

LATE  
DIST

Group 3

de la Guerra, Sheila

**From:** Dean Heck <deanheck@gmail.com>  
**Sent:** Monday, March 11, 2019 4:18 PM  
**To:** sbcob  
**Subject:** supervisors ( all of them)

#3

**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...Please help our beautiful county control pot farms...odor is number one concern and quickly followed by far too many pot operations...we need to limit the amount of pot per acre. Napa does not allow any pot growing and the very important wine industry is in jeopardy with so many uncontrolled pot farms. Odor can be controlled and must. Limiting how many plants on a per acre farm is logical...perhaps one acre of pot per 10 or 20 acres. The hoops are also problem and 24/7 growers should not be allowed to grow outdoors , hoops or not. Water: How much water is this new industry going to take and need?

Dean Heck/owner/Lavender Oak ranch and Vineyard  
9450 Santa Rosa Road, Buellton, CA

**de la Guerra, Sheila**

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**From:** susan belloni <susanbelloni@hotmail.com>  
**Sent:** Monday, March 11, 2019 9:50 PM  
**To:** sbcob  
**Cc:** Hartmann, Joan; Williams, Das; Hart, Gregg; Adam, Peter; Lavagnino, Steve  
**Subject:** Hoop Structure Ordinance Amendment: Agenda Item No. 3

**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.**

RE: Hoop Structure Ordinance Amendment: Agenda Item No. 3

Chair Lavagnino and Supervisors,

I am writing again to defend the County's own Santa Ynez Valley Community Plan.

Within the Plan's boundaries are 2/3rds of all the Ag 1 property in the County so we have the most to lose by zoning for cannabis that asks for unregulated hoop structures potentially on these 1,600 properties. By comparison, in the rest of N. County, there are roughly 100 Ag 1 properties. The SYV was not set up for big commercial agriculture and our goals are different than other parts of the County. I thank the BOS for considering a ban on cannabis on inland Ag 1 parcels to honor the SYVCP which helps our residents and our important tourist and wine industries. Please protect our Design Overlay as well.

The Grower-Shipper Association wants all ag parcels in the County to be considered industrial work spaces. Acres of hoops is an industrial view and by definition not a rural view. We appreciate commercial food production but the SYV and other areas are not as interested in having all our ag land be potential industrial work spaces. Our Design Overlay is a way to achieve our goal of preserving our rural character. Without the D.O. we won't achieve our goals. Our Community Plan is County policy. The Grower-Shipper Association is concerned about precedent and our precedents are already legally set in our Community Plan. Please honor and respect them.

This quote from the State of California also defends our Plan's goals...."In establishing CEQA, the State Legislature established the importance of aesthetic, natural, scenic, and health benefits to the people of the State.

*21000 The Legislature finds and declares as follows*

*(b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.[1]*

*21001 The Legislature further finds and declares that it is the policy of the state to:*

*(b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.[2]"*

Visual resources are not optional resources. They are highly important to our residents and our tourist industry. Talk to the vintners and Visit SYV about their needs. We are a world renowned tourist area and it is puzzling to have people proposing industrial ag work spaces here. Many valley roads are scenic resources outside the Community Plan boundary, too, and beautiful rural roads are a vanishing resource as more areas are urbanized to accommodate a CA population larger than Canada's.

Despite the huge advantage of farming in the only County in the state with unlimited acreage for cannabis cultivation, these growers are fighting for unregulated hoops in our rural visual corridors and on all Ag 1 property inside the SYVCP, even when there is a glut of cannabis in the California market.

And where are the berry farmers clamoring to grow berries in unregulated hoops in the D.O.? Wouldn't they have asked over the decades, if that was their need? Other farmers respect the D.O. but not cannabis farmers. If you grow cannabis in the D.O. that is a risk you take. Unfortunately, it's become a false argument that if you don't allow cannabis in unregulated hoops, then berries and other high value crops will be restricted, too. Berry farmers seem to be doing just fine. What the folks who signed all the petitions don't know is that cannabis is not protected by the Right to Farm Ord. and the County can say NO to cannabis anywhere and at any time. The County can and does already have separate requirements for cannabis in different parts of the County, so a "One size fits all" approach is not at all mandated.

In summary, please realize:

1. There has never been pressure for berry hoops in the SYV Design Overlay or on AG 1 parcels in the SYV Community Plan, even though berry hoops have existed for decades.
2. The demand to allow unregulated hoops in the valley is all about cannabis, not food production.
3. In order to use hoops for cannabis, many hoops will be installed in one location and not moved. This changes their definition as a temporary structure. Like a mobile home, they are mobile in theory but not in actuality. When the definition changes, the regulations should change.
4. To eliminate the odor in hoops, electricity for ventilation will be necessary. Hoop houses for for berries do not use electricity. If you have a different definition, you need a different regulation.
5. Cannabis growers are not protected by the Right to Farm Ord., the Supervisors are able to change the rules at any time and we have a right to defend our SYV Community Plan. Cannabis is different and the regulations for farmers and protections for the public need to be and are allowed to be different from berry hoop regulations.
6. Farmers need to respect the SYVCP and Design Overlay and communities need to respect the Right to Farm Ordinance but cannabis hoops can and should be regulated differently.

Thank you for your time and hard work.

Sincerely,

Susan Belloni  
Solvang resident

**de la Guerra, Sheila**

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**From:** Michael Masterman-Smith <michael@mycalabs.com>  
**Sent:** Tuesday, March 12, 2019 3:20 AM  
**To:** sbcob; Williams, Das; Hart, Gregg; Hartmann, Joan; Adam, Peter; Lavagnino, Steve  
**Cc:** Patrick Lang; County Executive Office  
**Subject:** SB Bd of Supervisors 3/12/19 Meeting - Public comment on hoop houses for cannabis operators  
**Attachments:** SB\_BoardOfSupervisors\_PublicComment\_HoopHouses\_20190312.docx

**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 Supervisors:

Good morning and I hope you are well. You may recall I spoke at previous Supervisor meetings in the last few years on cannabis policy in Santa Barbara. I am a business partner of Patrick Lang and former business partner of John Stashenko IV, who we lost in a tragic car accident in fall of 2017.

Please find attached my public comments in opposition to the proposed limitations to cannabis cultivators using hoop houses to be discussed in the March 12, 2019 Board of Supervisors meeting.

Warmest Regards,

Michael Masterman-Smith, PhD  
Co-Founder, CSO, CA Labs, Inc.  
Co-Founder, Member of BOD, Start, Inc.

Temp Nursery Cultivation License # TML18-0013076 (CDFA)  
Temp Microbusiness License # C12-18-0000157-TEMP (BCC)

*Michael Masterman-Smith, PhD  
Chief Scientific Officer  
CA Labs, Inc.  
21355 Pacific Coast Highway Ste 201-1  
Malibu, CA 90265  
michael@mycalabs.com  
310.804.5761  
www.mycalabs.com*





March 12, 2019

FROM: Michael Masterman-Smith, PhD  
Chief Scientific Officer  
CA Labs, Inc.  
Co-Founder, Start, Inc.  
1628 Cravens Lane, Entrance B  
Carpinteria, CA 93013  
Temp Nursery Cultivation License # TML18-0013076

TO: Board of Supervisors, County of Santa Barbara, CA  
Clerk of the Board, sbcob@co.santa-barbara.ca.us  
Honorable Das Williams, 1<sup>st</sup> District, dwilliams@countyofsb.org  
Honorable Gregg Hart, Vice Chair, 2<sup>nd</sup> District, ghart@countyofsb.org  
Honorable Joan Hartmann, 3<sup>rd</sup> District, jhartmann@countyofsb.org  
Honorable Peter Adam, 4<sup>th</sup> District, peter.adam@countyofsb.org  
Honorable Steve Lavagnino, Chair, 5<sup>th</sup> District, steve.lavagnino@countyofsb.org

RE: Opposition to limitations on hoop houses for cannabis operators

Dear Honorable Supervisors:

I am sorry I could not attend the Board of Supervisors meeting on Tuesday March 12, 2019. I greatly appreciate the due diligence and effort you have all put into bringing about the legal cannabis industry in Santa Barbara. Since I came to Santa Barbara 2.5 years ago to establish a medical farm to produce botanical medicines and drugs, I have been most impressed by the thoughtful and careful work you have dedicated yourselves in laying the groundwork for the fledgling and important new cannabis industry.

Today I am writing against the limitations being proposed on cannabis farmers using hoop houses. Cannabis, despite characterizations to the contrary, is not an easy crop to tend and cultivate. Hoop houses are a cost effective means to provide canopy and cover for these sensitive plants.

I understand there is confusion and ambivalence among Santa Barbara's residents towards cannabis. I, myself, do not agree with what stands as acceptable business practices among some of the operators in this space. However, just as much as we rely on the bountiful appellation of Santa Barbara to produce our food, support the recreational beverage and ornamental flower industries, it is also used to produce highly useful medicines. Given my work is predominantly in the medical space, the latter I can attest to.

The use of cannabis as an emerging first line replacement of opioids for pain relief cannot come soon enough. As we all know, the U.S. is in the midst of a devastating, deadly and growing opioid epidemic. The loss of human life is staggering with ~64,000 Americans lives lost in the last year alone. I am a pharmacologist and drug developer and it breaks my heart and sickens me that my profession could have become so twisted and perverted to exploit the sick to a point where Americans now experience a lower life expectancy from the very medicines developed to relieve suffering.

As a scientist working to develop cannabis-based medicine for pain, cancer and other conditions, I was invited in October 2018 to participate in a landmark public health initiative to help mitigate the opioid



crisis. On the campus of UC-Irvine I joined officials with the US Dept of Health and Human Services, the University of California Institute of Predictive Technologies and California public health officials to develop real-time monitoring tools for the opioid crisis. In a 2-day hackathon format, my working group scoured public health datasets to reveal the intriguing role legal cannabis sales have in predicting a reduction in opioid prescriptions and use.<sup>1</sup> This work was so compelling, my group has been advised by institutional partners to quickly complete the analyses for publication in the Journal of the American Medical Association, to inform the medical community, public health and regulatory officials of the promise of cannabis in combatting the opioid crisis.

This is only one of a number of medical uses of cannabis and cannabis-based drugs. For example, 2018 was not only the year California legalized cannabis, it marked an important milestone in clinical oncology. The research base on the promise of cannabinoids as a potential treatments for cancer has grown in recent years and the positive early results in February 2017 from the first US FDA clinical trial for the use of cannabis-based botanical drug for in treating the glioblastoma brain cancer<sup>2</sup> furthered clinical support. By October 2018, a remarkable 43% of practicing oncologists in states where cannabis is legal are confident in recommending cannabis-based medicines as part of cancer treatment.<sup>3</sup>

Santa Barbara cannabis cultivators, by intention or not, are becoming vital to addressing the healthcare needs of Californians. Those who deploy hoop houses should not be subject to limitations and discrimination in their usage. Being a farmer in the legal cannabis industry is a resource and time intensive endeavor, with little room for error. Placing limitations on these farmers are anti-competitive, unjustified and may impact supply chains, these farmers' livelihoods and return to taxpayers.

Legal cannabis, whether consumed for adult use or as medicine, is having an impact in ameliorating human suffering. It is my belief that citizens of Santa Barbara opposing cannabis cultivation will someday relish in the fact that these plants being grown in their midst are entering our culture at the very time we are realizing we desperately need them.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Masterman-Smith".

Michael Masterman-Smith, PhD  
Chief Scientific Officer  
CA Labs, Inc.  
Co-Founder, Start, Inc.

1. <http://predictiontechnology.ucla.edu/events/the-opioid-hackathon-2018/>
2. <https://www.gwpharm.com/about/news/gw-pharmaceuticals-achieves-positive-results-phase-2-proof-concept-study-glioma>
3. <https://www.cannabisbusinessexecutive.com/promoting-mmj-among-oncologist-in-the-usa/>

**de la Guerra, Sheila**

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**From:** Lisa Bodrogi <lisa@cuvee.me>  
**Sent:** Tuesday, March 12, 2019 8:17 AM  
**To:** sbcob  
**Subject:** Letter for Hoop Hearing  
**Attachments:** FinalHoopLtr.docx; Screen Shot 2019-03-11 at 1.42.47 PM.png; AttachmentB.pdf  
**Importance:** High

**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 noticed you did not publish my letter yesterday, only the attachments. I want to be certain the Board sees my comments. I will bring a set of hard copies with me to the hearing as well.

Please see that they receive my letter and attachments enclosed.

Kindly,

Lisa Bodrogi  
Land Use & Public Relations Consultant  
PH: 805-937-8474 Cell: 805-260-2461  
e-mail: [lisa@cuvee.me](mailto:lisa@cuvee.me)  
website: [www.cuveeconnections.net](http://www.cuveeconnections.net)



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A Special Blend of High Quality Land Use  
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Santa Barbara County Board of Supervisors  
c/o Clerk of the Board  
105 E. Anapamu Street  
Santa Barbara, CA 93101  
Sent via e-mail to: [sbcob@co.santa-barbara.ca.us](mailto:sbcob@co.santa-barbara.ca.us)

March 11, 2019

Re: Item #3 - Hoop Ordinance

Dear Chair Lavagnino and Members of the Board:

Cuvée Connections has been tracking this issue for the past several years as it has made its way through the decision-making process. We continue to assert the Environmental Impact Report is flawed and the premise for which a project was identified under CEQA is misguided. We are of the opinion that the existing Zoning Ordinance does provide sufficient reference to exempt hoop structures in the table of allowed uses in the LUDC.

“Cultivated agriculture, orchard, and vineyard” is referred to in the Table of Allowed Uses (please refer to Attachment A). The fact that hoops are not explicitly listed in the table of allowed uses is not an oversight, but rather, an acknowledgement that these farming implements are on par with irrigation lines for row crops, plastic coverings for strawberries, and trellising for vineyards. Practically speaking, hoops only serve to elevate the plastic covering above the plant to improve plant growth and resource efficiencies. They are not structures, they are entirely removeable, they serve as a mechanism for the growing of plants and no more.

“Cultivated agriculture, orchard, and vineyard” is the “Land Use” and is exempt under the Land Use Development Plan. A use is the activity. To say that the implements to perform the use is a use is redundant and nonsensical. This would be like saying the walls of a building are a use and must be included in the table of allowed uses. Clearly, this type of logic unravels quickly.

This conundrum played out in the multiple hearings of the Planning Commission and was symptomatic in their challenge to come up with reasonable standards to exempt hoops. We appreciate the Planning Commission’s attempt to address the issue in a way that was practical and meaningful to the regulated community without creating un-do hardship to agriculture.

With this in mind and based upon what is before you today and the length of time it has taken to get here, we support the changes as recommended by the Planning Commission with the additional comments from the Agricultural Advisory Committee in their letter of March 7<sup>th</sup>, 2019.

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Lisa Bodrogi  
Land Use Planning & Public Relations  
PH: 805-937-8474 • Cell: 805-260-2461 ~ [Lisa@cuvée.me](mailto:Lisa@cuvée.me) • [www.CuvéeConnections.net](http://www.CuvéeConnections.net)

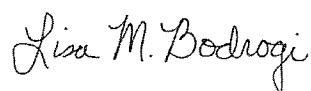


As a final note, there has been much discussion surrounding our agricultural community in Santa Barbara County with suggestions that certain agricultural operations, such as vineyards, are preferred over hoops, or hoops should only be allowed for food products. I have represented the vineyard industry over the majority of my career and very much enjoy and appreciate our wine industry. Hoops are a reaction to the necessity to do more with less resources. Even vineyard operations are taking a look at the economics of using hoops for cultivation as discussed in a series publication in Wines & Vines. Attachment A is the first page. For a full reading of the article go to: <https://winesvinesanalytics.com/features/article/113932/Commercial-Establishment-of-High-Tunnels>

Living in Santa Maria and passing by hoop apparatuses every time I get on the freeway is a reminder that I live in an agricultural community surrounded by working landscapes operated by hardworking people who send their children to the same schools my children attended. I am not offended, but grateful, for the hard work and perseverance of our farmers who have continually found new ways to produce with less land, less water, less labor. The pressures on our farming community is at an all time high. According to the American Farmland Trust, the United States lost almost 31 million acres, or 3.2 percent of its total farmland, from 1992 to 2012. California, which is responsible for one-eighth of the country's farm production, lost an estimated 1.3 million acres of agricultural land to development during the same time period as both the state and the U.S. population increased by 22 percent.

We appreciate your thoughtful consideration of this important matter to our agricultural community, the #1 economic driver, in Santa Barbara County. We are in support of keeping our farmers farming utilizing whatever tools are available to keep their livelihoods profitable and our local economy stable.

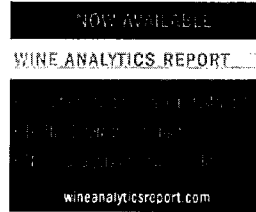
Kindly,



Lisa M. Bodrogi  
President, Cuvée Connections Inc.

Attachments:

- A - First page of an Article in Wines & Vines: "Commercial Establishment of High Tunnels"
- B – Table 2-1 of the Land Use Development Code

April 2013 Issue of *Wines & Vines*[SUBSCRIBE »](#)

## Commercial Establishment of High Tunnels

Part II in a series about the usefulness of hoop houses in eastern North America

by Richard Carey

In the previous article about growing high-quality grapes in a covered environment (see “Beating Mother Nature at her Own Game” in the March 2013 issue of *Wines & Vines*), I presented evidence that winegrape quality was more than sufficient to examine the business/financial and physical aspects of growing grapes in a three-season tunnel.

### Can a high tunnel pay for itself?

The simple answer to whether a high tunnel can pay for itself is that, in many environments, it may take up to three years—or it might take one day. Most growers use tunnels to mitigate or lessen some form of environmental upset that occurs at a vineyard location on too regular a basis, such as early or late frosts or too much rain.

Grapegrowers should assess their vineyards from a financial standpoint: How often is there a spring frost event at the wrong time? How often is there a vineyard loss of 50% of the fruit for the year? If a grower is harvesting high-value crops with an average price of \$2,000 or more per ton, the annual return per acre is \$8,000 or more. A 50% loss means the grower turned over cash but did not make any money, with the intangible loss of a year of his or her life working to produce high-quality fruit. With grapes, a grower can't make up the difference the next year by increasing the vineyard's yield.

There is also the possibility that the grower will lose not only the current year's profit but also have additional costs for rebuilding the vineyard for several years after the event. If a spring frost wipes out a season of production, averting one catastrophic loss could potentially pay for the tunnel.

However, if the business includes both a vineyard and a winery, then the loss is magnified by the value these crops provide to the winery's bottom line. To the farmer the loss is \$4,000 per acre, but for the winery side of the business, that loss represents about 100 cases of wine, or the equivalent of least a \$24,000 drop in revenue. The more important that particular wine is to the winery's bottom line, the more significantly that number can increase.

# Attachment B

## SANTA BARBARA COUNTY CODE - CHAPTER 35 - COUNTY LAND USE & DEVELOPMENT CODE

### Agricultural Zones

35.21.030

<p><b>Table 2-1</b></p> <p><b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b></p>	<p>E      Allowed use, no permit required (Exempt)</p> <p>P      Permitted use, Land Use or Coastal Permit required (2)</p> <p>MCUP    Minor Conditional Use Permit required</p> <p>CUP      Conditional Use Permit required</p> <p>S      Permit determined by Specific Use Regulations</p> <p>—      Use Not Allowed</p>									
<b>LAND USE (1)</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center;">PERMIT REQUIRED BY ZONE</th> <th rowspan="2" style="text-align: center;">Specific Use Regulations</th> </tr> <tr> <th style="text-align: center;">AG-I</th> <th style="text-align: center;">AG-I CZ</th> <th style="text-align: center;">AG-II</th> <th style="text-align: center;">AG-II CZ</th> </tr> </table>	PERMIT REQUIRED BY ZONE				Specific Use Regulations	AG-I	AG-I CZ	AG-II	AG-II CZ
PERMIT REQUIRED BY ZONE				Specific Use Regulations						
AG-I	AG-I CZ	AG-II	AG-II CZ							

**AGRICULTURAL, MINING, & ENERGY FACILITIES**

Agricultural accessory structure	P	P	P	P	35.42.020
Agricultural processing - On-premise products	P	P	P	P	35.42.040
Agricultural processing - Off-premise products	—	CUP	CUP	CUP	35.42.040
Agricultural processing - Extensive	—	—	CUP(3)	—	35.42.040
Animal keeping (except equestrian facilities, see RECREATION)	S	S	S	S	35.42.060
Aquaculture	—	—	CUP	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	E	E	E	E	
Grazing	E	E	E	E	
Greenhouse	P	P	P	P	35.42.140
Mining - Agricultural soil export	—	—	MCUP	—	35.82.160
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining- Surface, less than 1,000 cubic yards	P(4)	CUP	P(4)	P	35.82.160
Mining- Surface, 1,000 cubic yards or more	CUP	CUP	CUP	P	35.82.160
Oil and gas uses	S	S	S	S	35.5
Winery	S	—	S	CUP	35.42.280

**INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING**

Composting facility	MCUP	—	MCUP	—	35.42.100
Fertilizer manufacturing	—	—	CUP(3)	—	

**RECREATION, EDUCATION & PUBLIC ASSEMBLY USES**

Country club	CUP	—	CUP	—	
Equestrian facilities	CUP	CUP	P	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	
Golf course	CUP	CUP	CUP	CUP	
Golf driving range	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	—	CUP	—	
Meeting facility, religious	CUP	CUP	CUP	CUP	
Museum	CUP	—	CUP	—	
Rural recreation	—	—	CUP	CUP	35.42.240
School	CUP	CUP	CUP	CUP	
School - Business, professional or trade	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	

**Key to Zone symbols**

<b>AG-I</b>	Agriculture I	<b>CZ</b>	Coastal Zone
<b>AG-II</b>	Agriculture II		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.21.030.C.
- (3) Use limited to areas designated on the Land Use Element Maps with the "Agricultural Industry overlay."
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.