

April 3, 2017

To: Santa Barbara County Board of Supervisors
County Clerk, Santa Barbara County
Dennis Bozanich, Deputy County Executive Officer

From: Anna Carrillo (Carpinteria Resident)
Roxanne Lapidus (Carpinteria Resident)

Dear Supervisors,

We are pleased that you have drafted a Registry for "Medical Cannabis Cultivation and Future Non-Medical Cannabis Cultivation & Related Operations." We have studied your draft Registration Form, and have some line-by-line suggestions, below.

Since the Registry is only useful to the extent that the information is accurate and truthful, here's a suggestion to help ensure that it is. Start with a statement that the County will randomly check the veracity of answers; any applicant found giving false responses will be excluded from the Registry. This is a strong incentive, since growers are eager to be eligible for "priority review." But this caveat must be followed up on. Better to have no regulations than to have regulations that are not enforced. The latter only encourages flouting laws, and creating an atmosphere that can breed corruption in both business and politics.

General observations

The "Don't Know" choice should be eliminated in nearly all cases; if an applicant does not know the answers to basic questions, s/he should not be filling in the questionnaire.

Please make the lettering (d-z) consistent in Sections 2 & 3, so that they mirror each other. There would be no "h" in section 3.

Line-by-line suggestions

Section 1, identification information

Additional questions:

Name of owner of parcel?

Same as owner of cannabis operation?

Business name of operation?

Business license number?

Section 2, Medical Cannabis Cultivation, Location, & Scale

e. typo: make "you" "your"

Add: "Is parcel in an agricultural preserve/Williamson Act?"

i. "Canopy square footage" is a problematic category, since marijuana plants can have different sizes of canopy. It is useful in giving an idea of the size of the operation, but the number of plants (covered in item h) is a more pertinent indicator of things like water usage. Also ask, "How often do you replace plants?"

k.-l. Since marijuana is touted as being a year-round crop, "harvest time" shouldn't affect the number of employees. Ask, rather, how many full-time employees, how many part-time employees, how do they commute?

n. (Water). Add: "Do you get an agricultural rate for your water?" Marijuana plants reportedly use 6 gal. of water per day. Ask "What is your monthly water usage from your water district? What is your monthly usage from your well(s)?" (This is an instance where the "Don't Know" category might be allowed.)

o. Here & elsewhere, use "Did/do" to cover past & present practices.

p. Add to 600-ft. setback: senior facilities, youth facilities.
Combine current "q." under "p" to include the setback from "intermittent or ephemeral streams." Since most development requires a 50-ft. setback from streams, this should be the figure.

q. Insert here the category of "Noise." Add: "Do you have a generator or other noise-producing equipment?"
Add comment line: "How do you mitigate noise?"

s. "Native habitat illuminated" is ambiguous. Are you referring to wildlife corridors? In any case, no night lighting should be visible. This is part of the current Greenhouse Ordinance.

t. Use "Did/does"

u. Since odor is a big issue, add: "Will your scrubber satisfy Air Pollution Control District guidelines and inspections?"

w. Start with: "Is your operation organic?" Add comment space for: "Please list all insecticides, rodenticides, pesticides, fertilizers, hazardous materials and flammable products that you use."

x. Add comment line: "How do you deal with control measures to contain:....." (This is not a yes-no question.)
Add odor. Add "How do you deal with 'shake' and/or dead plants?"

z. Add: "Do you grow food in the same facility as marijuana?"

Section 3, Future Medical and/or Non-Medical Cannabis Operation Plans

a. Re. Types 1B, 2B, & 3B (“Mixed light”): It should be made clear that under no circumstances can there be outdoor lighting (night lighting). For all indoor lighting, it must be completely shuttered at night, per items in section 2.

Re. “Type 7: Manufacturing 2: Volatile” How can this category even be considered???

Reports from northern California indicate that burn centers treat more patients with burns from volatile cannabis manufacturing activities than from car accidents and house fires combined.

b. & following: Again, the “Don’t Know” category should be eliminated.

Finally all of the suggested changes for Section 2 apply to Section 3 as well.

We thank you for giving us the opportunity to comment on the Registry Form. We see it as a step in the right direction.

Sincerely,



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