

Attachment 14: Planning Commission Public Comment Letters

Villalobos, David

From: Frits <frits@globalhort.com>
Sent: Saturday, January 22, 2022 5:27 PM
To: Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

Thank you for your review of the Ever-Bloom cannabis farm land use application. My company specializes in supplying beneficial insects to the cannabis industry, and Ever-Bloom has used a sophisticated system of managing pests at its farm using our products. Integrate Pest Management is great for the environment both inside and outside the greenhouse. When predatory insects are introduced on the farm to protect the crop from pests, it means no dangerous chemicals are applied that can be detrimental to the environment. Ever-Bloom is on a strict program and runs an impressive farm that takes biological pest control very seriously. Please approve this farm project, and allow a great farm to continue to set a positive example in the cannabis industry.

Sincerely,

--

Frits Mooring

Sales

Cell: (805) 794 - 7420



Global Horticultural | 4222 Sann Road | Beamsville, Ontario

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2/2/22

Villalobos, David

From: Rose Deacon <roses.deacon@gmail.com>
Sent: Saturday, January 22, 2022 1:21 PM
To: Dan Blouqh; Larry Ferini; Villalobos, David;
Cc: Ed VanWingerden
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

I'm writing to urge you to support Ever-Bloom Nursery's application to farm cannabis in Carpinteria Valley. The farm celebrated its 40th year anniversary in 2020 and has been a model operator in Carpinteria Valley for generations. If this property and team have invested in growing cannabis according to the many regulations put forth by Santa Barbara County and the State of California, then they should be allowed to move forward in supplying the state's legal cannabis market. Thank you for your time and commitment to Santa Barbara County.

Sincerely,

Rose Deacon, Carpinteria

1
2/2/22

Villalobos, David

From: Sean Bettles <seanbettles@gmail.com>
Sent: Friday, January 21, 2022 8:04 PM
To: Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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,

I'm writing as an organic avocado grower in support of the Ever-Bloom cannabis farm. Ed Van Wingerden grows some of the best certified-organic Carpinteria avocados available, and has a reputation for being a responsible farmer. Cannabis farming and avocado farming have grown side-by-side in Carpinteria Valley for at least five years now. The two crops are compatible and represent quality agricultural products grown in Santa Barbara County.

Thank you for understanding the importance of agriculture in Carpinteria Valley and ensuring that reputable farmers can operate successful farm businesses. Please approve Ed's application at Ever-Bloom and support the future of agriculture in Carpinteria.

Best,

Sean Bettles

1
2/2/22

Villalobos, David

From: Pam Roberts <pjrob5@gmail.com>
Sent: Friday, January 21, 2022 3:01 PM
To: Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

I'm a Carpinteria resident who has followed the progress of the cannabis farming industry over the past few years. The smell and odor of cannabis has improved. None of the other negative stuff neighbors feared — crime, real estate and tourism decline — have happened. Carpinteria remains one of the best places on the planet to live and cannabis does not change that. The county's approach to cannabis farming has been a great strategy for keeping Carpinteria small and semi-rural, and to do it in a way that strictly oversees farming and encourages reinvestment into properties that needed it.

The Ever-Bloom property has been in agricultural use for generations and should remain that way. Operators were asked to comply with a whole new regulatory framework and pay high county cannabis taxes in order to change crops. It is in all of our best interests to continue to work together with the farms that are doing it right. I am in support of Ever-Bloom and would like to ask you to please approve those who are doing it right.

Sincerely,

Pam Roberts, Carpinteria Resident

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2/2/22

Villalobos, David

From: Pam Light <pamlight43@gmail.com>
Sent: Thursday, January 20, 2022 11:02 PM
To: Villalobos, David; '-
Cc: 'John Duffy'
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

I am writing to thank you for ensuring that cannabis farm applicants comply with strict local cannabis regulations. We are in support of Ever-Bloom Nursery and Ed Van Wingerden. We live across the road from Ed and have admired and respected his dedication to sustainable farming at his avocado and lemon orchards, as well as his surrounding properties.

Cannabis farming has received a lot of attention in Carpinteria because of the smell. We have noticed the odor is much better now than it was a few years, and know local farmers like Ed are responsible for great improvements and are committed to the future of Carpinteria Valley.

Please approve the project at Ever-Bloom as a model cannabis farm that sets the standard for how cannabis should be farmed in Carpinteria Valley.

Thank you for your consideration,

Pam Light and John Duffy

6888 Shepard Mesa, Carpinteria.

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2/2/22

Villalobos, David

From: Alice Vazquez <grammie010@cox.net>
Sent: Monday, January 24, 2022 11:31 AM
To: Villalobos, David
Subject: 19DVP-00000-00016, 19CDP-00000-00017 4555 Foothill Road Cannabis Cultivation Project

Categories: Purple Category

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 24, 2022

Re: 19DVP-00000-00016, 19CDP-00000-00017
4555 Foothill Road Cannabis Cultivation Project

Hearing date: January 26 2022

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2/2/22

Is the Board of Supervisors really interested in safeguarding their constituents? That is the question which should be put to the public rather than these notices regarding MORE cannabis cultivation.

Since the inception of your initial approval for this “industry,” “they” have made promise after promise - yet complied with none. The stench is still quite potent. And now you’re proposing to allow it to be up against residential areas. Our home is approximately, give or take, one block from this proposed project. As if we don’t have enough problems, and you, our “protectors” have constantly turned a blind eye (or I should say nose) to the problem.

You are supposed to be safeguarding the interests of ALL your constituents. Me thinks that since money talks, those who complain will once again be preaching to the choir. Our pleas fall on deaf ears and we are the ones to suffer the effects of the cannabis and your avoidance of the issues at hand.

Mrs. Joseph M. Vazquez
4726 Malibu Drive
Carpinteria, CA

Villalobos, David

From: Lori Pearce <SAILMOM@msn.com>
Sent: Thursday, January 27, 2022 11:56 AM
To: Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,
Carpinteria Valley is a fine place to live, work and raise a family, and cannabis farmers like Ed Van Wingerden are a big part of who we are as a community. I'm President of the Board for Girls Inc. of Carpinteria, and though I can only comment as an individual, it's clear to me and others in the nonprofit community that local farmers are committed investors in Carpinteria and the local quality of life enjoyed by all neighbors in this special place.

Not everyone agrees that cannabis is a plant that should be legal, but that's not the choice when considering who qualifies to get land use approval to grow cannabis. Ever-Bloom farm has been a local farm for 40 years, and a responsible operator in cannabis for five years. To operate in cannabis, the farm had to reapply for permitting, and the county has a good system in place to decide whether farms meet its standards. Ever-Bloom meets and exceeds standards, has proven it is compatible with the community and deserves county support to continue to be a leader in responsible farming. Thank you for approving projects submitted by quality local farmers and supporting local agriculture.

Regards,
Lori Pearce

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2/2/22

Villalobos, David

From: Sebastian Lesecc <sebastian.lesecc@gmail.com>
Sent: Friday, January 28, 2022 3:30 PM
To: Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

As a resident of Carpinteria for the past 35 years, I can say there are very few places as special as Carp. A very large part of that is due to our small community and the effort put forth by everyone that lives here to make it an exceptional and amazing place to live. One person that puts his heart and soul into this town is Ed Van Wingerden. He has spent most of his life giving back to the community here and donated countless hours to local nonprofits. He goes the extra mile in everything that he does and that includes Ever-bloom.

Ever-bloom has been a notable business and valuable employer in the region for 40+ years! Ed has made this nursery state of the art and goes above and beyond to make it an exceptional facility. This includes significant investments in odor control and following local regulations to be a model cannabis business for our area. Ever-bloom provides good paying jobs while providing a pesticide free and environmentally friendly place to work. These guys are the good guys and I sincerely hope a permit will be issued for them to continue growing in our community.

Thank you,
Sebastian Lesecc

2/2/22

January 28, 2022

Dear Planning Commission,

I have had the pleasure of being associated with the Carpinteria Unified School District for many years. I was an interested educator of the District, and a neighbor of Carpinteria High School, In 2000, I was appointed Assistant Principal and then, Principal of Canalino School. I now am a member/Trustee of the Board of Education for Carpinteria.

I have had the pleasure of knowing Ed Van Wingerden for a number of years, and his business is up the street from me. He and his son, Ivan, have always been invested in Carpinteria, listen to concerns and have been beyond transparent about their farming operations. Ever-Bloom have been generous donors to nonprofit organizations for years.

Cannabis odors have dramatically improved to where it is rare I smell anything. As I live so close, I can attest to the odor issue. I am not aware of complaints from the High School, or its students. Both my grandchildren attend school there. I learned recently Ever-Bloom has been installing scrubbers to continue to invest and improve odor abatement techniques. The farmers of Ever-Bloom respond to questions or concerns from neighbors about their operations. Ed and his family are problem solvers and exemplify the kind of farmer we want in Carpinteria.

Thank you for considering my comments and for your support of local farmers.

Sincerely,

Sally D. Green

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2/2/22

Villalobos, David

From: Leigh-Anne Anderson <talktoleighanne@gmail.com>
Sent: Friday, January 28, 2022 1:56 PM
To: Villalobos, David; Larry Ferini;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

My name is Leigh-Anne Anderson, and I recently moved to the neighborhood nearest to Ever-Bloom farm at 4701 Foothill Road. My family is very fortunate to live here, and we believe this cannabis farm is compatible with the community of Carpinteria. I visited the farm and was quite impressed by the professional and sophisticated operation.

Cannabis odors are detectable at times and are mild. Please make sure that all farms are following Ever-Bloom's lead in eliminating odors. They have done a great job, and if other farms are having a problem they should follow Ever-Bloom's example of best practices.

Please approve Ever-Bloom's project and continue to make sure all farms operate at the high standards they model.

Thank you,
Leigh-Anne Anderson
PR & Marketing
(310) 990 5752

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2/2/22

Villalobos, David

From: Gerry Lamberti <Gerry@supersprings.com>
Sent: Friday, January 28, 2022 12:00 PM
To: Villalobos, David:
Subject: Ever-bloom - Ed Van Wingerden
Categories: Purple Category

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 Honorable Planning Commissioners,

I've known Ed Van Wingerden for many years through business and Rotary Club and have toured the Ever-Bloom facility.

It is a remarkable operation and a testament to the efficient and environmentally friendly farming practices made possible in greenhouses in Carpinteria. I live on Foothill Road in Carpinteria Valley and view the reinvestment at cannabis farms as a positive for the whole valley. Notably, cannabis farms ship product in vans rather than large refrigerator trucks, which is an overall benefit to our semi-rural neighborhoods.

Our valley has been able to balance agriculture, tourist serving and residential land uses in an impressive way and should continue to do so. Please approve this project and support local farmers who are invested in the community and dedicated to compliance with county rules.

Thank you.

Gerry Lamberti
CEO
Direct: (805) 745-5509
Office: (805) 745-5553
Fax: (805) 745-5501

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2/2/22



Villalobos, David

From: Michael Gonella <gonella@sbcc.edu>
Sent: Friday, January 28 2022 11:07 AM
To: Villalobos, David; ...
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Planning Commission,

I have brought Santa Barbara City College (SBCC) students to Ever-Bloom for horticultural field trips since 2007, including the last two years. I personally and professionally support Ever-Bloom in their business and educational efforts. They have provided expert advice to our greenhouse operations, as well as high-quality educational experiences for our students on field trip to their site, and in visiting our classrooms at SBCC. We have modeled many of our greenhouse facilities based on their cutting-edge technology, and used their infrastructural and management systems as a model for top-quality equipment for our students to have exposure to.

Both Ed and Ivan Van Wingerden have led tours and freely shared much of their knowledge and experience with my students, for over 10 years growing *Gerbera* and *Anthurium* cultivars, as well as more recently while cultivating numerous *Cannabis* cultivars. In essence, field trips to their site have been a critical component of our Plant Propagation course, and an important step for students to view a successful greenhouse operation.

Visiting Ever-Bloom has always been a highlight of our Plant Propagation course and of the A.S. degree program in Environmental Horticulture. Our ability to continue visiting that site is of high importance to our students and the future workforce of greenhouse operations in the region.

For the above reasons, we fully support Ever-Bloom in its efforts to become state licensed as a Cannabis grower. Ever-Bloom has been nothing but supportive of the educational program at SBCC, and has the highest caliber facilities, management and personnel of all growers we know in the area.

Please contact me with any questions and we'd be happy to provide details and numbers regarding our visitations and positive impacts to our students from Ever-Bloom.

Sincerely,

Mike

--
Michael Gonella, Ph.D.
Professor & Chair, Environmental Horticulture
Interim Chair, Construction Technology
Santa Barbara City College
721 Cliff Drive, SB, CA 93109

1
2/2/22

Villalobos, David

From: A.L. Bardach <albardach@gmail.com>
Sent: Sunday, January 30, 2022 9:48 PM
To: Villalobos, David
Subject: E. Van Wingerdan - 4701 Foothill Rd. Cannabis vs. Carpinteria High School Students
Attachments: ! USATTY wo signers.pdf

Categories: Purple Category

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2/2/22

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 Planning Commission members,

It's troubling that it is even necessary to write why the permit requested by Ed Van Wingerdan to grow industrial levels of cannabis directly in front of Carpinteria High school (and the Boys & Girls Clubs) needs to be denied. This is not a personal opinion, it's federal law.

This proposed cannabis facility is in direct violation of **Title 21 of the United States Code, Section 860.**

As far as I know, Federal law trumps state and county law (even in the First District of Santa Barbara County).

Federal law (**21 USC § 860**) is clear: no alcohol, drugs of ANY kind are to be sold, grown, manufactured, or processed within 1000 feet of a school facility or club.

Yet, because SB's Cannabis Ordinance, as we have sadly learned, was written by the cannabis lobby, the buffer is not even measured from property line to property line – the standard in land use law. Instead, the county uses a gimmicky standard where measurement is from a school property line to a greenhouse structure.

Let's put aside that this proposed cannabis operation is illegal under federal law.

Can there be any question that the ongoing pollution and adverse health impacts from cannabis operations on students, teachers and staff is immoral?

Ask yourself, would this be happening at any school in Montecito? or anywhere in SB with a majority white population?

Is it any coincidence that roughly 75% of the students attending Carpinteria High and the adjacent Boys Club are Hispanic? quite a few from undocumented families.

Sup. Bridley expressed surprised why she had not heard from the school district. Not so surprising when one realizes that cannabis growers backed and contributed to removing the two school board members who fought against cannabis operations and contributions. Maureen Foley, from one of the county's oldest families, was forced to resign. Rogelio Delgado, the sole Hispanic member and outspoken opponent against the surrounding nurseries, was defeated with the knock-out punch of cannabis contributions.

Consider that Supt. Diana Rigby initially insisted upon the 1000 foot buffer as stipulated in federal law. Since then, the District has welcomed contributions from cannabis growers, in violation of their own charter.

It gets worse.

Two years ago, the worsening odors and health impacts prompted a team of esteemed local attorneys to draft a Referral to the US Attorney asking its intervention to stop cannabis grows around Carpinteria High and other schools. These lawyers worked *pro bono* on behalf of *Concerned Carpinterians*, the community organization representing roughly 350 families in the First District and who have been the backbone of the movement for responsible cannabis grows. Their argument was simple: the pot grows are a clear violation of federal law (21 USC § 860) and their operations adjacent to schools and club violates the Fourteenth Amendment to the United States Constitution which stipulates that "No state shall...deny to any person within its jurisdiction the **equal protection of the laws.**" (see attached)

Concerned Carpinterian's membership thought perhaps the newly created Coalition should send their letter, as they were to acquire tax-exempt status.

No one dreamt that the day would come when a new attorney for said Coalition would be a reliable voice for cannabis growers and against the appeals of residents (see Melinda Burns reporting in *SB Independent*, *Newsmakers*, et. al). We're told the US Attorney regards the Referral - signed by 105 residents and their families - as an open investigation.

The issue before you is simple: does the Planning Commission back basic health and safety for the students, teachers and residents of Carpinteria?
or does it champion the demands of cannabis growers - who have made tens of millions to date - to snare an additional 400 feet to accelerate profits?

Sincerely,
A.L. Bardach
Carpinteria Resident

A.L. Bardach
BardachReports.com
805.684.7675 off
805.895.6919 cell

SANTA BARBARA COUNTY COALITION
FOR RESPONSIBLE CANNABIS
Protecting Communities, Residents, Agriculture, Schools and Businesses
P.O. Box 278, Santa Barbara CA 93102

January 20, 2020

To: U.S. Attorney for the Central District, California
312 North Spring Street
Los Angeles, CA 90012

Re: Santa Barbara County Cannabis Ordinance and Schools

To the Honorable Nicola Hanna,

We are writing you to seek protection for the residents, businesses, schools and children who are suffering from the unprecedented level of marijuana cultivation in Santa Barbara County. Most grievously impacted are the school children of Carpinteria Valley, as well as Buellton, and commercial grows near schools in other areas of the County.

We ask that you impanel an investigation of commercial cannabis cultivators that are operating within 1,000 feet of schools and other protected facilities in Carpinteria, California, in violation of Title 21 of the United States Code, Section 860. Similarly, we encourage you to investigate and bring a civil enforcement action against Santa Barbara County for violations of the Civil Rights Act, given the concentration of commercial cannabis cultivation and its pernicious impacts near schools attended by predominantly Hispanic children.

Lastly, we believe that your investigation into these matters could uncover additional federal violations potentially involving corruption and other financial crimes. Please see Attachment of Letters of Resolution from four major cities in Santa Barbara County- Carpinteria, Solvang, Goleta, and Buellton – condemning or seeking mitigation from Supervisor regarding their Cannabis Ordinance.

We recognize that the enforcement of federal law against commercial cannabis cultivators purportedly operating legally under state or county law can sometimes raise thorny questions of federalism. This, however, is not the case in Santa Barbara County. Simply put, cannabis cultivators should not be allowed to use state law to immunize themselves from federal criminal liability when their actions violate federal laws intended to protect children. Similarly, state and local governments cannot create legal regimes that intentionally concentrate health and safety hazards within minority communities and thus impede the equal education access rights of all children.

The United States Department of Justice and federal prosecutors play a crucial role in protecting the federal rights of individuals and communities when state and local governments are in violation. In

this case, we are asking you to protect the school children of Carpinteria, unincorporated Carpinteria Valley, and other areas in the County - many from less-privileged or minority families, who bear the burden of Santa Barbara County's disastrous dalliance with industrial-level commercial cannabis cultivators.

Were you to initiate criminal and civil proceedings in this instance, it would not only protect the County's school children, but it would serve as a powerful deterrent throughout the Central District of California. It would also deter local governments from manipulating zoning and permitting laws to concentrate cannabis cultivation, with its many negative impacts, upon defenseless children and minority communities. For these reasons, we ask you to initiate an investigation and proceedings as soon as possible. We are prepared to assist your office and law enforcement in any way within our ability so that justice is done.

Background

As you likely know from numerous national media reports, notably a 2019 investigative series in the *Los Angeles Times*, Santa Barbara's Cannabis Ordinance is deeply flawed, controversial and unpopular with residents and businesses who cope daily with the negative effects (air quality, odor, decrease in property values, and losses to legacy agriculture).

<https://www.latimes.com/local/california/la-me-santa-barbara-pot-grows-20190612-htmlstory.html>

<https://www.latimes.com/california/story/2019-11-10/carpinteria-school-board-takes-marijuana-money>

In short, the Board of Supervisors of Santa Barbara County voted for unprecedented, industry-favorable regulations that have made the County the number one cultivator, processor, and manufacturer of cannabis in the United States. The Supervisors achieved this through inadequate public notification and participation and by scheduling critical votes during the worst crisis in our County's history – the fires and mudslides of 2018, that killed 23 people and forced evacuations for several weeks.

This letter addresses what may be the most egregious outcome of the Ordinance: massive cannabis cultivation surrounding schools, Boys' and Girls' Clubs, child care facilities, as well as senior housing. The upshot has been mixed-messages on drug use, an invitation to criminal elements, unprecedented odor and air quality issues, and an array of health problems faced by our community. Indeed, respiratory ills such as headaches, coughs, allergies are now commonplace amongst students, residents and workers – ills that coincide with the explosion of commercial cannabis cultivation, especially in the unincorporated areas of Carpinteria.

A. Violation of the Drug Free Zone Requiring a 1,000 Foot Buffer from Schools and Other Youth Facilities (21 USC § 860)

Federal law provides for a drug-free zone through enhanced penalties when: distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within **one thousand feet** of, the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or

within 1000 feet of a public or private youth center, public swimming pool, or video arcade facility.

The obvious purpose of these legal protections is to prevent the use of drugs and alcohol and to foster a safe and drug-free environment that promotes academic achievement.

In flagrant violation of the federally mandated drug-free zone to keep drugs away from children, and in blatant disregard of the Supremacy Clause, Santa Barbara County and the cannabis industry insist, and thereby illegally grow, cannabis with a buffer of only 600-750 feet (Santa Barbara County Land Use and Development Code, Section 35.42.075). Even worse, this illegal buffer is not measured from property line to property line – the standard in land use law. Instead, they have implemented a gimmicky standard where measurement is made from a school property line to a cannabis greenhouse structure - circumventing all measurement norms and bringing marijuana plants, odors, and volatile organic compounds (VOCs) far closer to classrooms. As is the case with much of the Santa Barbara Ordinance, this unique method of measurement is difficult to enforce and invites further creep into the federally mandated buffer.

Not surprisingly, several commercial cannabis cultivators are operating inside the 1,000 foot buffer zone. Indeed, a walk, bicycle ride, or drive by any of the protected facilities in our community makes the consequences of the buffer violation abundantly clear: The illegally shortened buffer causes cannabis odors, and the chemicals that cause the odor, to infiltrate Carpinteria High School, Rincon High School, Girls Inc., the Carpinteria Boys & Girls Club, the Cate Preparatory School, and the Howard School – all facilities protected under Section 860. Likewise, there are schools in Buellton that are negatively impacted by odor and befouled air, as are potentially other areas of the County if the currently pending 140-plus cannabis applications are approved.

The safety of our children, moreover, is significantly compromised by having cannabis operations so close to the schools. Children have no choice but to walk to and from school around and along exposed areas of densely planted cannabis operations. Indeed, there have been multiple news reports of armed robberies along the California Central Coast at cannabis facilities. In 2018, two armed robberies occurred at cannabis sites in Carpinteria. Since then, many cannabis operators, loathe to report break-ins because of bad publicity, have turned their operations into quasi-armed camps with tall, electric fences, guards and 24-hour surveillance.

Furthermore, by allowing cannabis operations within the drug-free zone, the government is sending a mixed-message to minors and students. Significant amounts of resources are spent on anti-drug campaigns and education toward our youth. But, such anti-drug campaigns are undermined when Santa Barbara officials encourage drug operations abutting schools and other youth facilities. Numerous school children have voiced their concerns about the odors throughout schools, complained of headaches and nausea, and the surfeit of marijuana smoking and vaping on school premises. One well-spoken 15-year old student speaks of cannabis use by her classmates as having been “normalized by the adults” who operate cannabis grows a stone’s throw from classrooms.

The recent vaping epidemic, resulting in dozens of fatalities and thousands of hospitalizations, further underscores the soundness of public policy to keep drugs away from schools and childcare-related facilities. At least 80% of the known vaping fatalities contained THC. However, Santa

Barbara's supervisors omitted any mention of cannabis or THC in their December 2019 ordinance restricting the sales of vaping products, limiting the scope of their prohibitions to tobacco.

In the absence of any peer-reviewed scientific studies that rule out deleterious health impacts from cannabis (smoking, cultivation, emissions, VOCs, odors et al), we are troubled by the unprecedented and unlimited levels and intensity of cultivation in Santa Barbara County- most especially in the immediate vicinity of schools, childcare and senior facilities and, of course, residents.

For all these reasons, we urge you to investigate and prosecute all commercial cannabis operations within 1,000 feet of a protected facility in Carpinteria, Carpinteria Valley, Buellton, and in any other area of Santa Barbara County pursuant to 21 USC § 860.

B. Violations of the Civil Rights Act

The Fourteenth Amendment to the United States Constitution provides:

No state shall...deny to any person within its jurisdiction the **equal protection of the laws.**

The Civil Rights Act and related legislation, which enable enforcement of the Fourteenth Amendment, prohibit discrimination in education on the basis of race, color, or national origin.

In this case, the County of Santa Barbara, through its use of unprecedented and flawed zoning (a shortened buffer) and permitting ordinances, is depriving school children of equal protection under federal law by concentrating the negative health and safety impacts of cannabis cultivation near schools in largely minority communities.

That marijuana use is deleterious to the brains of children and teenagers is without scientific dissent. Cannabis smoke, fumes, VOCs and odors can be harmful to the lungs, most seriously to the developing lungs of children, a matter of profound concern to medical professionals who have signed this letter and/or a Resolution of Medical Doctors attached to this letter. Many residents and workers in cannabis greenhouses have sought medical attention for an array of respiratory ills, previously unknown until cannabis cultivation began in the county.

Dr. Jeffrey Fried, a pulmonary and critical care specialist at Santa Barbara Cottage Hospital and director of critical care at the Internal Medicine Residency Program, recently noted that "*I have no doubt that [residents] could experience significant symptoms as have [been] described from the vapor and odors of these nearby greenhouses, particularly with daily and prolonged exposures. These permits seem to have been given without regards to the possible consequences and impacts on the neighborhoods.*"

Indeed, too many of the County's cannabis grows are within the 1,000-foot buffer of the schools. The school children of Carpinteria are exposed to cannabis odors and VOCs as they walk, bicycle, or drive to school, while on campus, in the classroom, halls, even on the athletic fields. (Indeed, to such a degree, that announcements are made to visiting athletic teams warning of the cannabis odors.)

In addition to the physical health concerns posing a threat to residents and students, such exposure to cannabis creates mental health challenges as well. As noted above, students are bombarded with mixed messages about marijuana use. Carpinteria students also report that the high school and middle schools' restrooms are frequently used by teens selling "local homegrown marijuana" and smoking or vaping it. In addition, they – and their teachers - are being asked to concentrate on their classroom studies when overwhelming odors often makes this near-impossible. Such physical and mental health burdens are not being imposed on school children anywhere else on the South or Central Coast.

It is worth noting that the Carpinteria Unified School District has abdicated its role as an advocate for its students on these matters, as cited in numerous national and local media reports. The Carpinteria School Board is deeply compromised by the cannabis industry, despite the school district's charter explicitly forbidding such interactions and drug industry donations. In August 2019, the Carpinteria School Board Superintendent, urged board members to accept \$189,000 gift from CARP Growers, an organization of major marijuana growers in the area, ironically, for a school drug counselor. This further underscores the mixed-message that Carpinteria school children are being unfairly forced to navigate. More than one school board member has been sidelined, with another compelled to resign, after expressing reservations about cannabis cultivation near the schools and marijuana industry donations. <https://www.latimes.com/california/story/2019-11-10/carpinteria-school-board-takes-marijuana-money>

Also troubling are the apparent conflicts that shadow certain school board members as well as the principal of Canalino Elementary School, whose family are significant cannabis growers in Santa Barbara County. Moreover, her family's marijuana farms reportedly [see *L.A. Times* above] directly abut Carpinteria High School, again in contravention of federal law.

For these reasons, we urge you to bring a civil enforcement proceeding against Santa Barbara County for violating the Civil Rights Act. The County has denied equal educational opportunities to the minority school children of Carpinteria by concentrating the pernicious health and safety impacts of cannabis cultivation around their schools through the County's failed regulatory oversight and illegal zoning and permitting ordinances. It is worth noting that Montecito, the wealthy community bordering Carpinteria, has been spared *any* cannabis cultivation and retail cannabis shops whatsoever, as decided by the First District Supervisor.

C. Federal Intervention May Well Uncover Other Crimes

In addition to the violations of federal law cited above, there is significant evidence that the majority of the County's cannabis operations have lied or cheated on affidavits to obtain permits. Through generous political contributions and aggressive lobbying and marketing efforts, the cannabis industry secured the primary "seat at the table" in the largely closed-door drafting of the County's ordinance. Not surprisingly, standard due diligence, Planning Commission evaluation, and scrutiny of applicants or permit seekers have gone out the window. The relevant history is as follows:

In an effort to address California's legalization of medicinal cannabis in 2015, the County Board of Supervisors banned all cannabis growth and operations unless: (1) the entity was growing cannabis for exclusively medicinal purposes as of January 19, 2016; and (2) was in 100% compliance with

the State medicinal cannabis laws. Not anticipating the future legalization of recreational marijuana, no diligence was conducted as to whether such operations existed and complied with all laws.

Upon State legalization of recreational cannabis, a newly elected Board of Supervisors authorized State licenses in December 2017 *to anyone who signed an affidavit claiming compliance with the 2016 exception*. This is the origin of the County's sham licensing and permitting scheme that has legitimized criminal activity and allowed it to expand without County oversight.

To satisfy California's state provisional licensing requirement, the County's Deputy CEO, known as the Cannabis Czar, accepted these affidavits (self-declared, unverified written representations that applicants had been growing medical cannabis as of January 2016 and were in compliance with state law). He then delivered to the State ongoing Letters of Authorization certifying that the growers met the State and County Licensing requirements for recreational and medicinal cultivation and operations. Quite simply, **the entire basis for granting the vast majority of the provisional licenses in Santa Barbara County appears to be predicated on perjured statements by the applicant growers.**

Moreover, the County ordinances have allowed these illegal operators to qualify for multiple, virtually unlimited state provisional licenses---"stacking" as many as 38 licenses on AG 1 parcels in the Carpinteria area and up to 90 licenses on AG 2 parcels in the Northern part of the County. Each provisional license is entitled to at least 10,000 square feet of cultivation. Again: all predicated on ostensibly perjured statements by the majority of applicants. As a result of this house of cards, thousands of acres in Santa Barbara County have been illegally planted with cannabis (expanding illegally within their legal non-conforming status) without **any** County regulatory oversight or permit approvals. By way of contrast, in order to obtain a basic construction project permit in Santa Barbara County, a developer must spend months, if not years, in the zoning and building process, in addition to any Coastal Act or CEQA requirements. Public notice must be provided to neighbors who then have an opportunity to comment. Every inch of the use of the property is accounted for and inspected before the County issues a permit.

For cannabis, however, the County effectively gutted the entire permitting process, intentionally turning a blind-eye to those who falsified information in the affidavits. The County, moreover, then knowingly falsely represented to the State of California that the cannabis growers had complied with both State and County laws based on an extraordinarily liberal interpretation, thereby condoning and rewarding criminal behavior at the grave expense of citizens.

Corruption laws are intended as a remedy for breaches of public trust and/or abuse of power or position by state or local officials (along with their private sector accomplices). A government official may violate federal law when he/she solicits, demands, accepts, or agrees to receive anything of value in return for being influenced in the performance of their official duties. We believe that the County's construction of a legal regime that encourages illegal cannabis growers, combined with its complete abdication of its responsibility to protect Santa Barbara's children and other residents, warrants further investigation.

In support of this objective, we offer the following additional evidence: (1) several County Supervisors received large political contributions from cannabis interests during the time period the cannabis ordinance was being considered (see "[What Supervisors Get from the Cannabis Industry](#)")

in the *Santa Barbara Independent*, July 12, 2019); (2) the cannabis industry was granted numerous private meetings with two of the Supervisors during rule-making procedures; (3) in contrast to normal taxation of cannabis, the County further richly rewarded the industry through a taxation system of “self reporting,” without an effective revenue audit mechanism (all other counties tax on acreage (not revenue)); (4) the Board of Supervisors insisted on proceeding with critical rule-making meetings even though the entire South County was consumed with the Thomas Fire and evacuated from their homes; and (5) the Board of Supervisors continued again with critical hearings after the devastating debris flow while the entire community of Montecito and much of Carpinteria remained evacuated, search and rescue were occurring, and when virtually every capable person was committed to digging out and helping the hundreds of victims.

Furthermore, we believe investigating the interaction between County officials and cannabis growers during the legislative and permitting processes, as well as the growers operating within the 1,000 foot buffer, could potentially produce evidence of additional federal crimes. Indeed, we believe that cannabis operators who perjured themselves in their affidavits to the County may also be subject to liability under the Money Laundering Statutes, as well as tax evasion. The cannabis industry complains that their profits are being undercut by a massive black market. What they are not saying is that many so-called “good actors” are selling their product to the black market while being protected by the lax regulations of our County. [*See S.B. Independent 12-23-19 Herbal Angels Gets Wings Clipped <https://www.independent.com/2019/12/23/herbal-angels-gets-wings-clipped>*].

For all these reasons, we urge you to investigate not only the illegal cannabis cultivators operating in Santa Barbara County but also the processes by which these illegal growers were able to obtain County certification to the State and/or approval for their operations.

D. The Citizens of Santa Barbara County Need Federal Protection as the Local Law Enforcement is Not Capable of Controlling The Widespread Illegal Cannabis Industry

The marijuana industry is exceptionally well-financed and coordinated. As has been extensively documented, the Cannabis Business Council and other cannabis lobbyists and growers were the primary authors of the county’s Cannabis Ordinance.

Legal precedent exists in support of our request for federal intervention. In 2011, the residents of the City of Santa Barbara pushed back against politicians supporting an unusually large number of medical marijuana dispensaries. The U.S. Attorney intervened, conducted an investigation, arrests were made, and the community won the enforcement of the federally mandated buffer of 1,000 ft. from schools, parks, youth and community centers.

We appeal to your jurisdiction in this matter. The County Board of Supervisors has been steadfast in its refusal to provide relief. Our District Attorney has not forcefully intervened in this matter and has no authority to enforce the federal laws being violated by cannabis growers and County government. The state’s Attorney General, to date, has expressed seemingly more concern for the cannabis industry than for the residents of the state. [See L.A. Times 11-26-2019 “California officials side with marijuana company in new fight”]

Based upon the foregoing, we are compelled to request your intervention.

We believe that these clear violations of federal law, combined with the impact of the County's failure to respect and protect the health, safety and welfare of our children and most vulnerable residents, justifies, if not demands, prompt and forceful Federal intervention. We are prepared to support your efforts in any way that we can.

Thank you for your consideration of this request. Kindly confirm receipt of this letter by email to Blair Pence at blair@pencevineyards.com, SBCountyCannabisConcerns@gmail.com, Bobbie Offen at Concernedcarpinterians@gmail.com and attorney Robert Curtis of Foley, Bezak, Behle & Curtis at rcurtis@foleybezak.com.

Sincerely,

Santa Barbara County Coalition for Responsible Cannabis (501.c3)

Representing the five Districts of Santa Barbara County, protecting communities, residents, agriculture, schools and businesses. <http://www.sbcountycoalition.com>

Contact: Blair Pence, President blair@pencevineyards.com;
SBCountyCannabisConcerns@gmail.com

Concerned Carpenterians

Representing hundreds of households in Carpinteria Valley and city, and Summerland
<https://www.concernedcarpinterians.com>

Contact: Bobbie Offen at concernedcarpinterians@gmail.com

Padaro Lane Association Representing more than 100 families on Carpinteria's Beachfront

Contact: Kaye Walters, Communications Director kaye@padaro.org

Friends of Shephards Mesa

Representing the community of Shephards Mesa

Contact: Lionel Neff, President zuma13@msn.com

Kipley Lytel, Chairman of Board, **Las Canchas Polo Club Homeowners Assoc.**

James V. Mannoia, Vice President, **Las Canchas Polo Club Homeowners Assoc.**

Contact: jim.mannoia@gmail.com; klytel@msn.com

Resolution Seeking Investigation of Cannabis Regarding Health Impacts

January 16, 2020

The undersigned physicians in the Department of Pulmonary and Critical Care Medicine at Santa Barbara Cottage Hospital support a resolution requesting a formal investigation of commercial cannabis cultivation in Carpinteria, California. This resolution is made out of concern for the health and environmental consequences of cannabis cultivation, and more specifically the impact of the cultivation on the air quality affecting the nearby schools and homes, resulting in possible adverse health consequences on the general public, the children, and the local residents.

(Attached is a detailed letter addressed to Nicola T. Hanna, U.S. Attorney for the Central District, California, providing background and details of many concerns.)

Andrew Binder, M.D.
Jeffrey Fried, M.D.
Jeffrey Kupperman, M.D.

Villalobos, David

From: merrily peebles <merpeebles@gmail.com>
Sent: Sunday, January 30, 2022 4:30 PM
To: Cooney Michael;
David
Subject: Feb 2 Planning Commission meeting: 4701 Foothill
Categories: Purple Category

1
2/2/22

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 Planning Commissioners,

Why must the residents of Carpinteria Valley come down on another grower trying his best to make as much profit as possible with as little expenditure as possible? And when will the Planning Commission say this is wrong? This is not a question of making any profit, it is a grab to make as big of a profit as possible on the backs of 600 students and 800 residents within 400 and 1000 feet of Everbloom greenhouses. The growers "want to be good neighbors" by giving the school money. This in turn makes the administration and board afraid and unwilling to say anything and protect their students.

This application for a Coastal Development Permit as written is unacceptable.

Number one is the problem asking for the modification of the greenhouse setback which will hold cannabis, to within 400 feet of the school property! The ordinance calls for a 600 foot setback and that is what it should be. No putting nursery plants in the illegal 200' of a greenhouse filled in behind it with mature cannabis. Move the walls back. Besides, if Everbloom "says" they are using scrubbers they may need to modify the greenhouses so they are air tight. Is that in the proposal?

Number two is odor from this property has been an issue and the proposal only states the use of *leading active odor neutralizing technology currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning)*. This system does not work. **This application must state clearly they will use carbon scrubbers as a condition of approval.** Otherwise they need to go through the permit process again if they eventually decide to do the right thing, ie scrubbers. And do you want the students in a "vapor" environment?

Number three is the legalization of as-built structures including an office, irrigation room, boiler room additions, restroom building, storage buildings, and **32,000 square feet of unpermitted greenhouses**. (and the building of 5 new water tanks of which I am unclear if some exist and are unpermitted). Why should a business that has violated the law be allowed to expand?

Have you been on Foothill at 3:30 and 4 PM? More cars are an environment and safety concern, as is the increased water usage. Where is the care for Carpinteria and its residents? I feel it is all about the growers. It is tragic how many children without any advocates have already gone through this school environment with odor, headaches and asthma consequences. Are the residential voices against this proposal as important as the cannabis consultant? Shall we even bother to comment on this toxic proposal?

I am not a casual observer, I live on the other side of Foothill near the Polo Fields and cannabis odor is a daily issue here too. I have attached a report for January 2022 for my neighborhood. I hope you will regulate Everbloom so they really are good neighbors. Will you be an advocate for the 600 students and the 800 residents in that neighborhood?

Sincerely,

Merrily Peebles
La Mirada

Dec 30, 2021-2 PM Paquita Dr. my house.

Dec 31- 10 am 3561 Foothill; 12 pm 3561 Foothill very strong; 2:30 pm

Jan 1, 2022-2:15 PM 3561-3615 foothill

Jan 2—2:50 PM 3561 Foothill

Jan 3—9:45 am La Mirada; 10:45 am 3561-3615 Foothill

Jan 4—11:30 am very strong 3561-3615 Foothill

Jan 5—9:20 am Paquita Dr. neighborhood; 10:45 am Foothill, usual places.

Jan 6—10 am 3561 Foothill

Jan 7—9:45 am 3561 Foothill; 10:30 3615 Foothill

Sent Jan 7, 2022

Jan 10, 2022-9:15 am 3561 Foothill; 11 am very strong; 4:30PM

Jan 12—9:20 am 3615 Foothill; 1 PM 3561 Foothill

Jan 15—Via Real from 3500 to Nidever

Jan 16—4 PM 3561 Foothill

Jan 18—4:30 PM 3561 Foothill

Jan 19—10 am and 11:10 am 3561 Foothill

Jan 21—11:35 am 3561 Foothill

Jan 22—11:30 am 3561 Foothill

Jan 23—9:10 am Paquita Dr. my house; 1:30 PM and 4:15 PM Foothill

Jan 25—5 PM 3561 Foothill

Jan 26—9:15 am my house on Paquita; 10:30 am 3561 Foothill

Jan 29—8:40 am cannabis and odd smell; 2:30 pm cannabis and odd smell 3561 to 3615 Foothill

Jan 29—9:45 am odd smell 3561 Foothill

Villalobos, David

From: Anna Carrillo <annacarp@cox.net>
Sent: Sunday, January 30, 2022 3:02 PM
To: Villalobos, David; Michael Cooney; .
Subject: 4701 Foothill Rd., 19DVP-00000-00016, 19CDP-00000-00017
Categories: Purple Category

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.

To: Santa Barbara County Planning Commission
From: Anna Carrillo
January 30, 2022

1
2/2/22

I would like to make some comments on this project and hope you will propose some modifications to this project as presented today.

1. My biggest concern is the proximity to the high school. This is the first project I know of that has come before a public body based on a last minute decision at the Board of Supervisors' meeting regarding the distance required for cannabis operations and sensitive receptors (schools, etc.). I was present at that Board of Supervisors' meeting when the change was made from measuring between property lines to measuring from property line to premise. As the Grand Jury reported in June 2020, the owner of a cannabis operation sent an email to a Member of the Board of Supervisors who had visited a nearby cannabis operation on February 1, 2018 advocating for the measurement of the buffer distance to be the property line of the sensitive receptor to the premises of the cannabis operation instead of the Planning Commission's recommended buffer distance of property line to property line. The Board approved this change of measuring from the property line to premise (600' for nursery plants and 750' for mature plants) on Feb. 6, 2018 with no opportunity for public input.

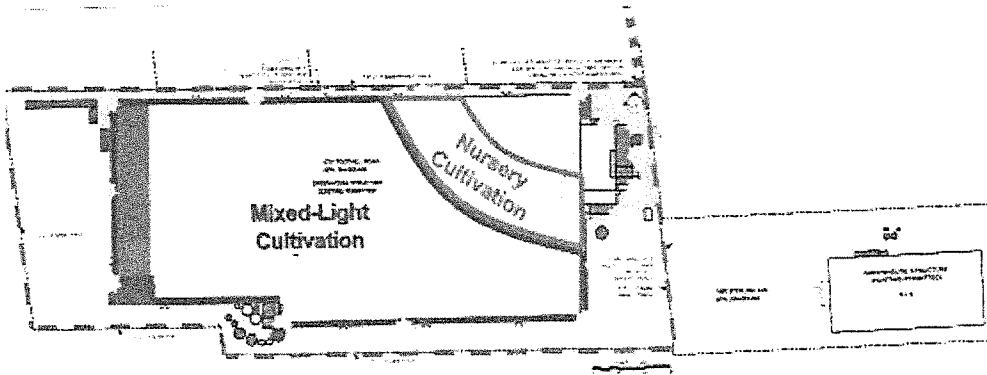
2. From the picture I'm submitting, what is the definition of "premise". I think it means the building, not part of the building as in the case shown by the curved lines for where the nursery plants will be growing. Article 35.11 defines the term "premises" as "the area of land in one ownership surrounding a house or building." The land owned by the applicant is within 750 feet of the school. But rather than analyzing the location of the school in reference to the land, which is the "premise: or even the structure, where the odors from operations are commingled and most concentrated, the County proposes to evaluate whether the location of specific plants within the structures are located within 750' of the school. There must be a **separate building or a permanent wall/structure** dividing the nursery part from the smellier part? Cannabis odor is like smoke and penetrates.

3. Article II Coastal Zoning Ordinance 2.2.5 states "That the project will not be detrimental to the **health, safety, comfort, convenience, and the general welfare of the neighborhood and will not be incompatible with the surrounding areas.** This project is sandwiched between the high school and many, many residents. Not only is the school too close to this operation but there are over 800 residences located within 1000' of this project. Odor and health complaints from neighbors about cannabis odor and the Ecosorb used in the vapor phase pipes have been numerous. This project can not as presented satisfy this requirement.

4. This project is one of 5 close to the high school (4505 Foothill, 4555 Foothill, 4532 Foothill, and 4994 Foothill. The operators of all these projects all belong to CARP Growers so it should be mandated that they hire an **independent Odor Specialist** to monitor daily (should be at least two times per day) the odors at the high school. **The County is not able to identify the source of the odors and no one at the high school is able/willing to complain** so if there is no monitor the odors will persist at the high school and in the neighborhood. Odors at the high school are continuing so unless there is cooperation from all 5 growers, nothing can change!
5. Please verify what the work hours for up to 60 employees will be. One place it says 6:30-3:30 Mon - Fri., Another place it says Mon. - Sat. 6:30-3:30, and in another place it even says from 6:30-4:00.
6. Also verify which routes the employees and delivery trucks will be utilizing. In one place it says Linden Ave is not to be used by the employees, but in another it shows Linden Ave. is to be used in addition to Casitas Pass and Santa Monica Rd. Since this operation is quite a bit larger than the 4555 Foothill Rd. Heard 1/12, are there really only going to be 7.5 outbound deliveries.
7. The pictures submitted are from the end of cul de sacs, not individual back yards, many which border the greenhouses. At the last BAR meeting a soils test was to be conducted because the plants being used to screen were dying. The pictures submitted show landscaping results in 5 years. That's a long time to wait for the screening to grow.
8. The unpermitted 32,180 sq. foot greenhouse should not be permitted. If it is to be permitted, then in return the greenhouses right next to the property line shared by residents in Carpinteria should be moved further away from the common property lines.
9. Currently this is the 2nd largest operation in Carpinteria with 34 provisional cultivation licenses and 1 nursery provisional license.
10. From the DVP Conditions: "The cannabis operation will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning)." **This statement needs to be corrected to include the proposed regenerative Carbon scrubbers and also include the statement "prevent cannabis nuisance odors from drifting off-site and impacting the high school"**.

Drawing discussed in #2 showing where the nursery cultivation is planned and where the carbon scrubbers will be located. There's no way to see whether there is any sort of physical barrier between the 2 areas. There's definitely a fewer number of carbon scrubbers in the 2.95 acres of nursery than in the 7.75 acres of mature plants.

The dark grey area in the top picture are the 32,180 sq. feet of unpermitted greenhouses.



Villalobos, David

From: Gail Herson <devesi@me.com>
Sent: Monday, January 31, 2022 12:00 PM
To: Villalobos, David; .
Subject: February 2 Planning Commission Hearing
Categories: Purple Category

1
2/2/22

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 Planning Commission Members,

If we could soar upon the wings of our better angels, far above Carpinteria, we would look down and see the high school and 800 families inundated with the largest concentration of industrial cannabis way too close. We would look down and see our students struggling to learn while plagued with nausea, headaches and the distraction of omnipresent noxious odor. Doctors and research studies document that developing brains and nervous systems of children and young adults are negatively impacted by smoking cannabis. Since there is no research on the long term effects of breathing cannabis odor and emissions 24/7, as Carpinterians are forced to do, our better angels know we should not make the assumption that it's not harmful. First law of medicine-and by extension, public planning, do no harm. Why does the cannabis industry demand you assume it's safe? Our better angels know Carpinteria students, while disenfranchised and powerless and largely Hispanic, deserve the same opportunity for successful learning as Montecito kids. I have heard there is no one at the high school who feels they can speak out on this project that at 400 feet from the high school is federally illegal to grow this close.

While I have heard the project will use regenerative carbon scrubbers,:

From the DVP Conditions:

“The cannabis operation will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning).” **If they are planning to include regenerative carbon scrubbers, shouldn't this be corrected to include those specifically in the proposal, and also include mention of the high school? Other growers who want to change to regenerative carbon scrubbers are not allowed to if their approved proposal did not include them.**

What of enforcement of efficacy of the odor technologies? Please require the growers around the high school including this project to hire independent odor specialist to monitor the high school and solve the problem of noxious odors as no one, including the County has been able to determine the source of noxious cannabis odors to date. The entire Carpinteria community, from Toro Canyon to The 150 suffers from the effects of the over concentration of cannabis industrial grows and the County does nothing no matter how many citizen complaints are filed, to enforce and remediate this nuisance. Knowing what you do now, it would be irresponsible and backward looking to permit this oversized grow.

Please listen to your better angels and deny this inapropriate and unhealthy project As presented without modifications to address these issues.

Thank you,
Gail Herson
Carpinteria, CA

Villalobos, David

From: Elaine Dietsch <epd1950@gmail.com>
Sent: Monday, January 31, 2022 10:52 AM
To: Villalobos, David
Subject: Fwd: 4701 Foothill Rd.

Categories: Purple Category

i
2/2/22

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.

Subject: 4701 Foothill Rd., Carpinteria, CA - Planning Commission mtg.

Dear Commissioners,

So, here you are again reviewing an application for the approval and expansion of what is acknowledged to be 32,180 square feet of unpermitted greenhouses built with no permits. Gee, I wonder what the outcome would be if I built an additional 32,180 sq. feet to my house, or even 3,218 sq feet, and then walked in and asked for 'as-built' approval/permits? If you approve this project without modifications to address the continuing and on-going concerns of the community, I certainly expect that the precedent that you are setting would then be applicable to my hypothetical project. If not it would be patently discriminatory to deny my project. Why would you even consider approving and sanctioning a project which has been operating illegally? Has the County boxed itself into such a corner that it now finds it impossible to say 'no' to anything that the pot growers ask for?

The project being considered is detrimental to the health, safety, and general welfare of both the neighborhood and most importantly Carpinteria High School. It is my understanding that the ordinance requires that the distance from the high school is 600' from the high school property line to the greenhouse buildings. Why would you not enforce this requirement? The proposal to put the nursery plants in the part of the greenhouse closest to the high school, the 400-600' setback and then just magically believe that the odor from the mature plants will miraculously stop when it comes to the 'baby plants' is just silly. FYI, odor penetrates porous areas/walls. At the very least, a non-porous, sealed wall should be constructed between the 'baby plants' and the 'mature plants' and a requirement for a Regenerative Carbon Scrubber System to be installed should be part of any permit approval process.

I am totally mystified as to why the Carpinteria School District is not vocally expressing concerns regarding the odor, the health issues, the traffic and the setbacks. Can it really be that those nice checks from the pot growers trumps the health and wellbeing of the students and staff? I'm equally mystified why any commissioners with family members or friends who are on the school campus on a daily basis are not concerned about their potential health issues.

At what point will you finally stop aquisseing to all the 'wants' of the pot growers/processors and start addressing the neighbors' and community's 'concerns'?

It sure hasn't happened to date. The whole process started out poorly and the County seems indifferent to trying to rectify all of the initial mistakes that were made when setting up the entire process. Score one again for the Cannabis entrepreneurs.

Sincerely,
Elaine Dietsch

Villalobos, David

From: Valerie Bentz <valeriebentz@gmail.com>
Sent: Saturday, January 29, 2022 12:14 PM
To: Villalobos, David: ;
Cc: Anna Carrillo
Subject: PLEASE STOP APPROVING MORE CANNABIS PRODUCTION NEAR SCHOOLS AND RESIDENCES IN CARPINTERIA
Categories: Purple Category

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 Planning Commission,

I am writing because as a resident of Carpinteria my health has continued to be effected by the Cannabis growing in and around my home. I am having continue allergy issues despite living with windows close and three air purifiers in my home. I have stopped trying to report this because I don't have time to report everyday and I can't tell which of the many growers surrounding us is responsible.

I realize that some of the growers are putting in Carbon Scrubbers. However the operations still are too close to residences and the high school. The teachers at the high school have been intimidated by the administration because Cannabis contributes money to the school.

We residents are sick our community becoming Cannabisville.

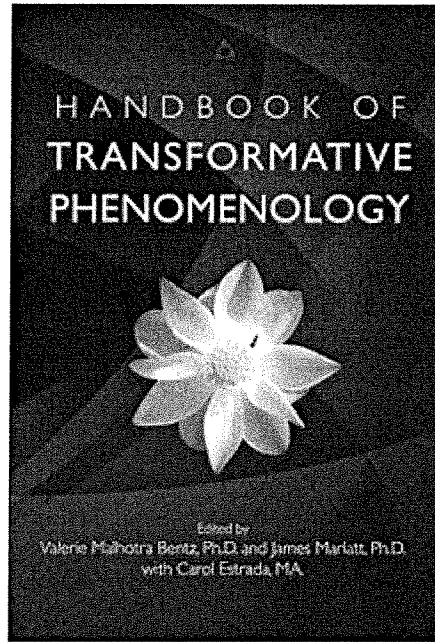
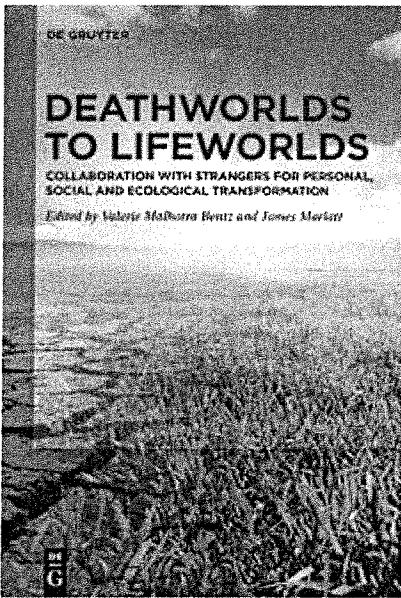
Enough is not enough it is too much!!

Sincerely,

1
2/2/22

Valerie Bentz, Ph.D.
Resident of Carpinteria

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



Link to webpage:

<https://www.degruyter.com/document/doi/10.1515/9783110691818/html>

Link to FUP webpage:

<https://www.fielding.edu/Fielding-Portfolio/handbook-of-transformative-phenomenology/>

See more at valeriebentz.com

Transforming Consciousness for a Livable World
New book release!

Link to webpage:

<https://www.degruyter.com/document/doi/10.1515/9783110691818/html>

Fielding folks access Valerie's Research Center here:

<https://learning.fielding.edu/course/view.php?id=4731>

See more at valeriebentz.com

Transforming Consciousness for a Livable World

Villalobos, David

From: Elaine Dietsch <epd1950@gmail.com>
Sent: Sunday, January 30, 2022 8:13 PM
To: Villalobos, David;
Dan Blough; Larry Ferini
Subject: 4701 Foothill Rd.
Categories: Purple Category

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.

2/2/22

Dear Commissioners,

So, here you are again reviewing an application for the approval and expansion of what is acknowledged to be 32,180 square feet of unpermitted greenhouses built with no permits. Gee, I wonder what the outcome would be if I built an additional 32,180 sq. feet to my house, or even 3,218 sq feet, and then walked in and asked for 'as-built' approval/permits? If you approve this project without modifications to address the continuing and on-going concerns of the community, I certainly expect that the precedent that you are setting would then be applicable to my hypothetical project. If not it would be patently discriminatory to deny my project. Why would you even consider approving and sanctioning a project which has been operating illegally? Has the County boxed itself into such a corner that it now finds it impossible to say 'no' to anything that the pot growers ask for?

The project being considered is detrimental to the health, safety, and general welfare of both the neighborhood and most importantly Carpinteria High School.

It is my understanding that the ordinance requires that the distance from the high school is 600' from the high school property line to the greenhouse buildings. Why would you not enforce this requirement? The proposal to put the nursery plants in the part of the greenhouse closest to the high school, the 400-600' setback and then just magically believe that the odor from the mature plants will miraculously stop when it comes to the 'baby plants' is just silly. FYI, odor penetrates porous areas/walls. At the very least, a non-porous, sealed wall should be constructed between the 'baby plants' and the 'mature plants' and a requirement for a Regenerative Carbon Scrubber System to be installed should be part of any permit approval process.

I am totally mystified as to why the Carpinteria School District is not vocally expressing concerns regarding the odor, the health issues, the traffic and the setbacks. Can it really be that those nice checks from the

pot growers trumps the health and wellbeing of the students and staff? I'm equally mystified why any commissioners with family members or friends who are on the school campus on a daily basis are not concerned about their potential health issues.

At what point will you finally stop acquiescing to all the 'wants' of the pot growers/processors and start addressing the neighbors' and community's 'concerns'?

It sure hasn't happened to date. The whole process started out poorly and the County seems indifferent to trying to rectify all of the initial mistakes that were made

when setting up the entire process. Score one again for the Cannabis entrepreneurs.

Sincerely,
Elaine Dietsch

Villalobos, David

From: Trisha Daggett <daggettclan@verizon.net>
Sent: Monday, January 31, 2022 2:31 PM
To: Villalobos, David;
Subject: Planning Commissioners February 2 meeting
Categories: Purple Category

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 31, 2022

Re: Planning Commission February 2, 2022 Hearing

Dear Honorable Planning Commissioners,

Thank you for paying close attention to cannabis farm applications in Carpinteria Valley and making sure cannabis farmers grow in a way that fits in with the community.

Ed Van Wingerden has been a long time community member that has contributed greatly to many local causes and charities. He runs a family business and has been a large local employer that has provided good paying jobs to our community.

As cannabis farming became legal, and local farmers decided to seize the opportunity to grow new plants and explore new markets, planners faced a challenge in balancing agricultural crops in the area. I applaud your commitment to applying new standards and overseeing vast improvements to local farming through the cannabis ordinance.

I believe that Ever-Bloom has done all of the necessary things to mitigate its impact on the community by using odor control technology, using a lot less pesticides and using a lot less water while still producing a quality product.

Please approve Ever-Bloom's application to farm cannabis in Carpinteria and allow committed local growers like Ed to help shape a new agricultural industry.

Sincerely,

Trisha Daggett

2/2/22

RECEIVED

Villalobos, David

From: S G <sasha477m@gmail.com>
Sent: Monday, January 31, 2022 11:59 AM
To: Villalobos, David
Cc:
Subject: 4701 Foothill Rd. Project - For Planning Commission Review
Categories: Purple Category

Patty

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 Planning Commission members,

Re. the proposed cannabis project at 4701 Foothill Road, we request that project approval be put on hold for the following reasons:

1) The proposed cannabis operation, in such proximity to Carpinteria High School, appears to be in violation of federal law, which overrides state and county law: ref. Title 21 of the United States Code, Section 860. Federal law (21 USC § 860) states: no alcohol, drugs of ANY kind are to be sold, grown, manufactured, or processed within 1000 feet of a school facility or club. Measuring the buffer from property line to property line, which is common practice, is a requirement in other places for good reason: the safety and well being of students and neighbors. Attempts by the County to circumvent this important health and safety requirement are quite simply unethical, will invite costly legal action and may very well be struck down in Court.

2) While we applaud Mr. Van Wingerden's intent to move to carbon scrubbers as a mitigating measure, the fact is that our home and neighborhood, which lies in the adjacent area of Heath Ranch, continues to be inundated with cannabis odor that continues to impact our quality of life and possibly our long term health.

The County needs to face up to the big elephant in the room:

How much cannabis processing in the Carpinteria Valley is enough and how much is too much?

The County needs to address this question ASAP prior to approving more cannabis projects.

Sincerely,

Alexander and Patricia Globa
Homeowners and Taxpayers

1
2/2/22

Villalobos, David

From: Anna Cronshaw <annacronshaw@gmail.com>
Sent: Monday, January 31, 2022 11:53 AM
To: Villalobos, David;
Dan Blough; .
Subject: 701 Foothill Rd. Cannabis vs. Carpinteria High School Students
Categories: Purple Category

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 Planning Commission Members:

Please accept this email as my letter to voice my **STRONG SUPPORT FOR THE DENIAL OF THE PERMIT REQUESTED BY ED VAN WINGERDON** to grow industrial levels of cannabis directly in front of Carpinteria High School.

As a resident of the Toro Canyon Plan area - I have been closely following the cannabis situation in the nearby Carpinteria Valley for the last several years now - and have been *extremely dismayed by the many weaknesses of Santa Barbara County's Cannabis Ordinance*.

As we have learned, this ordinance was written by the cannabis lobby, behind closed doors; without any real thoughts or protections put in place for the vulnerable people of the Carpinteria Valley, whose residences - unfortunately - happen to be in between the many agricultural endeavors that share their neighborhoods.

It is finally time - really so very long overdue time - for the residents of the Carpinteria Valley to have a win against the onslaught of their cannabis industry neighbors - who have disrupted their quality of life with cannabis-created health issues and odors that now dominate their day-to-day lives.

I side with the organizations who have worked tirelessly for a fair shake for the residents of the Carpinteria Valley - such as: **Santa Barbara County Coalition for Responsible Cannabis, Concerned Capinterians, Padaro Lane Association, Friends of Shephards Mesa, and Las Canchas Polo Club Homeowners Association.**

Sincerely,

Anna Cronshaw
2960 Hidden Valley Lane
Santa Barbara, CA 93108
(805) 969 1718 home office
(805) 689 9517 mobile

1
2/2/22

Villalobos, David

From: William Bishop <wishfulbishop@gmail.com>
Sent: Monday, January 31, 2022 11:48 AM
To: Villalobos, David
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

I am a Carpinteria resident, raise my preschool aged son here and support Ever-Bloom and the legal and responsible cannabis industry. I think we have seen the local conversation on cannabis run its course. Farmers have been transparent and responsive. The odor issue has been greatly reduced. Now cannabis is seen as a legitimate and environmentally superior part of the local ag sector.

Please approve Ever-Bloom's land use application, because the farm and operators have earned their place among cannabis growers. Those that follow the rules are the ones we want to farm locally and to continue to be part of the local community. This farm should rightfully be seen as part of the solution and not the problem.

Thank you for your time and consideration of my point of view.

William Bishop

1
2/2/22



January 31, 2022

Dear Honorable Planning Commissioners,

Thank you for your commitment to overseeing land use in Carpinteria Valley and supporting the local farming sector. CARP Growers has 10 member farms who are all committed to compliance with the county cannabis ordinance, transparency with all stakeholders and exceeding local and state standards for cannabis farming. Our organization fully endorses Ever-Bloom as a responsible farm operation and model cannabis producer.

Ever-Bloom stands out as a showcase farm and has been the site of the majority of our educational tours, which have been free and open to the public. Ever-Bloom's operators have been ambassadors for the whole industry in welcoming hundreds of neighbors onto the farm. The farm is the definition of a professional and sophisticated commercial operation and has been an open book with neighbors, the media, regulatory agencies and all other interested stakeholders. Ever-Bloom stands up nicely to the light of day, and its owners have been generous in opening the doors and dispelling myths about the cannabis industry.

On the topic of odor abatement, Ever-Bloom and its team are again superlative. This team has been steadfast in its advancement of odor abatement technology and following the science of cannabis odors toward solutions and results. Counted as beneficiaries of Ever-Bloom's work are neighbors and fellow farms across the valley. Ever-Bloom's team has led our collective odor investments and research and development on a valley-wide scale.

CARP Growers reached an agreement with the Santa Barbara Coalition for Responsible Cannabis last year on how to grow cannabis in a way that's compatible with the community of Carpinteria. The partnership of a community watchdog group and industry group is a remarkable achievement, and Ever-Bloom was integral to the trust building it took to create a mutual agreement and path forward for local cannabis.

Ever-Bloom and its operators have been in business for 40 years. Cannabis permitting has led to modest improvements at the farm that are driven by compliance with the county's strict cannabis ordinance. Please, as county staff recommends, approve Ever-Bloom's application to continue to farm at 4701 Foothill Road.

Sincerely,

Autumn Shelton, President

CARP Growers

1
2/2/22

Villalobos, David

From: Paul Roberts <paroberts.sb@gmail.com>
Sent: Monday, January 31, 2022 11:42 AM
To: Villalobos, David; Michael Cooney; Dan Blough;
Subject: Hearing on the request of Eduard Van Wingerden, Applicant and Owner, to consider the following: a)Development Plan (DVP) (Case No. 19DVP-00000-00016

2/2/22.

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 Planning Commissioners,

I've been a resident of the Carpinteria Valley for more than 35 years. We have raised a family here. I continue to be disappointed in the inability or unwillingness of our local government to carefully regulate the proliferation of the cannabis industry in our community. I realize I offer you no financial benefits and I am speaking against the interests of a multi-million-dollar industry where profits are the only goal. It will not regulate itself. In fact, if history is any teacher, this industry, including this applicant, will push the limits until stopped.

I sincerely urge you to consider the following:

1. 4701 Foothill Rd. is across the street from Carpinteria High School. It is obvious that the noxious odors permeate the air inside the classrooms and outdoors where the students socialize, study, eat and importantly participate in numerous athletic events. However, the high school and its students have no voice. They are conflicted from becoming involved in this issue because the cannabis industry permeates the local culture like the air-- including the high school with its financial ties. So it is up to you to protect the children and the staff. The cannabis industry will not do so. They don't care. A proposal by the applicant to install scrubbers appears to be just that, a proposal. At a minimum, you should make it a prerequisite that the applicant installs a state-of-the-art air filtration system before beginning cultivation. Any refusal to do so by the applicant is only an effort to maximize profits to him and to decrease overhead.

2. It appears that this applicant is proposing his marijuana growing greenhouses to be located only 1000 feet from numerous residences. For our community, those homes are occupied by working class families who are not going to be heard from as a part of this Application. They have no lobbyists. They have no consultants. You need to protect them. Do you think they want the noxious fumes? Simply because they are silent, you should not assume that they are accepting of this application. I would suggest that you assume the contrary. I would also suggest that you imagine having foul air 24 hours a day in your front yard, in your backyard. You, the Planning Commission, must consider this.

3. For our community this is an immense project. Using two 35,000-gallon water tanks to grow marijuana sounds huge for our community. Ten more acres of greenhouses for the growing of marijuana sounds huge for our community. Our understanding is that 32,000 square feet of green houses were built with no permits. Do the rest of us get to build 32,000 ft. enclosed space without permits? 60 more employees driving on Foothill may seem insignificant to you however to those of us who drive, bike and walk on that relatively dangerous two-lane highway that additional traffic is huge. Already traffic has increased dramatically since the proliferation of the cannabis industry in our community. Will it take a tragic accident to get your attention?

Consideration of this project is premature. Based upon all the available public information, as presently described, this project negatively impacts our health and safety in our neighborhoods in the Carpinteria valley. The Applicant's reluctance and or refusal to do more and do better is simply an effort to reduce overhead and maximize profits while the neighborhood suffers the consequences. A democracy requires its representatives to protect against the arrogance of power that harms its citizens. We are counting on you to do so.

Respectfully submitted,

Villalobos, David

From: ELIZABETH GEIGER <doddbeth@aol.com>
Sent: Monday, January 31, 2022 11:32 AM
To: Villalobos, David: N
Subject: cannabis vs. Carpinteria High School Students
Categories: Purple Category

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 Planning Commissioners,

We find ourselves once again, writing in pursuit of justice on behalf of the children and residents of Carpinteria. Why is it that the people in charge of keeping us safe from the toxic effects of cannabis grows in our community do not stand up on our behalf? What kind of message are we sending to our children about what is important in life? Is it money and profit or the health and well being of our community, our friends and neighbors? These children are our future! What affects them now will affect every one of us in the future. By demanding businesses comply with Federal Law, we are not trying to shut down any business, only ensuring that the law protecting residents is upheld. Please do not allow these growers to buy their way out of responsibility to the Carpinteria community. We must not allow the the grows to be so close to our schools and we must demand they install the latest technology to deal with the smell and noxious odors coming from said grows, ie Carbon scrubbers.

Please advocate on behalf of the children and residents of Carpinteria.

Sincerely,

Elizabeth and William Geiger
Padaro Lane, Carpinteria

2/2/22

Villalobos, David

From: Nadia Lyhitchenko <nadiavw@me.com>
Sent: Monday, January 31, 2022 11:28 AM
To: Villalobos, David:
Subject: Fwd: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners

I live adjacent to the Ever-Bloom property and support this project. The odor impacts the last few years with the Byers system running have been minimal, and with the new carbon filtration scrubbers, I am sure the odor will vanish. This project is the model for cannabis cultivation in our small town. Please vote in favor of Ever-Bloom so they can continue to invest our local economy, and maintain the agricultural integrity of Carpinteria.

Thank you,
Nadia Lyhitchenko
1473 Sterling Ave, Carpinteria

1
2/2/22

Villalobos, David

From: Alex Frecker <afrecker27@gmail.com>
Sent: Monday, January 31, 2022 11:05 AM
To: Villalobos, David
Subject: Ever-Bloom Letter of Support from Frecker Farms
Categories: Purple Category

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 Honorable Planning Commissioners,

I have known the Van Wingerden family since I was in grade school. After years of college in Southern California and a stint of time living in Goleta (working for John Givens Organic Farm), I moved to Carpinteria and started a small scale organic row crop farm. Since 2013, Frecker Farms has grown from 3 1/2 acres to over 40 certified organic acres in the Carpinteria Valley. Last year we started to rent a few acres of greenhouse space from Ivan and Kristin Van Wingerden off of Via Real Road. They have been amazing landlords and friends. The Van Wingerden family has been a staple in the farming community in Carpinteria for generations, employing a sizable percentage of the community, all while using the highest standards of practice. One of my personal goals farming in Carpinteria is to help maintain as much land as possible while operating here in farmland, preferably organic land. Farming is and has been a staple of this community, and has helped prevent a large amount of urban sprawl up until this point. Please, as county staff recommends, approve Ever-Bloom's project and reward local farmers who meet and exceed standards, while simultaneously maintaining Carpitnerias vibrant agriculture.

Sincerely,

Alex Frecker
Owner & Operator Frecker Farms

1
2/2/22

--
Alex Frecker
Frecker Farms
afrecker27@gmail.com

Villalobos, David

From: Stephanie St. Gal de Pons <stgaldepons@gmail.com>
Sent: Monday, January 31, 2022 11:01 AM
To: Dan Blouh; Larry Ferini; Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

1
2/2/22

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 Honorable Planning Commissioners,

Thank you for your service to Santa Barbara County and oversight of the cannabis industry in the Carpinteria Valley. I'm writing in support of Ever-Bloom's application to continue to farm cannabis at 4701 Foothill Road. My family, including two young children, have lived in our home less than five hundred feet from the Ever-Bloom greenhouses for almost three years. While in the past, certain (seemingly random) conditions would cause us to smell cannabis, we have seen a dramatic improvement.

Our family loves Carpinteria, our neighborhood and the fact we have a vibrant agricultural community. While I understand cannabis has been a controversial issue, our experience and communication with Ever Bloom has been better than what I would expect from a "normal" greenhouse operation or nursery. They have not only donated to many local businesses and nonprofits that have struggled during Covid, but their staff have volunteered and taken creative action when they saw the need. That is what community is about to me.

Cannabis farming has not caused Carpinteria or our neighborhood to lose its "small town charm." Home values have continued to rise to heights never before seen in our neighborhood. People like Carp because it DOES have a rich agricultural community... and the beaches of course.

Personally, I think ONLY farms like Ever-Bloom, who are part of the community and have put in the time, effort and resources to solving any lingering complaints, are the ones we should hold up as examples of what the legal cannabis industry should and can be. I urge you to approve Ever-Bloom's permit and allow them to continue to be examples for other cannabis operators in the Carpinteria area.

Sincerely, Stephanie Theimer

--
Hit me up @ 805.403.8600! --Sent via Gmail Mobile

Villalobos, David

From: Winfred Vanwingerden <gerberagrower@gmail.com>
Sent: Monday, January 31, 2022 10:59 AM
To: Villalobos, David:
Subject: 4701 Foothill Rd County Planning Committee Hearing
Categories: Purple Category

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.

Most Honorable Planning Commissioners,

My name is Winfred Van Wingerden and I'm a neighbor of Ed Van Wingerden on Foothill Rd. I have worked with Ed for many years and he and his son Ivan truly set the Gold Standard for the cannabis industry. We are very fortunate to have neighbors that comply and go beyond state and county standards. Ed and Ivan have been able to remodel and upgrade their location by starting the cannabis business. Many tours have been held there and everyone walks away in awe of the technology and improvements that have been made, and how well they run the operation.

Please preserve the horticultural element here in Carpinteria. It's so important to have a balance in the types of agriculture in the county. Thank you for your support of the Ever-Bloom Nursery project.

Kind Regards,

Winfred Van Wingerden

1
2/2/22

Villalobos, David

From: Frank Isaac <frank@isaacelectric.com>
Sent: Monday, January 31, 2022 10:47 AM
To: Villalobos, David
Cc: Frank Isaac
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

1
2/2/22

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.

To whom it may concern,

I work closely with many of the cannabis growers in the Carpinteria Valley; I get to personally compare and contrast farms and their practices quite often. The Ever-Bloom location is one of the locations that is the gold standard for their practices in growing cannabis. Their odor mitigation is above and beyond what other facilities are doing. The way that they treat their employees is exemplary as well. Ever-Bloom has continually adapted to the community's needs and desires since this whole process began so many years ago. If anybody deserves to be issued permits and licenses it is Ever-Bloom, hands down. Thank you for your consideration.

Frank Isaac
President, Isaac Electric, Inc.
805-896-5759
frank@isaacelectric.com



Villalobos, David

From: Ann Matson <anncmatson@gmail.com>
Sent: Monday, January 31, 2022 10:13 AM
To: Villalobos, David
Dan Blough, ...
Subject: Cannabis permit
Categories: Purple Category

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. 1
2/2/22

Dear Planning Commission:

I'm writing to ask you to deny the permit requested by Ed Van Wingerden for cannabis operations at Everbloom Nursery across the street from Carpinteria High School and next to the Boys and Girls Club. I have 2 sons who graduated from CHS years before cannabis was legal and I have 2 grandchildren who will attend in the future. I am very concerned about the strong cannabis odor at the high school. Not only can it be a health issue, it sends the wrong message to our young people about the use of cannabis.

Please put a stop to the destruction cannabis grows are doing to our town. It's time for you to take the right stand.

Yours truly,
Ann Matson
436 Arbol Verde St
Carpinteria, CA 93013

Grant Cox Enterprises Inc.
DBA Tarpitz Gardening & Landscapes License No. 844713
Greenleaf Landscapes License No. 879295
P.O. Box 629
Carpinteria, CA 93014
(805) 284-4993 Facsimile (805) 201-6684

Santa Barbara County Planning Commission
123 E Anapamu Street
Santa Barbara, CA 93101

1
2/2/22

Re: In Favor of Planning Commission approving Ever-Bloom

Dear Honorable Planning Commissioners:

My name is Beth Cox, and I am writing in support of Ever-Bloom and applicant Ed Van Wingerden.

I am a local small business owner, community volunteer and mother to a Carpinteria High School 2021 graduate as well as a current CHS student. Cannabis farmers have supported these students' success, and as a mother I see no issue with pre-existing farms switching to a new crop, even if it is for adult and medical use only. Most impressively, our cannabis farms have underwritten a behavioral health and substance abuse counselor at Carpinteria Middle School for the past two years. Our community is forever grateful to have such generous and caring farmers who have assisted in so many integral ways through our public education students enduring, Fire, Floods, and a Pandemic.

Ed has operated his farm for decades. We know him. Two years ago, our Landscaping Maintenance Company moved next door to where Ever-Bloom is located. We run our yard and conduct our company business in a doublewide mobile office directly adjacent to his business. We know he is invested in this community and is a responsible and ever giving business owner and community member. Please approve the application, so he can continue to farm at Ever-Bloom.

Sincerely,

Thank you for your consideration.

Very truly yours,

Elizabeth A.J. Cox
Beth Cox, J.D.

Vice President of Operations

Grant Cox Enterprises Inc.

DBA Tarpitz Gardening & Landscapes License No. 844713

Greenleaf Landscapes License No. 879295

Villalobos, David

From: Judy Dean <judycathryndean@gmail.com>
Sent: Monday, January 31, 2022 9:49 AM
To: Michael Cooney; Villalobos, David
Subject: Cannabis goes to school

Categories: Purple Category

1
2/2/22

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.

We were promised the odor problems from cannabis would be over by the start of the school year in 2019. Here we are, years later still dealing with the same problem.

The proposed project at 4701 Foothill should be denied until the public can be assured of effective odor control. There are five cannabis operators surrounding Carpinteria High School. Since the County says the precise source of the odors cannot be identified, these five operators should be required to engage the services of experts who can objectively monitor the chemicals being released by their operations and implement solutions. They must commit to jointly solving the odor problem.

This project should also be denied because of its illegal greenhouses, inadequate traffic plan, poorly chosen landscape screening, and patent disregard for the community's health and welfare demonstrated over the past 6 plus years in operation.

It is a sad fact that the cannabis issue has caused a rift in the community of Carpinteria. Money talks. The growers are paving over opposition with hefty donations. Members of the High School community will tell you privately about the cannabis stench and resulting headaches, stinging eyes, coughing, and asthma; but they are reluctant to speak publicly. How sad that it has come to this.

The County's cannabis ordinance says it will not allow nuisances from operators. Please make good on that promise.

Judy Dean MD
Carpinteria resident

Villalobos, David

From: Mike Lazaro <mlazaro1231@gmail.com>
Sent: Monday, January 31, 2022 9:32 AM
To: Villalobos, David;
Subject: Final approve Everbloom
Categories: Purple Category

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 honorable planning commissioners,

I am writing you to urge you to support Everbloom nurseries.

My name is Michael Lazaro, I am the past 1996 Carpinterian of the year.

I am a local event producer, producing

All of the Hospice light up a life events, Santa Barbara Fiesta Santa Barbara earthday Santa Barbara solstice for 20 years till present and the California avocado festival for the last 30 years, I recently joined the ranks of the "at ease "organization which provides support and services to our first responders.

Having worked with our local farmers for decades, it is puzzling that establish farm would have such difficulty using permits to grow a new crop.

I cannot imagine what Carpinteria Valley would look like if it didn't allow farmers to continue farming.

On a personal note I had a severe brain injury 25 years ago with multiple surgeries and a very bleak outlook.

Cannabis helped me get through a very dark and painful time in my life.

Through very hard work and dedication I was able to rally back and live a very productive life, when that wasn't always a guarantee.

From a local planning perspective, Everbloom nursery is a long established greenhouse farm and through the county cannabis ordinance has only led to improvements at this property.

Please continue to enforce cannabis ordinance, and without further delay and expense approve EverBlooms application

Thank you for all you do Sincerely Michael Lazaro

Sent from my smart phone please excuse any typos

1
2/2/22

Villalobos, David

From: Christa Boerlage <christaboerlage@gmail.com>
Sent: Sunday, January 30, 2022 11:22 AM
To: Villalobos, David;
Subject: Re: Permits Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

I work closely with Ed Van Wingerden and Ever-Bloom Nursery as an equipment supplier to Carpinteria farms, and Ever-Bloom stands out as an exceptional operation for its professional team and stellar business practices.

The farm is a state-of-the-art facility and has a proven track record of innovation and adapting to business challenges over the decades. It was once one of the leading suppliers of Gerberas in the United States and has already positioned itself as a leading supplier of quality cannabis in the new and competitive state-wide cannabis market. Farms like Ever-Bloom that continue to invest and adapt over generations should be rewarded for their hard work and economic productivity.

Please, as county staff recommends, issue permits to Ed and Ever-Bloom,

Christa Boerlage

1
2/2/22

Villalobos, David

From: Sarah Trigueiro <sarah.trigueiro@gmail.com>
Sent: Monday, January 31, 2022 7:52 AM
To: Villalobos, David; Michael Cooney; . ; RidleyPC; Dan Blough; Larry Ferini
Subject: Please Protect Carpinteria High School - CDP for 4701 Foothill Rd
Categories: Purple Category

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.

Planning Commissioners,

I am writing to request that you please consider the health, safety and comfort of Carpinteria's schoolchildren as you evaluate the CDP for Everbloom, which is across the street from the high school at 4701 Foothill Rd, as well as within 1000 ft of over 800 private residences. The industry is currently experimenting with different methods as relates to addressing BVOC emissions (which both cause the awful odors we regularly experience and contribute to ground level ozone, which is dangerous to human health), but that is what this is - an experiment that has not yet been proven out. It is wholly irresponsible to make children into test subjects.

The kids of Carpinteria High School have suffered long enough. Please deny the project and prioritize protecting access to a quality educational experience for our community's kids. Federal law relating to setbacks, as well as common decency, should compel us to protect our children.

Thank you,
Sarah Trigueiro

1
2/2/22

Villalobos, David

From: anna bradley <annaberit@hotmail.com>
Sent: Sunday, January 30, 2022 7:37 PM
To: merrily peebles; Cooney Michael; . ridleyPC Laura; Dan Blough; Larry Ferini; Villalobos, David
Subject: Feb 2 Planning Commission meeting: 4701 Foothill
Categories: Purple Category

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 Planning Commission,

It's hard for me to wrap my head around permitting cannabis cultivation right next to the high school. I think as a community we've lost our perspective of the impact of normalizing odor, cultivation and accessibility of cannabis to our students and their futures. They don't seem to have a voice in these decisions. I'm not sure if there has been any input from the high school administration about any further permit requests, but I can say I recently spent holidays with a current Carpinteria high school student who detailed the regularity of odor on campus in her class rooms, and further drug related issues in the school amongst the teens. It is clearly impacting her experience.

Please take the students into consideration in your decision about this latest permit request. Their future is worth it.

Anna Bradley

1
2/2/22

Villalobos, David

From: jstassinosaol.com
Sent: Monday, January 31, 2022 1:29 AM
To: Villalobos, David; Dan Blough; I
Subject: 4701 Foothill Road Cannabis Cultivation: 19DVP-00000-00016 and 19CDP-00000-00017
Categories: Purple Category

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.

To the Santa Barbara Planning Commissioners,

As a former high school teacher, I am very concerned about the proximity of this cannabis operation, 4701 Foothill Road, to Carpinteria High School and nearby residences. Allowing cannabis to be grown so close to a high school and residential neighborhoods will negatively impact the students and community by creating unnecessary health, safety and traffic concerns.

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Also, as a law abiding citizen, I do not agree with providing waivers for unpermitted existing structures. I believe that by doing so sets a bad precedent and causes Carpinterians to wonder why permits are required, in the first place, if only to be waived. Please deny the permitting of the as-built structures, including greenhouses, in the request from Mr. Van Wingerden.

Last but not least, please require that this cannabis operation use regenerative carbon scrubbers to assist with removing the bad odors that emanate from this cannabis grow site.

Thank you, in advance, for voting against approval of this development plan and project.

Respectfully,

Jill Stassinosa
Carpinteria Resident

Villalobos, David

From: Nancy Baron <baron@nceas.ucsb.edu>
Sent: Sunday, January 30, 2022 4:59 PM
To: Villalobos, David
Subject: Yes on Ever-bloom's Permits
Categories: Purple Category

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 Planning Commissioners,

I am writing to express my support of Ed Van Wingerden's and Ever-Bloom's application for official permits to grow cannabis in the County of Santa Barbara. Ed and Ever-Bloom have always been in the vanguard of California growers -- first as gerber flower growers and now as cannabis growers who observe high environmental standards.

As a biologist and longtime county resident who is concerned for the environment (I also write a nature column in our local Coastal View News) I know that Ed is committed to sustainability, a healthy environment and the cleanest organic practices in both his greenhouses and his 70 acres of certified organic avocado orchards. My husband and I have a very small organic avocado ranch. We are Ed's neighbors and we know he walks the talk, both personally and professionally.

I am generally supportive of the state's strict low to zero tolerance for pesticides in cannabis growing. It raises the bar for many of the area's conventional farmers who still use pesticides, some of them sprayed by helicopter, that affect the food web and can end up in our soil, and water and wildlife. Well-regulated cannabis growing is a net gain for the environment, in contrast to the illegal pot growers who adhere to no standards at all on public lands. They poison wildlife, spill diesel used to power generators, and despoil some of our most scenic and supposedly protected public landscapes.

We should support those like Ed and Ever-Bloom who are always pushing for best environmental practices, best odor control, and not only meeting, but exceeding standards.

Thank you.

Sincerely,

Nancy Baron

Nancy Baron
Science Outreach Director | COMPASS
National Center for Ecological Analysis and Synthesis, Santa Barbara CA

Cell: 805-450-3158

Skype: nancybaron

Twitter: @Nancy_Baron

Connect with COMPASS:

[https://urldefense.com/v3/__http://www.COMPASSscicomm.org__;!!fs0MJmijOm0!4Dhr_P4BlNwd9QqxSc-D3Ael7_14sfNQWpd08ME_u8fDrjyyrEBGpoL4AskIXGcVbITFVPAgWXE\\$](https://urldefense.com/v3/__http://www.COMPASSscicomm.org__;!!fs0MJmijOm0!4Dhr_P4BlNwd9QqxSc-D3Ael7_14sfNQWpd08ME_u8fDrjyyrEBGpoL4AskIXGcVbITFVPAgWXE$)

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2/2/22

Villalobos, David

From: PAUL EKSTROM <paulekstrom@cox.net>
Sent: Sunday, January 30, 2022 3:14 PM
To: Bridley, Laura; Cooney, Michael; Villalobos, David; Ferini, Larry; Park, John
Subject: Fwd: 4701 Foothill Road Cannabis Cultivation: 19DVP-00000-00016 & 19CDP-00000-00017

Categories: Purple Category

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.

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

From: PAUL EKSTROM <paulekstrom@cox.net>
To: dan@danblough.com
Date: January 30, 2022 at 6:11 PM
Subject: 4701 Foothill Road Cannabis Cultivation: 19DVP-00000-00016 & 19CDP-00000-00017

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2/2/22

Dear Planners, Saturday and Sunday (both days) I have sent in odor complaints to David De La Santos. The odor is not going away-sometimes we get a two week break. Sometimes it is a "perfume/laundry soap odor" and sometimes it is the "skunk" odor. The grower releases the odors as he needs to and it is very often. The greenhouses are not able to contain the odors. I hope you will look at the odor complaints that Kevin receives. Most residents have long given up with the complaint process but I think it is important. I only send in a complaint if the odor is unusually strong.

I urge you to put a moratorium on any cannabis expansion until the applicants have a working odor control system that stops any odor from leaving their structures and property lines. It is beyond my thinking that the neighbors and schools have to breathe the odors before the applicants have to prove they can be good neighbors. I have heard many people say the odor issue is not there anymore. These people either don't live near the cannabis grows or they profit some way from defending the odor. I am not anti cannabis, far from that. I have spoken before the Carpinteria City Council and supported retail sales in the city. This high profit commercial venture can begin to put the neighbors and schools first by controlling the offensive odors before doing any expansion.

Thank you, Paul Ekstrom 1489 Manzanita St. Carpinteria 805-886-6712

Villalobos, David

From: Michele Carbone <mbcarbone@cox.net>
Sent: Sunday, January 30, 2022 10:18 AM
To: Villalobos, David;
Subject: Coastal Development Permit (CDP) (Case No. 19CDP-00000-00017)
Categories: Purple Category

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.

To Whom it may concern;

Please be aware that Coastal Development Permit (CDP) (Case No. 19CDP-00000-00017) coming before you on Tuesday contains numerous issues that are in conflict with the desires of the people who live in the Carpinteria Valley. Any permits requested to legalize already existing construction that does not fully meet the regulations for cannabis cultivation and processing must be denied until such time as they either conform and/or the applicant must change the development conditions. Proximity to schools and the specific odor controls necessary to ensure our children/communities are not being exposed to airborne toxins must be specifically written into any permits approved.

Thank you for your time,
-Michele Carbone

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2/2/22

Dear Honorable Planning Commissioners,

I'm writing in support of Ever-Bloom's application to farm cannabis. I have two children who attend school near the farm, own a home in Carpinteria and I work as a Development Director for a youth-serving nonprofit in Carpinteria. Carpinteria is our home and where my husband and I have chosen to live, raise our kids, and work in our community.

The continued operation of local cannabis farms is a benefit to families who raise their children in Carpinteria. Hundreds of parents are employed on farms. Cannabis farmers like Ed and Ivan Van Wingerden have been deeply involved in community nonprofits and pour their money and time into giving back to our community. Most importantly, active, productive farms will keep Carpinteria small and protected from the sprawl we see practically everywhere else on the coast. The semi-rural, small-town vibe is why we live here and love to raise our kids in Carpinteria. Cannabis odors have improved dramatically over the years and we see the farms continue to take responsible farming seriously and are investing in continued order abatement.

Thank you for your time and consideration and especially supporting local agriculture.

Sincerely,

Carly Bass

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2/2/22

Villalobos, David

From: Aja Forner <aja.forner@me.com>
Sent: Sunday, January 30, 2022 11:12 AM
To: Villalobos, David:
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners,

I am a Carpinteria mom who is highly involved in our local schools and youth centers. I currently serve as the current President of Parents for Canalino School and an employee of Girls Inc. of Carpinteria. I have seen cannabis farming evolve over the years into an established and responsible local industry. Please support our local farms and farmers — like Ever-Bloom and Ed and Ivan Van Wingerden — who are great neighbors and so invested in the community.

My peer group consists mainly of families with children at the public elementary and middle schools. Our demographic has never been particularly charged up about local cannabis farming. The odor was strong a few years ago but is no longer a persistent problem.

It would be a much bigger problem if the employees of the cannabis industry were suddenly without work and our local safety-net of nonprofits no longer received the financial support of successful local farmers. I think from a holistic community perspective, continued county support of the ag sector provides the greatest benefit for Carpinteria families and our local way of life.

Thank you for your time and commitment to Carpinteria Valley.

Aja Forner

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2/2/22

Villalobos, David

From: Ray Kolbe <rwkolbe@gmail.com>
Sent: Saturday, January 29, 2022 6:25 PM
To: Villalobos, David;
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Planning Commission members,

Please support Ever-Bloom and local farmers who are known and trusted in the community.

Ever-Bloom and its operators have shown they are invested in the community and improving the local environment. I've received support from the farm on restoring a public trail along Santa Monica Creek in Carpinteria with native plants.

Cannabis farm permitting is a way to preserve agriculture and make it cleaner than historic agriculture in Carpinteria. Pesticide regulations alone make cannabis stand out as an environmental win. The crop is also a useful and essential medicine for many people.

Sincerely,
Ray Kolbe
4672 Eleanor Drive, Carpinteria

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2/2/22



January 31, 2022

Santa Barbara County Planning Commission
c/o Planning and Development Department
123 E. Anapamu Street
Santa Barbara, California 93101

By Email to:
dvillalo@countyofsb.org

Re: 4701 Foothill Road, Hearing Cannabis Cultivation, 2/2/22, Item # 1

Chair and Honorable Members of the Planning Commission:

Please accept this letter of support from the Santa Barbara Coalition for Responsible Cannabis (the “Coalition”) for the current Cannabis cultivation project proposed at 4701 Foothill Road (the “Project”), item # 1 on your February 2 agenda. As a result of extensive negotiations with the undersigned, the Project relies exclusively on a carbon scrubber system to filter odors and includes a robust Odor Management Plan that includes the four-level tiered response to odors. As explained below and contained in the attachments to this letter, the Contract between the Coalition and the site operator includes a series of binding, enforceable actions and commitments that are intended and designed to ensure that the Project will not cause significant or persistent odors in public locations. This Project represents another significant advance in the evolution of cannabis odor control in vented greenhouses and based on the commitments applying to each part, the Coalition urges its approval.

The Coalition is a non-profit, community benefit organization seeking to ensure that odor and other impacts from commercial scale cannabis operations in Santa Barbara County do not significantly and adversely impact surrounding land uses. The Coalition has appealed numerous permits, supported research, testing and implementation of promising odor detection and control technologies, worked with responsible growers who agree that pervasive offsite odors are not acceptable, and appeared before your Commission and the Board of Supervisors to seek the imposition of enhanced conditions on projects as well as revisions to the County’s cannabis permitting and licensing ordinances. The Coalition also is a party to a class action lawsuit against this Applicant for the significant impacts it caused prior to the Contract described above and prior to the Applicant’s attempts to reduce odors for this Project. While the Coalition supports the proposed Odor Management Plan as the best available control technology, its support of carbon scrubbers and this Project is expressly without prejudice to the class action lawsuit.

Carpinteria is a priority area for the Coalition due to the concentration of cultivation and processing facilities, cannabis cultivation within vented greenhouses, proximity to residences on land zoned both residential and agricultural, and reliance on chemical deodorizers as the primary form of odor control.

One of the Coalition's leading objectives in Carpinteria has been and remains to advance the development and implementation of odor control technologies which capture and eliminate the migration of detectable concentrations of Odor Causing Compounds beyond the boundaries of individual cannabis facilities. The Coalition has also prioritized advancing technologies for real-time detection and measurement of cannabis odors as gateway tools to predicting and stopping the generation of odors or effectively controlling those odors which are generated. Finally, the Coalition has sought to develop a robust and effective set of operator and community responses to cannabis odor episodes, the ultimate goal being the elimination of significant or persistent odors in all publicly-accessible areas in Carpinteria and in all homes, schools, youth and day care centers.

With these objectives and priorities in mind, the Coalition entered into discussions with the leadership and members of the CARP Growers cannabis trade association, which includes and represents over 20 cannabis operations, the vast majority of Carpinteria's licensed cannabis operators. CARP Growers expressed support for these same goals and a commitment to employ best practices at all member operations. These discussions led to an enforceable Comprehensive Contract between the Coalition, CARP Growers and each of the CARP Growers members that is attached as Exhibit 1 to this letter (the "Comprehensive Contract"). A Model OAP (attached as Exhibit D to the Comprehensive Contract) was developed and integrated¹ into the Everbloom Odor Management Plan that addresses odor control, and odor monitoring technology and protocols, community engagement and tiered odor complaint responses and corrective actions. The County Planning and Development staff also participated in shaping the Model OAP in order to make it acceptable for inclusion in County cannabis permits and OAPs. A set of Community Odor Guidelines ("Guidelines"), which includes contractual commitments that the County could not enforce, is included as Exhibit B to the Comprehensive Contract.

The Coalition and CARP Growers hopes and expects that the framework established in the Comprehensive Contract, the Guidelines, as well as the Model OAP, when it has been fully integrated within the OAP of each CARP Growers member's project, will culminate in the elimination of significant perceptible odors from cannabis operations in Carpinteria. This outcome will not be instantaneous, and will require continued effort by CARP Growers, its members, the Coalition, and the scientists and engineers advising the parties. Additionally, success requires the continued engagement of County staff and decisionmakers, and the Carpinteria community.

A central element of this approach is the development, deployment and testing of effective carbon scrubbers in vented greenhouses and sealed processing facilities. While conventional carbon scrubbers have generally proven to be effective in controlling odors at sealed processing facilities, their deployment in the greenhouse environment has proved problematic due to high humidity, abundant particulate matter, and the volume of air moving in and out of greenhouses during the daily progression of opening and closing vents and blackout curtains.

The Coalition acknowledges and applauds the extensive research, testing, and development efforts undertaken by members of CARP Growers, in particular the operators of the Project, working with

¹ See the "Conformance Matrix" on Page 3 and § 1.9 "Odor Monitoring and Response", pages 20-26 of the Everbloom Odor Management Plan.

technicians at SCS Engineers, among others. This effort pioneered development of prototype regenerative carbon scrubber systems (“RCSS”) that in preliminary tests have exhibited effective and lengthened periods of sequestration of Odor Causing Compounds that are critical for widespread deployment. A full greenhouse-scale study is in development for implementation during the first quarter of 2022, and if this study confirms the effectiveness of the RCSS at greenhouse scale, this technology will represent the Best Available Odor Control Technology for cannabis cultivation in vented greenhouses. This will in turn lead to expanded deployment of RCSS or comparably vetted carbon scrubber systems throughout the Carpinteria cannabis industry as these units become more widely available. Several other cannabis operators have committed to use regenerative carbon scrubber technologies to control odors in cultivation areas.

The applicant is a member of CARP Growers and a signatory to the Comprehensive Contract. The Project’s operators have been leaders in the development and refinement of the odor control and detection technologies, and in providing a substantive, science-based approach to cannabis odor control in Carpinteria.

While the Comprehensive Contract acknowledges that a number of Unresolved Issues remain, it lays out a program for clarifying and ultimately resolving all such issues and implementing verifiably effective odor control and real-time objective odor detection technologies. The Odor Response Protocol in the Model OAP includes an essential backstop which provides that if a particular operation is not effective at controlling odors, it is required to conduct a revised, independent Best Available Control Technology (“BACT”) analysis designed to identify and ultimately solve odor prevention and control issues at that site and, once the revised BACT is identified, the operator is obligated to implement it. This Backstop Provision provides a legally enforceable process to keep operators and CARP Growers working to solve significant and/or continuing cannabis odor issues until they are finally resolved, and it is this provision that offers the community assurances that cannabis odors from responsible, participating operators will not continue to plague Carpinteria.

Based on the Project’s status as a signatory to the Comprehensive Contract, its commitment to the Model OAP and Community Odor Guidelines, as well as its operator’s leadership in developing and refining odor detection, prevention and control technologies, and without prejudice to the class action lawsuit, the Coalition offers its strong support for approval of the Project.

Thank you for your time and consideration.

Rob Salomon
For Santa Barbara Coalition for Responsible Cannabis

CC: Members of the Planning Commission
Director Lisa Plowman, Planning and Development Department

Encl: Comprehensive Contract listing signatories and including Model OAP (Exhibit D) and Community Odor Guidelines (Exhibit B)

Carpinteria Association for Responsible Producers (CARP) Growers &

Santa Barbara Coalition for Responsible Cannabis Inc

Contract

August 20, 2021

This Contract is made and entered into by and among, on the one hand, CARP Growers, a California nonprofit mutual benefit corporation, together with its undersigned individual members (each, a “CARP Grower Member;” collectively, “CARP Growers”), and, on the other hand, the Santa Barbara Coalition for Responsible Cannabis, Incorporated, a California nonprofit public corporation, together with its undersigned individual members (collectively, “Coalition”). CARP Growers and the Coalition may hereinafter be referred to, individually, as a “Party” and, collectively, as the “Parties.”

RECITALS

WHEREAS, CARP Growers is a California mutual benefit corporation and an association of cannabis industry leaders who are committed to promoting best practices. The mission of CARP Growers is to foster a positive relationship with the community of Carpinteria and operate at the highest standards. CARP Growers membership includes over 20 member farms (Exhibit A, CARP Growers Membership).

WHEREAS, the Coalition is a California public benefit corporation dedicated to protecting local community interests from adverse impacts from cannabis operations countywide, and supporting a sustainable and responsible cannabis industry in Santa Barbara County. The Coalition was formed in response to its belief that the County’s regulatory regime was inadequate for cannabis and has allowed and caused various communities in Santa Barbara County to experience odor and adverse impacts from unregulated and under-regulated cannabis operations and lacks specific procedures for operators to make odor control system upgrades after permit approval. The Coalition has undertaken advocacy activities to protect community interests. The Coalition recognizes the potential benefits of collaboration with operators and leaders in the local cannabis community and is entering into this Contract for the purpose of achieving its objectives of protecting local communities by engaging with certain responsible members of the cannabis community through working relationships based on common goals of addressing and resolving cannabis’ community impact issues.

WHEREAS, CARP Growers and the Coalition are entering into this Contract to advance their collective efforts to prevent cannabis operations from causing adverse community odor impacts, to advance the development and swift implementation of advanced and evolving best available odor control technologies (BACT) and science-based objective odor monitoring technologies, to ensure timely and effective responses to odor episodes, and to promote transparency and

cooperation between cannabis operators, the public, and the Coalition. Over the course of several months, the Parties have discussed and agreed upon various goals, priorities, practices and actions to address and resolve odor impacts associated with cannabis operations in Carpinteria. This Contract formalizes legally binding & enforceable obligations of the Parties to the specific terms herein, and outlines the Parties' ongoing commitments to resolve the unresolved and future issues of concern and interest related to odor. CARP Growers Member farms commit to continuously employing the best available control technology based on BACT Analysis at specific sites and controlling odors from their facilities per this Contract.

WHEREAS, the Parties agree on the benefit of and need for developing, refining and expanding the state of science concerning various aspects of cannabis cultivation, in particular odor control. CARP Growers, the CARP Growers Odor Committee and certain CARP Grower Members have undertaken research into some of the Unresolved Issues (as defined below), including weather monitoring networks and stations, control technologies, objective Odor Detection Thresholds, odor detection technologies and the identity of specific Odor Causing Compounds, detection and monitoring technologies, and adopted a confidential Work Program (Refer to Exhibit C) with timelines for addressing and resolving certain issues and sub-issues. The Coalition strongly supports those efforts and the development of objective, measurable standards for as many elements of odor detection & control as is feasible.

WHEREAS, the Parties acknowledge that much of the data, analysis and report preparation in the advancement of the state of the science involve private, confidential, trade secret and other sensitive information. All sensitive communication, technical reports, documents, data and information prepared by CARP Growers and shared between the Parties as part of this Contract that is not otherwise public is confidential and is disallowed for use in any challenge or appeal affecting a pending or approved coastal Development Permit, CUP, DVP, other land use permit, business license, or other governmental authorization to operate.

WHEREAS, the Parties concur on the benefits of involving and educating the community concerning many technical and policy aspects of cannabis cultivation. The Parties desire to work cooperatively and at times jointly in such community education, such as through workshops, educational events, and similar functions. Whenever possible without causing harm or risk to any of the Parties or for other tangible reasons, the Parties shall strive to make information, including joint efforts and programs, research and major milestones, open to the public to review.

WHEREAS, the Parties recognize the uncertainties and challenges entailed in fully and finally resolving cannabis-related odor issues in Carpinteria. The Parties shall pursue the evolution and resolution of such issues in accordance with the Workplan contained in Exhibit C, which is incorporated herein by reference and as may be periodically updated by mutual agreement, and as otherwise detailed in this Contract. In addition to the regular communications detailed herein, the Parties shall confer and specifically discuss progress towards addressing and resolving all

Unresolved Issues on 90 day intervals. As a prerequisite to legal enforcement of this Contract, if at any point the Coalition demonstrates with objective evidence that CARP Growers is not making expeditious and good faith progress towards resolving these issues based on the Workplan and various reports, it may so inform CARP Growers in writing, identifying the feasible milestones that must be accomplished in the following 90 days. If 90 days after the initial objection is transmitted, and CARP Growers are not operating in substantial compliance with the Workplan, the Coalition may:

- a. Engage a mediator at CARP Growers' expense to facilitate a resolution of the issues between the parties;
- b. Notify County officials of lack of satisfactory progress; and
- c. Cease from supporting permits for CARP Growers Members.

These Recitals are re-incorporated below by reference as operative elements of this Contract.

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS:

1. Model OAP. The Parties have developed and agreed upon the terms and elements of a Model Odor Abatement Plan, including odor control technology (technology and practices), odor monitoring technology and protocols, community and neighbor engagement, and Odor Complaint Response and Corrective Actions ("Model OAP"), attached as Exhibit D. All CARP Grower Members will promptly adopt and implement the Model OAP. Adoption and implementation of the Model OAP shall be made a requirement for membership of CARP Growers. Substantially the same Model OAP will be adopted and implemented by all CARP Grower member farms. CARP Growers agree to follow the procedures in the Model OAP. (Refer to Exhibit D for Model OAP).

As part of this Contract, CARP Growers Members will promptly submit the Model OAP to the County in pending permit applications, projects under appeal and/or as permit modifications or revisions (as appropriate) to approved CDPs (collectively the "CARP Grower Projects"). The Model OAP will run with the land as an enforceable component of the County's approved permit for so long as cannabis is cultivated on the site.

As significant improvements to control technology (BACT) are identified and the applicability established, including without limitation through third party testing, CARP Growers Members each shall, subject to commercial availability and onsite power requirements, promptly update their OAPs to include & implement such new best available odor control technologies, equipment, practices and methods that may apply to each individual CARP Growers Members operation.

2. Unresolved Issues. At the time of entering into this Contract, there remain several unresolved issues that bear upon the Model OAP and future iterations of the OAP and to the cooperative working relationship among the Parties, including: a) delineation of the current and future best available control technology (BACT) for mixed light cultivation; b) correlation of property line or other identified site location (eg vent) concentrations of odor-causing compounds to odor observation at receptor sites sufficient to ensure the absence of odor episodes in publicly-accessible locations (defined below); c) the identity of specific Odor Causing Compound(s); d) definition, detection and measurement of an objective, measurable Odor Detection Threshold, the exceedance of which represents impermissible odorous air; e) methods for correlating an odor episode to a specific Grower or Growers for purposes of Corrective Action under the OAP; and f) steps to modify the County's process for revising OAPs, so as to facilitate integration of BACT upgrades and other technological changes and to substitute the improved Model OAP for an existing, approved OAP. Resolution of these issues requires the good faith cooperation of the Parties, sharing of information and discussion of issues, and the evolution of technologies and the regulatory environment. The Work Program shall be periodically updated and identify timelines for the resolution of each Unresolved Issue and specific dates for completion of analysis and final resolution of the issue.

The following are the Parties' goals concerning these Unresolved Issues and the current understanding concerning certain key issues:

BACT Definition, Revisions, and Implementation: The term best available control technology, or BACT is a term of art that is defined under air pollution control law and policy. CARP Growers will employ BACT for odor control at their operations consistent with applicable law and any applicable permits. At the time of this Contract, the Parties are encouraged by pilot studies, prototype models and preliminary testing that support the use of carbon scrubber filtration systems in cultivation areas containing flowering cannabis & all processing areas. CARP Growers and their members shall share all information, data, reports, studies and monitoring results concerning the efficacy of odor control technologies, including under Confidentiality Agreements and/or Privileges as necessary, to involve and engage the Coalition in the ongoing process to define and refine BACT over time. CARP Growers shall periodically invite and include the Coalition or their representatives to attend/participate in CARP Growers' Odor Committee, and the Parties agree to define, refine and implement BACT so long as cannabis operations continue at each CARP Growers' operation. The Parties' Goal for Odor Control, via BACT technologies, Grower practices and other strategies, is to achieve effective odor control such that no significant odors arising or emanating from a cannabis project within a CARP Grower Member's facilities' property line are detected beyond such property line. CARP Growers shall promptly share all data, reports and analysis of BACT with the Coalition as this information is prepared and notify Coalition prior to any member's submittal of documents or information to the County concerning BACT at each member's site.

Definition of Publicly-Accessible Location (“PAL”). The Parties recognize that existing technologies and knowledge precludes enforceable assurances that odors will remain on the cannabis premises. CARP Growers will, in partnership with the Coalition, establish a new and enhanced community odor inquiry program which will be accessible to all members of the community, which invites the public to submit odor inquiries, not just when they experience fugitive odors on residentially zoned areas (as defined in the County’s ordinance) but also to submit odor inquiries when the public experiences odor in “Publicly Accessible Locations.” PAL are defined as: 1) all areas that the public may freely access, including businesses, day care centers, youth centers, parks, churches, 2) residential parcels that are within 1,000 feet measured from the property line of any parcel containing an odor emitting structure, and 3) any location within 1,000 feet measured from the property line of any parcel containing an odor emitting structure. Notwithstanding these definitions, for purposes of this program and Contract, PAL shall currently be interpreted to not include roads or sidewalks that are not located in residential neighborhoods or residentially zoned areas (Non-Residential Roads and Sidewalks). Both parties agree to an annual reopener to discuss the expansion of the definition of PAL to include Non-Residential Roads and Sidewalks as a PAL as expeditiously as practicable, with the first reopener discussion to be held on January 3, 2022. Technology to consistently prevent odors from escaping to Non-Residential Roads and Sidewalks is not yet proven but the Parties expect it will successfully evolve to achieve that, and commit to taking such steps as are necessary to identify and implement the technology necessary to achieve that goal. For so long as PAL excludes Non-Residential Roads and Sidewalks, CARP Growers members that receive odor inquiries regarding odor on Non-Residential Roads and Sidewalks shall record and make available to the CARP Growers and the Coalition such odor inquiries. These records shall be used only to inform the Parties as to the magnitude of the odor issues on such Non-Residential Roads and Sidewalks.

Community Role in Odor Identification and Resolution: In the interest of responding rapidly to odor inquiries and based on the time sensitive nature of identifying and controlling the odor source, Operator invites the public to contact the Primary Odor Contact directly with any odor concerns, or to submit an inquiry to ensure prompt and conclusive action. Any odor inquiries or correspondence that is received will be continuously monitored and immediately routed to the Primary Odor Contact for a timely response. This requires reporting of the time and specific location of any offsite detection. Operator encourages community participation and commits to identifying the cause of Odor Episodes, so that Operator can continue to improve the efficacy of its odor abatement systems and operating procedures, with the long-term goal of eliminating fugitive cannabis odors.

Odor Control Goals: With the advance of science, technology and practices, the Parties intend and state as a specific, important and common goal that odor be controlled such that there will be no significant detectable odors at any PAL. CARP Growers agree to implement all available and

demonstrated effective odor control technology that is reasonably expected to achieve, or to materially advance achievement, of this goal of no significant detectable odor at any PAL.

Notification and Reporting to the Coalition: CARP Growers commits to sharing with the Coalition all relevant odor control and response information, including but not limited to the following, with confidential information transmitted under protection of a NDA:

- a) Weather Data identified in OAP Section 1;
- b) Initial Baseline Audit and any other Monitoring Data per OAP Section 3;
- c) After Episode Reports per OAP Level 1-4 Responses;
- d) Report conclusions of investigations per OAP Levels 1-4, including corrective actions;
- e) Determinations regarding the presence or absence of odors at reporting locations after corrective actions are undertaken;
- f) Reports detailing efforts taken to resolve odor complaints; and
- g) Reports regarding BACT analysis per Level 4 response.

CARP Growers will notify the Coalition if the Operator possesses evidence that the Operator is not the likely source of or a likely significantly contributing source of reported odors.

CARP Grower members will notify and offer to meet with the Coalition, as part of OAP Level 3, to share conclusions and review strategies for resolving the Unresolved Odor Episode.

Odor Causing Compound(s): the role of terpenes, thiols, other compounds, or combinations thereof as the malodorous Odor Causing Compounds creating community objections and public nuisance is under investigation. If one or more Odor Causing Compounds are identified, odor control equipment and measuring devices shall focus on those Odor Causing Compounds or on other correlated compounds that act as surrogates of Odor Causing Compounds for all such purposes.

Monitoring Odor and Odor Causing Compounds: The Parties agree that the equipment and techniques for objectively measuring and monitoring odor levels and the concentrations of Odor Causing Compounds emitted from cannabis facilities will be important to documenting impacts, guiding odor source(s) identification and guiding odor control, among various purposes. The Parties' Goals for Odor Monitoring is, as soon as possible, the development, refinement and implementation of odor monitoring and detection tools to identify sources of odors (particularly among several potential sources), to determine appropriate concentrations of Odor Causing Compounds in the greenhouses and/or at greenhouse vents that prevent detectable odor conditions, based on modeling and observations, such that detectable odor conditions will not be experienced beyond the property line, and to project the areas to which such odors are transported, to enhance control strategies, among other uses and functions. Odor monitoring may involve odor panels, analytical measurement systems, surrogates and other tools. Odor modelling may be useful in certain applications, such as where sources are combining to create

odor episodes or the individual sources of odors cannot be otherwise easily identified. As community odor detection tools and systems are advanced (such as establishing a different odor detection threshold and demonstrated reliable monitoring systems) the CARP Growers will update and revise their Odor Inquiry confirmation protocols to employ best available information, tools, standards and systems to document and quantify Odor Episodes and guide enhanced Corrective Actions.

Odor Detection Thresholds: the Parties acknowledge the importance of a numerical standard of an Odor Causing Compound or surrogate where the concentrations of Odor Causing Compounds causes objectionable types and intensities of odor. The Parties' Goal is to define an Odor Detection Threshold based on the concentration of an Odor Causing Compound or surrogate, to serve as a means to avoid odor episodes and monitoring and avoiding migration of odors offsite. Based upon the research being carried out by CARP Growers, the Parties currently believe it is feasible to define such a numerical Odor Detection Threshold.

Odor Episode Confirmation: the Parties intend to utilize the identification of select Odor Causing Compounds and empirically derived Odor Detection Threshold(s) to identify an objective numerical concentration of an Odor Causing Compound or surrogate to predict or estimate the presence or absence of objectional odor conditions.

Correlation of odors to a specific Grower or facility: the Parties agree that tools and processes for responding to persistent or repeating odor episodes where no single facility is the clear or identifiable source need to be developed and refined to allow appropriate enforcement through the isolation/identification of the source or sources of odors in PALs. The Parties share the goal of developing and implementing such tools and techniques to isolate an odor source among several sources, understanding cumulative development of odors, and strategies for resolving odor episodes. The ability to distinguish a problematic odor source among proximate greenhouses is a high priority and shall be specifically included in the Work Plan.

When no single facility is the clear or identifiable source of odor, the CARP Growers will work with the Coalition to initiate the following procedures:

- a) Convene the operators in the region in which there are ongoing and unidentifiable odor complaints;
- b) Deploy best available odor measurement device to conduct measurements of odor causing compounds in each facilities' greenhouse;
- c) Compare these results to the agreed upon Odor Detection Threshold (Greenhouse Concentration Limit) to determine which facility or facilities may be exceeding the ODT/greenhouse concentration limit, which indicates objectionable odor concentration.
- d) If a facility or facilities are identified as likely sources of objectionable odors, they shall initiate the procedures identified in Level 2, 3 and 4 of the OAP until the source of emissions is identified and mitigated.
- e) The facility or facilities that were identified as exceeding the ODT shall have 1 month to

consult with a third party odor expert, and then exhaust OAP Levels 2-4. Then the facility shall initiate another round of testing using best available methods or device, to determine if after exhausting OAP Levels 2-4, they are under the ODT. If the facility testing shows the operator is now below the ODT, the effort shall be Resolved. If the facility second round of testing shows the operator is still exceeding the ODT, the Coalition will interpret the farm as substantially out of Compliance with the Work Program and Contract, and may take additional action in opposition to the operator, as deemed appropriate by the Coalition.

The CARP Growers will include the Coalition in each of the abovementioned procedures, and consult with the Coalition as part of this process by inviting the Coalition to participate in these procedures and assessments, including timely sharing reports, data and conclusions.

County OAP and Permit revision processes: the Parties expect that OAPs will be revised periodically over time as BACT improves and other changes facilitate more effective and efficient mitigation of cannabis odor impacts. Current County practices create barriers to iterative improvements to OAPs and permit revisions. The Parties have worked and will continue efforts with the County to facilitate timely and appropriate OAP updates and, as needed, permit revisions through processes that allow swift actions to improve and enhance OAPs and appropriate processes for public involvement when appropriate.

3. Partnership to Incentivize and Facilitate Timely and Seamless County Procedure/Permit for BACT and Model OAP Upgrades: The Coalition agrees to coordinate with the CARP Growers and encourage County staff and decision makers to create a timely and efficient process and procedure for the CARP Growers to make BACT upgrades, including pathways that are non-appealable. The Coalition recognizes it is in the best interest of the community to not create procedural delays or barriers that may disincentivize growers from making timely BACT upgrades. The Coalition recognizes that the public wants timely, and ongoing actions by the industry to upgrade to more efficient and effective best available odor control technology and SOPs, via the Model OAP. The Coalition will partner with the CARP Growers members to proactively seek to facilitate swift and certain approvals for CARP Growers' member's farm's efforts to enhance their OAP and odor control technology, as this is a collective, agreed upon goal.

4. Collaborative Efforts Issues: the Parties agree that they shall engage on various collaborative efforts to facilitate community betterment and improve conditions for the cannabis community. Each Collaborative Effort shall be addressed on an ad hoc basis, with specific goals and actions, roles and responsibilities identified at the outset, such as through a written Memorandum of Understanding or similar guiding document. Examples of potential

Collaborative efforts include networked weather stations, electrical supply system upgrades and zoning ordinance revision issues.

A. Weather Stations: Accurate and timely wind and weather data can assist in investigating odor complaints and managing odor. The Parties' Goals include implementation of an integrated network of high quality weather monitoring stations capable of representing conditions throughout the Carpinteria Valley that may be used to evaluate odor conditions, and to predict and avoid odor episodes. CARP Growers will facilitate the development and implementation of a comprehensive, high quality wind and weather monitoring system and provide the Coalition continuous access to that system.

B. Electrical Supply system upgrades: Some areas of Carpinteria experience constrained electrical supply from the grid, and most if not all CARP Growers Members' operations have pending applications for Electrical Service Upgrades ("ESU") and associated County Land Use Permit and/or Building Permit applications. The Parties shall cooperate in expediting the approval and implementation of ESUs that will enable enhanced odor control. Carp Growers commit to diligently pursue such ESUs.

C. Zoning: The County's Carpinteria Agricultural Overlay District (CAOD) program and rules were adopted to designate areas for preservation of open field agricultural uses and to limit the size of new greenhouses in some areas (Area B) and support future greenhouse development in others (Area A). CAOD provisions constrain some CARP Growers Members from structural improvements and replacement structures that could lead to enhanced odor control, less impactful projects, and enable the development of solar power facilities as components of cannabis projects. The Parties shall confer together & with County officials to determine if they can mutually support Local Coastal Plan revisions to improve conditions in Carpinteria for residents and the cannabis industry.

5. SBCRC Position on Compliant CARP Growers Member's Projects:

The Coalition will not oppose or appeal the approval of CARP Grower projects that utilize the Model OAP, the Community Odor Guidelines contained in Exhibit B and have executed and are bound by this Contract.

Additionally, the Coalition will support CARP Grower projects that utilize the Model OAP, the Community Odor Guidelines and that have executed and are in full compliance with the terms of this Contract. CARP Growers will oppose Carpinteria area mixed light cannabis projects that: 1) do not utilize the Model OAP and Community Odor Guidelines or a more effective OAP and Community Odor Guidelines, and 2) that have not consummated a contract with the Coalition,

with the existence and status of said contract to be communicated by Coalition to CARP Growers. Upon CARP Growers' request and as mutually deemed appropriate, the Coalition will attempt to engage with potential community appellants of CARP Grower projects that are utilizing the Model OAP and the Community Odor Guidelines and signatories to this Contract for the purpose of promoting dialogue and understanding of the benefits of this Agreement and related actions. Neither the Coalition, nor any of its Officers or Directors, shall support, financially or otherwise, any challenge, or appeal or any other action adverse to CARP Growers Member's projects' permits and permit approvals, provided the CARP Growers members are in substantial conformance with each element of this Contract, applicable County authority, the Model OAP and the Community Odor Guidelines.

6. Waiver: the Coalition forever waives all rights, claims, and causes of action, whether administrative or at law, to oppose, challenge, and/or appeal, on grounds related to odor, all CARP Grower Member projects that are designed and being operated in substantial compliance with this Contract, the model OAP and the Community Odor Guidelines and provided that the Contract, OAP and Community Odor Guidelines are substantially effective at controlling odors. This waiver shall not apply to or affect in any way the rights of the parties to the existing litigation entitled SBCRC v Everbloom, et al., Santa Barbara County Superior Court No 20CV01124.

The Coalition acknowledges that it is assuming the risk of unknown or unanticipated claims and expressly waives the benefits of California civil code section 1542, which reads as follows:

a general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

7. Good faith: The Parties hereto agree that they shall act and work in good faith to uphold, comply with and implement this Contract and take other such actions as are appropriate to dispositively overcome odor issues.

8. Communications and Cooperation: The Parties shall maintain open and regular communications among themselves, members, Board members and representatives and strive to keep each other apprised of developments and issues of interest for the other. Disputes and conflicts should be addressed openly, and seek a constructive resolution. Facilitation may be considered if considered necessary.

The Parties recognize that conditions surrounding the cannabis industry will change, personnel within each organization will turn over, and new technologies will arise. The Parties seek to develop and sustain a working and functional relationship based on trust, respect, communication, and community.

9. Survival of Commitments: Each CARP Grower Member shall:

- A. Have the entity identified as the holder of the State cannabis cultivation license execute and bind that entity to comply with all commitments, terms and obligations in this Contract and the Model OAP for the life of its project, provided that the Coalition and each Coalition Member are not in material breach of their obligations under this Contract or the Model OAP;
- B. Provide prior written notification to any buyer, transferee, assignee or other grantee, or heir or successor of any right, title, or interest in or to the Cannabis Operation as entitled by the County and licensed by the County and State, with a copy of this Contract, the Model OAP, the Community Odor Guidelines and contact information for the Coalition and its counsel, which is as follows: Law Office of Marc Chytilo, APC, Post Office Box 92233, Santa Barbara, California 93190, and
- C. Either:
 - a) Record this Agreement to run with the land and bind any subsequent buyer, transferee, assignee or other grantee, or heir or successor of any right, title, or interest in or to the Cannabis Operation (“Transferee or New Owner”) by recording this Agreement or a summary of this Agreement in the chain of title at the Santa Barbara County Recorder’s office, or
 - b) In the event recordation described above cannot be achieved, then
 - i Use its commercially reasonable best efforts to restrict any transfer of land upon which its project is located (the “Real Property”) such that any such transferee, as a condition of such transfer, shall enter into this Contract via written assumption of all of its duties and obligations under this Contract; and
 - ii Not sell or transfer any material interest in its project’s cannabis operations for the first five (5) years after the effective date of this Contract, unless such transfer is conditioned on such transferee’s written assumption of all of its duties and obligations under this Contract;
 - c) and
- D. Notify the Coalition within ten (10) business days of any transfer of Real Property, any transfer of a material interest in its project, and prior to any change of ownership as defined by Santa Barbara Count Code § 50-23(b) to a Transferee or New Owner, and provide the Coalition with copies of any such Transferee’s and/or New Owner’s written acceptance of the enforceability of the terms of this Contract upon it, and contact information with regard to any such Transferee and/or New Owner.
- E. If the Transferee or New Owner declines to enter into this Contract and accept enforceability thereof by the Coalition, the New Owner and their cannabis operation’s membership in CARP Growers shall be immediately terminated and CARP Growers shall promptly publish in a display ad not less than ¼ page in the Coastal View and Santa Barbara Independent for 3 consecutive weeks’ notice that the New Owner has been

expelled from CARP Growers for failure to accept and agree to abide by the terms of this Contract.

10. This Contract is intended to promote and provide guidance for productive communications between the parties during cannabis permitting in Carpinteria and beyond. This is a binding document that controls the actions of each Party and their Members (CARP Growers) and Directors (Coalition). The Parties may mutually agree to revise, replace or terminate this Contract, however the goal of the Parties is to develop and maintain a productive working relationship which will minimize or eliminate the negative impacts, such as odor, which are associated with large scale cannabis operations in the Carpinteria Valley.
11. All reports and data provided or disclosed by Operator which are not otherwise publicly available shall remain the sole and exclusive property of Operator and shall only be used for purposes of addressing particular Odor Episodes (defined in OAP).
12. The Parties hereto agree that they shall act and work in good faith to uphold, comply with and implement this agreement to dispositively overcome odor issues and avoid the need for appeals.
13. This Agreement shall not be confidential, but distribution shall be managed. The Parties will coordinate public and community outreach.
14. Nothing in this Agreement shall be construed as an admission by any party or any party's affiliated or related of any wrongdoing or liability of any kind or nature.
15. Execution in Counterparts. This Agreement may be executed in counterparts, and each counterpart, when executed, shall have the efficacy of a signed original. Photographic, electronic, and facsimile copies of such signed counterparts may be used in lieu of the originals for any purpose.
16. Severability. The Parties agree and acknowledge that this Agreement shall be governed by and construed in accordance with the laws of the State of California, and that if any provision of this Agreement is determined to be illegal or unenforceable, such determination shall not affect the balance of this Agreement, which shall remain in full force and effect and such invalid provision shall be deemed severable.
17. Binding Effect. This Agreement shall inure to the benefit of, and shall be binding upon the Parties hereto and their respective legal representatives, including the Parties' successors and assigns, past and present parents, subsidiaries, affiliates, predecessors, successors, assigns, officers, directors, employees, attorneys, agents, representatives, heirs, executors, guardians ad litem and administrators, and each of them.
18. No Party Deemed Drafter. All Parties hereto acknowledge that they have been represented by independent counsel of their own choice throughout all of the negotiations that preceded the

execution of this Agreement. This Agreement shall be construed fairly as to all Parties and not in favor of or against any of the Parties, regardless of which Party actually prepared this Agreement.

19. Representation. The Parties have been represented in the negotiations for preparation of this Agreement by legal counsel of their own choosing, have been fully advised by such counsel of their rights and duties hereunder, have read this Agreement in its entirety, have had this Agreement and each of its parts fully explained to them by their counsel, and are fully aware of its contents and its legal effect. The Parties have relied only on the representations contained in and expressly set forth in this Agreement in entering this Agreement.
20. Authority. Each of the Parties represents and warrants that its respective signatory has full authority to bind each of them to the terms and conditions of this Agreement. All business entities executing this Agreement represent and warrant that their signatory's authority has been validly obtained in accordance with the applicable articles of incorporation and bylaws and the laws of the state in which the entity is incorporated, if necessary.
21. Payment of Expenses. In the event of a breach of this Agreement, the prevailing Party is entitled to obtain its reasonable attorneys' fees and costs expended in conjunction with enforcement of this Agreement only, should that become necessary.
22. Jurisdiction. The Parties request and agree that the Santa Barbara Superior Court, Anacapa Division shall retain jurisdiction over the Parties to enforce this Agreement. This Agreement shall be governed by the laws of the State of California.

Dated: August 20th, 2021

It is so agreed:

CARP GROWERS

DocuSigned by:

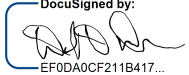
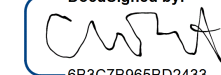
Autumn Shelton

BD9F739208DF46D...

Autumn Shelton, President

CARP GROWERS INDIVIDUAL MEMBERS

Entity Name	Signer Name, Title	Signature
Autumn Brands, LLC	Autumn Shelton, Member	DocuSigned by: <i>Autumn Shelton</i> 8D9F738208DF40D...
Ocean Hill Farms, LLC	Kelly Clenet, Member	DocuSigned by: <i>Kelly Clenet</i> F91CF69C7AD6423...
Blue Whale Agriculture, Inc.	Tadd McKenzie, CEO	DocuSigned by: <i>Tadd McKenzie</i> FE2403D704F4456...
CKC Farms, Inc.	Francis Brand, CEO	DocuSigned by: <i>Francis Brand</i> F807D0DAC10C41C...
JJ Agriculture, Inc.	Thomas Brand, CEO	DocuSigned by: <i>Thomas Brand</i> 2EC6913D3574405...
Life Remedy Farms, Inc.	Tadd McKenzie, CEO	DocuSigned by: <i>Tadd McKenzie</i> FE2403D704F4456...
New Generation Farms, Inc.	Thomas Brand, CEO	DocuSigned by: <i>Thomas Brand</i> 2EC6913D3574405...
New Horizon Farming, Inc.	Katarzyna Brand, CEO	DocuSigned by: <i>Katarzyna Brand</i> 75CE7C8560D5406...
Primetime Farms, Inc.	Francis Brand, CEO	DocuSigned by: <i>Francis Brand</i> F807D0DAC10C41C...
Bosim 1628 Management Company, LLC	Erin Carachilo, CEO	DocuSigned by: <i>Erin Carachilo</i> 72667749C35547B...
Ceres Farm, LLC	Alex Van Wingerden, CEO	DocuSigned by: <i>Alex Van Wingerden</i> 9F02F33628F34E4...
Mediedibles, Inc.	Tristan Strauss, CEO	DocuSigned by: <i>Tristan Strauss</i> 55D1197EDDF042C...
CP1 Supply Systems, Inc.	Tristan Strauss, CEO	DocuSigned by: <i>Tristan Strauss</i> 55D1197EDDF042C...
Ednigma, Inc.	Eduard Van Wingerden, Owner	DocuSigned by: <i>EDUARD VAN WINGERDEN</i> 5C564F0C4AC74E4...
Flora Coast, Inc.	Kristin Van Wingerden, Owner	DocuSigned by: <i>Kristin Van Wingerden</i> 6328EC74CF8D480...

Melodious Plots, Inc.	Ivan Van Wingerden, Owner	DocuSigned by: Ivan Van Wingerden AE2E2105F8B4424...
Orbiter Blooms, Inc.	Winfred Van Wingerden, Owner	DocuSigned by:  EF0DA0CF211B417...
Saga Farms	Sofia Van Wingerden, Owner	DocuSigned by: Sofia Van Wingerden 0E9FA26AD45A4B9...
Twisted Roots, Inc	Amir-Hamsa Eskandari, Owner	DocuSigned by: Amir-Hamsa Eskandari 4D082679820B4EE...
Mission Health Associates, Inc	Graham Farrar, President	DocuSigned by: Graham Farrar 28B9F496F8A44F5...
G&K Produce, LLC	Graham Farrar, President	DocuSigned by: Graham Farrar 28B9F496F8A44F5...
SLO Cultivation Inc., dba Cresco California	Charlie Bachtell, CEO	DocuSigned by:  6B3C7B965BD2433...
Valley Crest Farms, LLC	Rick Palmer, CEO	DocuSigned by: Rick Palmer 19BD91205260409...
Vista Verde Farms, LLC	Alex Van Wingerden, CEO	DocuSigned by: Alex Van Wingerden 0F52F5562BF34E4...
Emma Wood B1, LLC	Tristan Strauss, CEO	DocuSigned by: Tristan Strauss 55B1197EDDF342C...

IN WITNESS WHEREOF, the Parties have each caused this Contract to be executed as of the date set forth herein.

SANTA BARBARA COALITION FOR RESPONSIBLE CANNABIS, INCORPORATED

DIRECTORS

Director	Title	Signature
Blair Pence	President & Director	<small>DocuSigned by:</small> <i>Blair Pence</i> <small>95B999A01D4A475...</small>
Evan Turpin	Treasurer & Director	<small>DocuSigned by:</small> <i>Evan Turpin</i> <small>470284208EF744C...</small>
Rob Salomon	Director	<small>DocuSigned by:</small> <i>robert salomon</i> <small>1B04D015205F40D...</small>
Lionel Neff	Director	<small>DocuSigned by:</small> <i>Lionel B. Neff</i> <small>492BE490C051404...</small>

EXHIBIT A**CARP GROWERS INDIVIDUAL MEMBERS**

Business Entity Name (Operator/Business License/State License Holder)	Landowner Name	Project Name	Address
Autumn Brands, LLC	Brand Partnership LLC	Autumn Brands, LLC, Ocean Hill Farms, LLC	3615 Foothill Road, Carpinteria, CA 93013
Ocean Hill Farms, LLC	Brand Partnership LLC	Autumn Brands, LLC, Ocean Hill Farms, LLC	3615 Foothill Road, Carpinteria, CA 93013
Blue Whale Agriculture, Inc.	Rincon Point Farms, LLC	Rincon Point Farms, LLC	5775 Casitas Pass Road, Carpinteria, CA 93013
CKC Farms, Inc.	Carpinteria Peak Land, LLC	Carpinteria Peak Land, LLC	5138 Foothill Road, Carpinteria, CA 93013
JJ Agriculture, Inc.	Johannes Persoon, Persoon Family Trust	Johannes Persoon, Persoon Family Trust	4532 Foothill Road, Carpinteria, CA 93013
Life Remedy Farms, Inc.	Carpinteria Peak Land, LLC	Carpinteria Peak Land, LLC	5138 Foothill Road, Carpinteria, CA 93013
New Generation Farms, Inc.	Rincon Point Farms, LLC	Rincon Point Farms, LLC	5775 Casitas Pass Road, Carpinteria, CA 93013
New Horizon Farming, Inc.	Johannes Persoon, Persoon Family Trust	Johannes Persoon, Persoon Family Trust	4532 Foothill Road, Carpinteria, CA 93013

Primetime Farms, Inc.	Casitas Farms, LLC	Casitas Farms, LLC	5554 Casitas Pass Rd, Carpinteria, CA 93013
Bosim 1628 Management Company, LLC	HM Holdings, Limited Partnership	Bosim 1628 Management Company, LLC	1628 Cravens Lane, Carpinteria, CA 93013
Ceres Farm, LLC	Van Wingerden Family Trust dated May 13, 1999	Ceres Farm LLC.	6030 Casitas Pass Road, Carpinteria, CA 93013
Mediedibles, Inc.	WILBERT PERSOON, Surviving Trustee, and JOHANNES A.P. PERSOON, Successor Trustee, U/D/T dated October 7, 1993, F/O/B the Person Family Trust	Mediedibles, Inc.	4994 Foothill Road, Carpinteria, CA 93013
CP1 Supply Systems, Inc.	John Van Wingerden and Walter Van Wingerden	CP1 Supply Systems, Inc.	4505 Foothill Road, Carpinteria, CA 93013
Emmawood B1, LLC	Barbara M. Kono, Trustee of Trust A-Surviving Trustor's Trust under Yoshio Kono and Barbara M. Kono Revocable Trust under Trust Agreement dated September 13, 1980	Emmawood B1, LLC	5888 Via Real, Carpinteria, CA 93013
Ednigma, Inc.	The Van Wingerden Family Trust U/D/T March 21, 1989, Eduard Nadia Van	Ednigma, Inc., Melodious Plots, Inc.	4701 Foothill Road, Carpinteria, CA 93013 "Everbloom"

	Wingerden, Trustees		
Ednigma, Inc	Creek Property, LLC	Ednigma, Inc	3684 Via Real, Carpinteria, CA 93013 "Roadside"
Flora Coast, Inc.	VWV, LLC	Twisted Roots, Inc, Flora Coast, Inc.	3508 Via Real, Carpinteria, CA 93013 "Creekside"
Melodious Plots, Inc.	The Van Wingerden Family Trust U/D/T March 21, 1989, Eduard Nadia Van Wingerden, Trustees	Ednigma, Inc., Melodious Plots, Inc.	4701 Foothill Road, Carpinteria, CA 93013 "Everbloom"
Orbiter Blooms, Inc.	The Winfred B. Van Wingerden Exempt Trust and Winfred B. Van Wingerden 2015 Trust, Winfred B Van Wingerden, Trustee	Orbiter Blooms, Inc., Saga Farms, Inc.	4555 Foothill Road, Carpinteria, CA 93013 "Maximum"
Saga Farms	The Winfred B. Van Wingerden Exempt Trust and Winfred B. Van Wingerden 2015 Trust, Winfred B Van Wingerden, Trustee	Orbiter Blooms, Inc., Saga Farms, Inc.	4555 Foothill Road, Carpinteria, CA 93013 "Maximum"
Twisted Roots, Inc	VWV, LLC	Twisted Roots, Inc, Flora Coast, Inc.	3508 Via Real, Carpinteria, CA 93013 "Creekside"
Twisted Roosts, Inc	Coastal Blooms Nursery, LLC	Twisted Roosts, Inc	3798 Via Real, Carpinteria, CA 93013 "Dryery"

Mission Health Associates, Inc	Glass House Farm LLC	Mission Health	5601 Casitas Pass Road, Carpinteria, CA 93013
G&K Produce, LLC	Magu Farm LLC	G&K Farm/K&G Flower	3480 Via Real, Carpinteria, CA 93013 (Previous -3561 Foothill Road, Carpinteria, CA 93013)
K&G Flowers, LLC	Magu Farm LLC	G&K Farm/K&G Flower	3480 Via Real, Carpinteria, CA 93013 (Previous -3561 Foothill Road, Carpinteria, CA 93013)
SLO Cultivation Inc., dba Cresco California	R. & J. VAN WINGERDEN FAMILY TRUST	Cresco Cannabis Cultivation and Processing	3889 Foothill Road, Carpinteria, CA 93013
Valley Crest Farms, LLC	Van Wingerden Family Trust dated May 13, 1999	Valley Crest Farms, LLC	5980 Casitas Pass Road, Carpinteria, CA 93013
Vista Verde Farms, LLC	G&S Real Estate, LLC.	Vista Verde Farms, LLC.	3450 Via Real, Carpinteria, CA 93013
Vista Verde Farms, LLC	Van Wingerden Family Trust dated May 13, 1999	Vista Verde Farms, LLC.	4385 Foothill Road, Carpinteria, CA 93013

Exhibit B

Community Odor Guidelines

The purpose of these guidelines is to supplement the required odor control plan required by the County of Santa Barbara. These are voluntary guidelines that are agreed to by the grower and the Coalition for the purpose of expanding odor control tools, addressing odor concerns expressed by the community and minimizing odors in the Carpinteria Valley. These guidelines are not enforceable by the County of Santa Barbara but are enforceable by the Coalition pursuant to a separate Agreement.

1. Community Participation and Outreach

The (insert name of operator) shall maintain its own list of interested parties referred to as the “Community Outreach List” (“COL”) consisting of individuals and organizations that request inclusion. The Operator shall provide periodic notifications as described herein, and semi-annual written or emailed odor updates to the COL with the goal of fostering productive communications, reviewing the effectiveness of odor control efforts and facilitating efforts to accurately identify the source of, and ultimately mitigate, any fugitive cannabis odors believed to be emanating from the subject Property. Operator shall request community participation and feedback in this process, and shall address and respond to community comments and concerns related to odor.

2. Community Communication

In the interest of responding rapidly to odor inquiries and based on the time sensitive nature of identifying and controlling the odor source, Operator invites the public to contact the Primary Odor Contact directly with any odor concerns, or to submit an inquiry to ensure prompt and conclusive action. The interested party can and should also work through the County’s process under the enforcement of the required OAP. The Operator will continuously monitor for receipt of any odor inquiries or complaints by phone at _____ and will immediately route inquiries and complaints to the Primary Odor Contact for a timely response. The Operator may utilize analytical tools and measurement systems to evaluate odor inquiries and assess odor conditions, as well as for routine monitoring of horticultural conditions, and to advance the long-term goal of eliminating fugitive cannabis odors.

Additionally, the CARP Growers Association (“Association”) shall maintain its own list of interested parties referred to as the “Community Outreach List” (“COL”) for each Association property/member property with cannabis operations or licenses, consisting of individuals and organizations that request inclusion via Association’s website [www.carpgrowers.org] or via direct contact with the Primary Odor Contact at the source of the odor.

The Association shall provide periodic notifications as described herein, and bi-annual written or emailed odor updates to the COL with the goal of fostering productive communications, reviewing the effectiveness of odor control efforts and facilitating efforts to accurately identify the source of, and ultimately mitigate, any fugitive cannabis odors believed to be emanating from the subject Property. Operator shall also request community feedback and participation in this process on the

Association's website and make good faith efforts to address and respond to reasonable community comments and concerns related to odor. All reports and data provided or disclosed by Operator which are not otherwise publicly available shall remain the sole and exclusive property of Operator and shall only be used for the purposes of addressing particular Odor Episodes (defined below).

3. Enhanced Odor Response Protocol

In the interest of responding rapidly to odor inquiries and based on the time sensitive nature of identifying and controlling the odor source, Operator invites the public to contact the Primary Odor Contact directly with any odor concerns, or to submit an inquiry at Association's website to ensure prompt and conclusive action in addition to utilizing the County's Odor Complaint Process. Any odor inquiries or correspondence that is received through the Association website will be continuously monitored and immediately routed to the appropriate subject property/member for a timely response. Effective enhanced response requires reporting the time and specific location (e.g., address or community landmark) of any cannabis-related odors and the known or suspected Operator that is the source of the odors. Operator encourages community participation and commits to identifying the cause of Odor Episodes, defined as fugitive cannabis odors experienced within residentially occupied parcels within one thousand (1,000) feet measured from the property line of any parcel containing an odor emitting structure or any Publicly Accessible Place within one thousand (1,000) feet measured from the property line of any parcel containing an odor emitting structure, so that Operator can continue to improve the efficacy of its odor abatement systems and operating procedures, with the long-term goal of controlling all odors at the Operator's property line. Publicly Accessible Places are defined as all areas that the public may freely access, including businesses, day care centers, youth centers, schools, parks, churches, and residential parcels. For purposes of this Odor Plan, "publicly accessible places" shall currently be interpreted to not include roads or sidewalks that are not located in residential neighborhoods or residentially zoned areas, but may be expanded to include these areas in the future.

4. Data, Reports and Communications with Coalition

Operator shall provide to Coalition copies of all data, reports and communications that are provided to County concerning Odor complaints and otherwise relating to odor, such as, including but not limited to: access to weather monitoring networks, odor monitoring data, initial baseline and follow-up odor testing data, results of any investigations undertaken in response to odor complaints, corrective actions, any determinations regarding the presence or absence of odors at reporting locations after corrective actions are undertaken, and any and all reports detailing efforts taken to resolve odor complaints.

5. Additional Steps in Response to Odor Complaints

In Level 2 Response to Odor complaint, after identifying the cause of an odor complaint and undertaking of corrective actions, the Operator shall inspect the reporting location or, if the reporting location is not known, at the locations in the direction where the Operator would expect odor to migrate based on the meteorological conditions present at the time of the Odor Inquiry (hereafter the "known, suspected or projected reporting location") to determine if odor is no longer present. If odor is still present, the Operator shall undertake a Level 3 Response.

6. Multiple Sources of Odor

For a reported Odor Episode where the Operator is or may not be the source of the odor, or may be a contributing source but not the sole source of the odor, the Operator shall:

- a. Notify and engage the Operators of any other potential source(s) of the odors, (including through any trade association or organization of other Operators if any other Operators are members or participants in such association or organization), to identify the potential source(s) of the odors;
- b. Develop and implement a voluntary, cooperative Protocol among cooperating Operators, which may include:
 - i. implementing specific Corrective Actions among the potential source(s) to attempt to eliminate the odors beyond those required by the County of Santa Barbara as part of the required OAP, and/or
 - ii. implementing an analytical sampling and/or monitoring protocol beyond the protocols that are required to be followed by the County of Santa Barbara's OAPs to identify the source(s) of the odors
- c. The Operators shall implement voluntary measures and conduct further analytical sampling and/or monitoring as needed to either conclusively identify the source(s) of the odors or to eliminate the odors.

**Exhibit D
Model OAP**

Odor Complaint Response and Corrective Actions

In the event of an odor complaint at ___ (insert address here) (the “Property”), please contact ___ (insert operator name here) (“Operator”) Primary Odor Contact, as well as the Planning & Development Department (“Department”) at (805) 568-2057 or online at https://www.surveymonkey.com/r/cannabis_complaints

[Primary Odor Contact]

1. Weather Monitoring

- A. Operator shall install and maintain continuous weather monitoring equipment in accordance with direction of a meteorological monitoring network plan provided by a qualified third-party professional so as to continuously record and transmit weather data, including wind speed, direction (including low speed wind direction capabilities), temperature and barometric pressure for as long as it engages in cannabis cultivation at this Property.
- B. This weather data will be maintained electronically and made available upon request (for at least one year) to the Department.
- C. Operator will use weather data to identify the variables and conditions that can cause, contribute to and affect Odor Episodes (defined below) and to better understand the transport and fate of odor emissions from cannabis operations in Carpinteria.
- D. In the event that a regional meteorological network is created by the Department or other entity, data from Operator’s weather monitoring equipment shall be made available in real time to such network.

2. Odor Technology

The facility shall follow all methods for controlling and reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies (BACT) or methods as necessary to control odor at the facility, as determined by the Department. Any BACT to be employed by an Operator at a future date may require additional permits or changes to existing permits as determined by the Department.

3. Initial Audit and Continuing Monitoring Obligations

The Operator shall develop a testing program to deploy continuously over a 7-day period the best available proven odor monitoring device/method to measure cannabis odor causing emissions from the property during the first week of permitted operations, if other equivalent baseline odor testing has not already been conducted. The applicant shall maintain all odor monitoring data for 3 years and shall provide odor monitoring data to the Department upon request.

4. Community Participation and Outreach

Prior to the commencement of operations, the Operator shall provide to property owners and residents located within 1,000 feet of the Property the contact information for the Primary Odor Contact, who shall be available by telephone on a 24 hour/day basis to receive and respond to calls regarding any odor complaints (Santa Barbara County Article II Coastal Zoning Ordinance (CZO) §35-144U.C.6.f.1.). The Operator shall immediately notify the Department, property owners and residents located within 1,000 feet of any changes to the local contact (CZO §35-144U.C.6.f.2.).

5. Odor Response Protocol

The Operator will continuously monitor odor complaints and will immediately route complaints to the Primary Odor Contact for a timely response. The Operator may utilize analytical tools and measurement systems to evaluate odor inquiries and assess odor conditions, as well as for routine monitoring of horticultural conditions, for the long-term goal of eliminating fugitive cannabis odors.

The Operator shall notify the Department of any complaints the Operator receives within 24 hours of receiving the complaint (CZO §35-144U.C.6.f.3). The Operator shall respond to an initial complaint within one hour and if needed, take corrective action to address any violation of CZO §35-144U.C.6 within two hours (CZO §35-144U.C.6.f.4). The Operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant (if the complainant is willing to provide), as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the complaint tracking system records to the Department as part of any Departmental inspections of the cannabis activity, and upon the Department's request. The operator shall maintain the complaint tracking records for a minimum of five years (CZO §35-144U.C.6.f.5).

If the Department receives three verified complaints regarding odor events in any 365-day period, the Operator shall implement corrective actions to comply with the odor abatement requirements of County Code Section §35-144U.C.

a. Level 1 Response - Initial Assessment and Corrective Actions

For any instance in the Odor Response Protocol below where the Operator can determine that an odor complaint is "resolved" or "unresolved", the determination by the Operator does not preclude the Department from taking further actions, including enforcement actions pursuant to Section 35-185 (Enforcement and Penalties), of the Coastal Zoning Ordinance, which may include, but are not limited to, initiating proceedings to revoke the applicable cannabis land use entitlement(s) pursuant to Section 35-169.8 (Coastal Development Permits) of the Coastal Zoning Ordinance.

Once an odor complaint is received by the Operator, the Operator shall within one hour after the odor complaint is received, perform an onsite visual inspection to ensure the function and integrity of the following:

1. The odor abatement equipment is working as intended and that there are no visible breaks or blockages in any odor abatement equipment; and
2. If being used, all carbon scrubbers or other odor abatement equipment are working properly and filters are clear of any debris; and
3. All doors are closed, sealed and secured, including greenhouse entry and exit points, internal processing rooms and processing entry and exit points, pursuant to Operator's Standard Operating Procedures ("SOPs"); and
4. A walk of the perimeter of the cannabis facilities, inspecting the integrity of the walls and structure and examining if a physically apparent source of odor can be detected.

If a cause for the reported odor episode was discovered during the inspection, the Operator shall take corrective action to address any violation of CZO §35-144U.C.6 within two hours of the complaint.

After taking corrective action, the Operator shall complete a site inspection at the reported odor complaint location to determine whether the odor complaint has abated. If odor is no longer detectable at the reporting location identified in the complaint or at locations in the direction where the Operator would expect odor to migrate based on the meteorological conditions present at the time of the odor complaint, then the odor complaint may be deemed resolved.

If no cause for the reported odor complaint was ascertained during the inspection and if odor is not detectible at the reporting location identified in the complaint, the odor complaint shall be deemed resolved.

b. Level 2 Response -- Diagnostic Assessment and Corrective Actions

If, after the Level 1 Response is complete, the Operator continues to observe fugitive odors, receives further odor complaints indicating that the odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall:

1. Conduct a weather assessment (wind speed, direction and any shifts, anecdotal weather information collected from interested parties, time and duration of odor complaint) of the conditions that were occurring at and in the two hours before the time of the odor complaint;
2. Perform a comprehensive diagnostic review of the odor abatement system;
3. Interview staff members that were on site during and in the two hours before the time of the odor complaint and determine if they performed or observed any actions or circumstances that may have caused or contributed to the reported odor complaint and evaluate if the operation adhered to the Operator's SOPs for odor abatement;

4. Repair or correct any conditions discovered that may cause or contribute to the odor complaint.

If a cause for the reported odor complaint is identified, the Operator shall take corrective actions, revise its SOPs, and/or adjust the odor control systems as necessary to address the condition(s) that caused the odor complaint. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, the odor complaint shall be deemed resolved..

If no cause for the reported odor complaint was ascertained during diagnostic assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 2 Response and submit it to the Department.

c. **Level 3 Response -- Analytical Assessment and Corrective Actions**

If, after the Level 2 Response is complete, the Operator continues to observe fugitive odors and/or receives further odor complaints during the following 8-24 hour period, or the reporting party responds that odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall implement further corrective actions as follows:

1. Commission a Professional Engineer (PE) or a Certified Industrial Hygienist (CIH) to perform an on-site evaluation of odor levels to analyze whether the Operator is the source of the reported odor complaint. The Operator's PE or CIH will use the Operator's and any other available meteorological data and the Operator's knowledge of operational activities at the time specified in the odor complaint to investigate the odor complaint, as feasible.
2. If no further conclusions are found from the analysis, and the Operator is unable to identify the potential cause of the odor complaint, the odor complaint is unresolved.
3. In the event that an odor complaint is unresolved and is recurring or continuing, as evidenced by repeated odor complaints from the property, the Operator shall:
 - i. Commission a Professional Engineer or a Certified Industrial Hygienist to implement a testing protocol to measure odor or an odor-causing constituent using the best, currently available objective, odor measurement device, technology or methods.
 - ii. Undertake corrective actions identified by the PE or a CH including, but not limited to:
 1. Revise its SOPs.
 2. Adjust or improve the function of the existing odor control systems (e.g., adjust dispersal of neutralizers, replace spent carbon media, install self-closing doors).
 3. Install supplemental or replacement odor control technologies, such as but not limited to internal greenhouse scrubbing systems. Such technology

could potentially include installation of 5-15 Regenerative Carbon Scrubbing units per acre of adult-flowering cultivation (exact system design to be defined on a Project specific basis as determined by a qualified professional). Depending on the scope and nature of the supplemental or replacement odor control technologies, additional permitting may be required by the Department and, if required, must be obtained before installing the technology.

If a cause for the reported odor complaint is identified, the Operator shall take corrective actions as recommended by the PE or CIH as necessary to address the condition(s) that resulted in the odor complaint. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified above in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic assessment, and if the odor is not detectable at the reporting location, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 3 Response and submit it to the Department.

If after the PE or CIH Analysis has been completed, the Operator believes it is not the sole or a contributing source of the reported odor complaint, the Operator shall notify the Department of its conclusion, within three (3) calendar days of reaching such conclusion. The Department will consider this information in determining whether corrective actions are necessary to comply with the odor abatement requirements of Section 35-144U.C, but the Department is not bound by the Operator's conclusion. If the Department verifies that the Operator is not a contributing source of the reported odor complaint, the complaint shall be deemed resolved.

d. Level 4 Response -- Comprehensive BACT Analysis and Corrective Actions

If, after the Level 3 Response is complete, the Operator continues to observe fugitive odors and/or receives further odor complaints, or the reporting party responds that odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall implement further corrective actions as follows:

- a. Commission a comprehensive Best Available Control Technology (BACT) analysis and submit to the Department a written report prepared by a Professional Engineer or a Certified Industrial Hygienist that includes:
 1. The likely or potential source of the odor complaint;
 2. Additional adaptive management techniques, including operational modifications and curtailment that are recommended to eliminate odor complaints;

3. Recommendations for new or revised odor abatement technologies; and
4. Installation of current best available analytical tools to monitor, identify and quantify the emissions causing or contributing to odor complaints.

If the BACT analysis concludes that a more effective odor control system is available that will resolve or materially reduce the severity of the odor causing the complaint the Operator shall take all necessary steps to install the more effective odor control system as expeditiously as practicable. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic PE or CIH assessment, and if odor is not detectable at the reporting location, , the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 4 Response and submit it to the Department. If after the BACT Analysis, the Operator believes it is not the sole or a contributing source of the reported odor complaint, the Operator shall notify the Department of its conclusion, within three (3) calendar days of reaching such conclusion. The Department will consider this information in determining whether corrective actions are necessary to comply with the odor abatement requirements of Section 35-144U.C, but the Department is not bound by the Operator's conclusion.

e. For all Odor Episodes – Reporting and Corrective Actions:

The Operator shall make available to the Department and any reporting party, upon request, a report detailing all efforts taken to resolve odor complaints.

Villalobos, David

From: Renee O'Neill <chasingstar2701@yahoo.com>
Sent: Tuesday, February 1, 2022 10:29 AM
To: Villalobos, David
Subject: Public Comment re Ed Van Wingerdan

Categories: Purple Category

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 David,

Could you please submit the following public comment for me? Thanks.

Dear Honorable Commissioners,

I know this letter might be late and will do my best to keep it short.

Please support Carpinteria residents, educators and especially the children who are in dire need of your protection. Our County Legislators must carefully consider whether or not to approve excessive concentration of cannabis sites, especially in vulnerable regions. You are already fully aware of the numerous concerns that have been brought to your attention for many years.

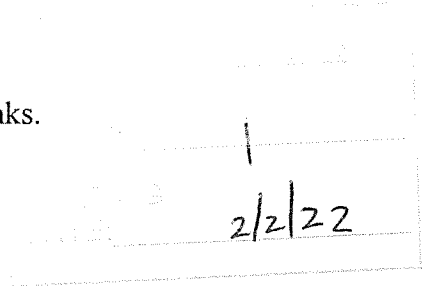
It is important to remind you that in 2017, P&D Staff spent countless hours doing extensive research, holding numerous Town Hall Meetings and listening to both growers and residents alike. Initially, P&D Staff and residents had advocated for responsible zoning and greater buffer zones from all "Sensitive Receptors." I believe staff had recommended a set back of 5,000 feet, in the initial 2018 PEIR. Unfortunately, the Board of Supervisors chose to disregard staff's prudent recommendations that would have avoided Severe Negative Class-1 Impacts.

Please deny this and any other expansion of cannabis sites in Carpinteria. They already have the greatest concentration of growers that have caused extreme distress to many people.

We depend on our County Legislators to protect residents and uphold the laws.

Respectfully Submitted,

Renée O'Neill



A rectangular box containing a handwritten signature and the date "2/2/22".



1
2/2/22

February 2, 2022

Commissioners,

In my previous life I was in law enforcement, now my wife and I own The Food Liaison in Carpinteria. I was appointed to Carpinteria's Architectural Review Board in 2019, we are local homeowners, and our daughter attends school here in Carpinteria. I say all this to make the statement that we find Carpinteria the most perfect place to work, live, and raise a family.

Our restaurant and Catering Company, The Food Liaison, has been in operation in Carpinteria since 2013 and from the very beginning Ed Van Wingerden and his business, Ever-Bloom, have made it a point to patronize and support our endeavors both in business and philanthropically.

I've always admired not just Ed, but the entire Van Wingerden family and the great work they do, along with their steadfast commitment to our community. When Covid hit and all the local restaurants were forced to shut-down, Ed became a pillar in a local program called "Keep the Lights On", in which his cannabis business played a huge role in helping to keep my own business open by placing hundreds of lunch orders for all of his employees. The cannabis operators, being of the agricultural industry, became the majority source of revenue for our catering company. They filled the void of the other businesses that were not deemed essential and were no longer actively present within the County.

Lastly, as I mentioned in the beginning of my comments, my daughter attends The Howard School, located near the intersection of Linden Avenue and Foothill Road. I am also a Board Member and Treasurer of the school. We have no issues with any cannabis odors or worries about the plants being grown on the Ever-Bloom farm. I will also add that cannabis odors have dramatically improved and farmers have been committed to limiting impacts on neighbors.

Ed is a man to be trusted and honored. I speak for myself and my entire family when I say Ed Van Wingerden is a treasure for our community. I urge you to approve the Ever-Bloom Project at 4701 Foothill Road.

Thank you for your consideration, JASON RODRIGUEZ, CO-OWNER/CFO

Villalobos, David

From: Emlynn Tursick <etursick@asu.edu>
Sent: Monday, January 31, 2022 1:56 PM
To: Villalobos, David; [redacted]
Subject: Planning Commission February 2 Hearing - Support Ever-Bloom
Categories: Purple Category

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 Honorable Planning Commissioners

As a Carpinteria local, mother of two young children, and business owner, I am asking you to please vote in favor of the Ever-Bloom project at 4701 Foothill Road. Ever-Bloom treats its employees well, supports our community, and runs a clean operation that is compatible with our town. This is the type of project we should be supporting as it is exemplary. My family loves our small town, which is why using the existing greenhouse makes so much sense.

Thank you for your consideration.
Emlynn Tursick

2/2/22



805.967.2500
www.SBSCChamber.com
Mailing Address: 5662 Calle Real #204, Goleta, CA 93117
Visitor Center: 120 State Street, St F, Santa Barbara, CA 93101

January 31, 2022

Chair Ferini and County Planning Commission
c/o Planning and Development, Hearing Support
123 East Anapamu Street
Santa Barbara, CA 93101

1
2/2/22

RE: Ever-Bloom Farm, 4701 Foothill Road, Carpinteria - SUPPORT

Dear Chair Ferini and Planning Commissioners:

On behalf of the Santa Barbara South Coast Chamber of Commerce, from Goleta to Carpinteria, we wish to express our support for Ever-Bloom Farm. Ever-Bloom is integral piece of the local agricultural sector and the Santa Barbara County economy. Our organization advocates for responsible member businesses who contribute to the local economy and jobs. We believe that cooperation between local government and businesses supports a thriving community and economy.

The Chamber has worked with the cannabis farmers group CARP Growers to educate our members about responsible cannabis farming. We have been impressed by the significant efforts that have gone into controlling cannabis odors, as well as the environmental consideration paid by local greenhouse farms. The investments these businesses have made to comply with regulation and ensure their farms fit in with local communities should not go unnoticed.

Cannabis farmers in Carpinteria Valley have operated successfully for the past 5 years, and members of CARP Growers, like Ever-Bloom, have continually set an example for complying with regulation. With continued county support these businesses will continue to build a strong foundation for responsible cannabis farming and county-wide economic development.

Please support Ever-Bloom's permit application.

Sincerely,

KRISTEN MILLER | President/CEO
SANTA BARBARA SOUTH COAST CHAMBER OF COMMERCE
(805) 967-2500 ext. 108 | Kristen@SBSCChamber.com

Villalobos, David

From: Jason Diamond <carpdiamonds@gmail.com>
Sent: Monday, January 31, 2022 5:11 PM
To: Villalobos, David
Subject: Re 2/2/22 Agenda X1

Categories: Purple Category

1
2/2/22

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 Honorable Board Members,

My name is Jaime Diamond, I live within two blocks of the Ever-bloom property, I have children and two of the schools in close proximity to the property as well. I happen to be a Trustee for CUSD. I voted against the recreational legalization of marijuana for many reasons, also I do not personally use cannabis of any kind. However I recognize the law did pass, and I believe those who have chosen to grow this crop have an obligation to the Carpinteria Community to be responsible, and on the cutting edge of best available technology for our town.

I have noticed a marked change in the odor in our neighborhood for some time, as it turns out, the reduction is due to the Byers system Ever-bloom uses. The odor is not eliminated, but definitely less. I also had the opportunity to learn about the new air scrubbers Ever-Bloom has spent millions of dollars on. If they work as anticipated, I believe their facility can be compatible with our community. I was also told they have their existing system as a backup if the new one fails. If this works as anticipated, it will set industry standards, which can then be applied to all.

Jaime Diamond

Concerned Carpenterians

<https://www.concernedcarpinterians.com>

February 2, 2022

Dear Planning Commissioners,

1
2/2/22

No, that was not *The Onion* but rather a statement sent from the SB Coalition for Responsible Cannabis, a 501.c3 founded by local residents now entirely disenchanted. For unfathomable reasons, said coalition has now gone All-In for Cannabis, cannabis growers and their lobby and seemingly against residents, students, and local agriculture.

The Coalition and its attorney are presently championing the massive Van Wingerden cannabis operation directly across the street from Carpinteria High and next door to the Boys & Girl Club. This grow is an unequivocal violation of Federal Law (**21 USC§ 860**) mandating a 1000 foot buffer from schools and children facilities.

FOR THE RECORD:

The Coalition (and its attorney) do NOT represent nor speak for **Concerned Carpenterians** nor its membership of approximately 350 residents and their families who stand resolutely against this project; and who fully support the students and teachers of Carpinteria High and the children attending the Boys & Girls Club as well as the residents enduring foul odors from the Van Wingerden operation.

Concerned Carpenterians

<https://www.concernedcarpinterians.com>

CONTACT concernedcarpinterians@gmail.com

Villalobos, David

From: Aaron Smith <aarons@cisurfboards.com>
Sent: Tuesday, February 1, 2022 4:36 PM
To: Villalobos, David
Subject: 4701 Foothill Rd. Cannabis Grow

Categories: Purple Category

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 Planning Commission members, I am a parent of three students in Carpinteria Unified school district. One is at the high school now, and the other two are at the middle school, they will be at the high school in two years. I do not approve of this project as I have trouble with the proximity to the school property. Google maps puts it a little over 400 ft from property line to property line (4701 and CHS). This would be a violation of your own rules and regulations, so I am confused how this is going to be passed. I feel the staff and students have given up fighting against the smell and traffic increase because no one has ever listened to them in the past. You ask why no one sent in letters against these grows, look at the track record, no one ever listens to the people who live around the operations. The School District asked for 1000 ft, the planners ignored that request, why would they try again? The constant donations are appreciated as it does add to the student experience, so it is hard to complain. Please, just make sure the students are safe from traffic, and other issues that these grows bring. I appreciate the promises of top shelf air pollution controls to limit emissions. I ask that you the commission confirm that the regulations will be adhered to as long as they are growing cannabis.

Aaron Smith
1250 Bega Way
Carpinteria Ca
93013