated cannabis cultivation sites continue to inflict upon residents and communities ranging from Tepesquet to Carpinteria.

Unfortunately, the proposed amendments to the Cannabis Ordinance, A-13, do not address the crux of the issue, which is the continued acceptance on the part of the county of these nonconforming and in most cases expanded uses. ***We request that***

you revise and further amend the ordinance so it does not imply the nonconforming uses can continue.

Here are pertinent excerpts, enumerated and excerpted from the letter we sent to you last week [attached]. We continue to request that you amend the ordinance to include these important actions:

- 2. The Board should direct staff to review and investigate unlawful expansions and changes to those grows determined to be Legal Nonconforming Uses, and terminate them.***
- 3. The Board should clarify that only those legitimately designated and continuing nonconforming uses which have an application called complete for processing under the Land Use and Development Code (LUDC) and Article II by P&D prior to 2016 should be processed.***
- 4. For all applications which have not been called complete by P&D, the Board should direct staff to order termination of nonconforming uses as of the dates described in the ordinance.***

We also urge you and your staff to be cognizant of the fact that both Article II and the LUDC provide:

“Upon recommendation of the Planning Commission, or upon petition by a person or persons affected by a nonconforming use of buildings or land or both, or on its own initiative, the Board of Supervisors may set a date for, and call a public hearing to determine whether or not a nonconforming use of land or buildings or both, or an unpermitted expansion of or change in such use should not be ordered terminated.”

We continue to request that the Board acknowledge that this specific rule applies to cannabis grows under the Nonconforming Use provisions of Section 1003 (which was not certified by the Coastal Commission to apply in the coastal zone in the first place, because it is outside of the LCP). Any unpermitted expansion or change in a nonconforming use, both within and outside of the coastal zone must be terminated.

Finally, we would like to draw your attention to the fact that as of close of business on Sunday, April 7, the State of California had issued **651 Provisional Licenses** statewide since late February--411 Adult Use Provisional Licenses, and 240 Medicinal Provisional licenses, all valid for another year. Of those, **244 Adult Use provisional licenses and 26 "Medicinal Provisional" licenses were issued to Santa Barbara County growers, the majority in Carpinteria. This comprises approximately 60% of the total** issued Statewide. We have attached the public list, available at the CDFR website, for your reference.

We are puzzled about how the County could have authorized the issuance by the State of these Provisional licenses when none of the sites have actually gone through the

County permitting and licensing process-- in fact, most have incomplete applications, according to the County Planning website. Some of these locations and business names do not even exist in the County planning public website. We ask that you direct staff to review the completeness of land use applications and CEQA review *prior* to informing the State that a grower is eligible for a Provisional license.

Supervisors, we implore you to take the actions necessary to insure that your *stated* intent to mitigate the impacts of unpermitted cannabis operations is addressed **immediately**. Please incorporate the language we provided you last week, enumerated above!

Thank you.
SB Coalition for Responsible Cannabis