

de la Guerra, Sheila **Public Comment**



From: Villalobos, David
Sent: Tuesday, June 22, 2021 8:11 AM
To: sbcob
Subject: FW: Appeal of Land Use Permit of SFS Farms OpCo 1, LLC for Cannabis Cultivation Letters of oppsoition
Attachments: sfs appeal letter 6-20-21.pdf; Santa Rita Hills AVA.pdf

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

From: Mark Morando <mmorando@mac.com>
Sent: Monday, June 21, 2021 10:22 AM
To: Villalobos, David <dvillalo@co.santa-barbara.ca.us>; Mike Morando <mdmorando@me.com>; Morando, Jr, Michael <mmorando@tremblayfinancial.com>
Cc: Elkurdi, Dara <delkurdi@co.santa-barbara.ca.us>; Brad Trumbull <bradtrumbull@yahoo.com>
Subject: Appeal of Land Use Permit of SFS Farms OpCo 1, LLC for Cannabis Cultivation Letters of oppsoition

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.

Dara & David,
Attached are two letters that need to be read into the record aloud at the meeting tomorrow.

Who is the PC secretary and her email?

Is the meeting online?
What is the access code and time?

Let me know that the letters are in the hands of the resposible party to make this happen tomorrow.

Thanks,
Mark

June 17, 2021,

Chair Ferini and Members of the
Santa Barbara County Planning Commission

Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101-2058

c/o David Villalobos
dvillalo@co.santa-barbara.ca.us

Re: Appeal of Land Use Permit of SFS Farms OpCo 1, LLC for Cannabis
Cultivation

Chair Ferini and Members of the Planning Commission:

The owners inhabitants and wine growers on the property at 5060 Hapgood Road strongly object to the approval of the SFS farms permit 19LUP-00000-00312 for outdoor cannabis cultivation approved on September 10, 2020.

Additionally, it has been stated by all residents, City Managers and the public in general (except local marijuana growers) that the permitting of and further permitting of cannabis operations in the Santa Rita Hills will destroy the quality of life, continued viability of the wine industry and the tourist based economy it has created.

The approval of SFS farms permit will create THE largest LEGAL marijuana cultivation project in California and the 2nd largest marijuana cultivation project in the UNITED STATES.

The County planners inability to regulate industries or create laws to regulate industries in a timely fashion is why there is a Planning Commission. A part of your charter is to make land use decisions with respect to Zoning (nuisance and trespass law) on behalf of businesses and the citizens of the County by taking into account the County of Santa Barbara's inability as a bureaucracy to create laws that address and envision the impacts of industries and the needs and desires of the community in every scenario.

The County has made a Cannabis Ordinance to regulate and mitigate the impacts of the cultivation operations, quite a bit too late and quite a bit too lacking in scope or thought.

The best example of the issues and lack of foresight is the City of Carpinteria. The City of Carpinteria and the entire valley smells like a skunks ass for over ten years now with no end in the future. Can you imagine your high school child in a classroom where all they smell is marijuana all day everyday? Then telling your child not to smoke or use marijuana as it leads to sloth and dementia. The quality of life has been and still is degraded for the residents, tourists, businesses and the industries of Carpinteria.

Was there any foresight or thought about the impacts to the exiting industries and integration into the agricultural community? NO, that is what drove the Ordinance and many of the issues were never solved with their new Ordinance and that is why it is your responsibility, if you are going to approve cannabis applications, to create mitigation measures to allow the cannabis growers to prosper along side the existing businesses and community, instead of drive out businesses and residents and creating a nuisance.

The County of Santa Barbara and the Planning Commission have the ability to ensure the cannabis industry can thrive within the County, so the County can grow their revenue base while ensuring the success of established industries and the quality of life of it's residents and tourists. The main avenue of the Planning Commissions ability to protect the residents, businesses and industries is to make conditions of approval.

Basically, the significant odors are the nuisance impacting the area for months at a time, it's residents, citizens and the wine industry. Numerous project have been approved in the County and almost all of them are within the Santa Rita Hills region. Please answer the question, as to why you are allowing this when you have an entire County to disperse the allowed acreage of marijuana cultivation within. The County of Santa Barbara has land areas that are rural, uninhabited that can be used to grow cannabis/marijuana where it will be a nuisance and not effect anyone or any industry? However, as you well know there are mitigation measures that can allow for the integration of the cannabis industry within more populated areas and industries.

Fundamental conditions of approval should be the minimum, meaning hooped rooms with odor abatement technology to prevent, pesticide and terpene drift i.e. odors and monitoring of the conditions approved. Create a buffer from the

neighbors by pushing the 86 acres you are approving far back into the 1,000 acre parcel (you have a 1,000 acres to work with, take a look at the map).

Actually read SFS Farms application and ask yourselves the basic questions. If they are not processing the cannabis on site then where are they processing it? another City, residential neighborhood, farm? The predominant wind direction in the Santa Rita hills is 95% from the ocean (west) to the east, blows everyday at the same time. This farm is set up to blow right into the \$30-\$40 million dollar, grapes of Melville, Gainey and Kendall Jackson.

Where is their odor abatement plan? Who are the owners of SFS Farms, any felons buried by the lawyers within the firm? Will the revenues be captured by the County if the LLC is not within this State? We are in a massive drought and the intensification of use from the old use to the new is at least a 2-3x increase in the drafting of the already falling groundwater water table in the longest drought recorded in the regions history now twenty-two years long.

Is it worth ruining the best thing that has happened in the Valley in a 100 years to allow without any conditions of approval an industry that could vanish with the stroke of a pen or actual enforcement by the federal government, which you have no control or warning.

You are basically running out farmers that have have been in the valley for four generations by cutting their revenue supplies and pushing the grape growers out of the world renowned valley.

Please do your job and create the necessary conditions of approval if you are going to approve this application.

Otherwise what is the point of having a Planning Commission?

I hope you take this decision seriously and vote your conscience and years of experience as residents, business owners and politicians.

Best,

Oak Hills Ranch
Michael Morando Sr.
Mark Morando

June 17, 2021,

Chair Ferini and Members of the

Santa Barbara County Planning Commission

Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101-2058

c/o David Villalobos
dvillalo@co.santa-barbara.ca.us

Re: Appeal of Land Use Permit of SFS Farms OpCo 1, LLC for Cannabis
Cultivation

Chair Ferini and Members of the Planning Commission:

We write to you today to express our concerns over the integration of marijuana cultivation into the Santa Rita Hills AVA appellation. The County of Santa Barbara and the Vintners that are operating vineyards and wine tasting rooms are presented with the existential risk to their business without the County amending the current ordinance with both sides coming together to mitigate issues affecting them. As the recent lawsuit before Judge Anderle exposed, this integration of marijuana cultivation into our wine growing and farming community will require compromise all the way around, something that seems to have tentatively begun on the Santa Rosa Road situation (separate of the diesel generator issue).

As many landowners and vintners see the situation, terpene drift and the associated smells, six/eight foot fencing with barbed wire surrounding fields, security cameras, guard houses, armed security details patrolling perimeter fencing around marijuana farming, the need for power generation, and the over drafting of the existing water table are the important areas of disagreement that

need to be addressed BEFORE allowing the integration of marijuana cultivation into the Santa Rita Hills. We will detail our concern on each of these issues individually as follows, by beginning with the more general observation of what we as landowners, vintners, and presumably the County of Santa Barbara have always pictured the Santa Rita Hills from the early days of this region.

The Santa Rita Hills has always been viewed as a bucolic farm region. Driving west from Buellton we see farms, vineyards, cattle grazing, and beautiful wine tasting rooms which the County planners have wisely required to be either shrouded in trees or hidden from view since the AVA origin. This rustic gateway to Lompoc and beyond is changing as we sit and these changes will devastate not only the nature of this pathway west but has the likely potential to ruin these vineyards and the positive knock on economic effects that the wineries have on tourism. If you drive west today, you will soon see brand new barbed wire fencing that is popping up around fields, complete with security cameras, guardhouses, and armed men and women. The atmosphere created is one of hostility, almost comparable to a war zone. Try pulling over next to these fenced areas and you will understand. It is unsettling to be frank. If the marijuana crop requires this amount of security, then we do not want that crop in our midst. Fencing around vineyards, where you see it, is solely to keep deer from eating the crop, or cattle to move through the vineyard. There is no fencing around the vegetable row crop acreage along Highway 246 which lends to the pastoral setting.

The composite of terpene drift and the latent smell of marijuana, and its processing is a complete unknown but a variable that has the real possibility of affecting the wine grape and its ultimate marketability going forward. Viticulturists will tell you that only good grapes allow the enologist to then craft a beautiful tasting wine. Wine grapes that have the taint of “honey vanilla” terpene from drift are useless to the winemaker. The “honey vanilla” reference is to a quote from the attorney for SPS Farms?? as reported in Noozhawk recently. (citation needed). The end result is a tainted AVA wine harvest that has no value to the wine business’ operations and success, nor to the County of Santa Barbara

which benefits greatly in hotel occupancy, restaurants, and all manners of tourism, region wide, in both North and South County. Our suggestion for mitigation in regards terpene drift is to have the affected parties (including the marijuana growers) pay for an independent study at UC Davis or Cal Poly, to determine through scientific methods the effects of terpene drift on the chemical and physical characteristics of wine grapes. Only until definitive studies (pl.) are done should the County allow ANY marijuana cultivation to take place in this AVA. In the event that studies prove there is an effect on the quality of grapes grown, then a discussion could ensue to mandate that marijuana cultivation be disallowed in the region, or conversely to be heavily regulated with substantial setbacks from any ingestible farm products and ranch housing, indoor cultivation with accompanying scrubbers to eliminate terpene drift and smell.

The needs of marijuana growers and processors for power generation has been exposed in a recent article on Noozhawk by Melinda Burns. (Citation needed). We concur with the actions of the County of Santa Barbara Air Quality Board that existing regulations must be adhered. Given our insistence that any marijuana cultivation and processing occur inside and include mechanical air scrubbing technology, there would need to be grid power set up and operational prior to any growing operation commencing.

The cultivation of indoor marijuana and the corresponding two or three harvests a year that it produces will require water. As we are currently experiencing another drought, it does not seem prudent to be introducing a water intensive farming operation that exacerbates this shortage. Following is a quote from Forbes magazine concerning this issue.

“Another factor is access to water. Growing marijuana requires a surprising amount of it -- it takes 50% more water to grow marijuana than it takes to grow grapes. Given that California is currently in its sixth year of drought, the question of access to water raises both concern and expense unless the local climate is already lush with precipitation. Counties to the north of Napa are better suited environmentally to marijuana as a crop.” (citation needed).

The Santa Rita Hills AVA, made famous by the low budget, quirky film “Sideways”, is faced with an existential crisis that calls for leaders and all those enraptured by our wine culture to look out your window as you head west from Buellton to view the hills, valleys, the Melville tasting room tucked away beneath the sycamores, the picnics at Foley, and Pence, the bride and her maidens out for a final taste, the excitement of talk and laughter over some of the finest Pinot Noirs, Syrahs, and Chardonnay anywhere in the world. Are we ready to put this quintessential Santa Barbara experience in jeopardy by mixing in an industry that could very easily exit our county should the Federal Government follow our States and make marijuana use and cultivation legal. Why would they want to leave? Because marijuana can be grown anywhere. And cheaper. In its wake will be the loss of an investment that can sustain our county as it has done for Napa, Spain and France and Italy, for time immemorial. Please SAVE THE SANTA RITA HILLS AVA!!!!

Sincerely,
Bradley Trumbull
Michael Morando Jr.