

# NOTICE OF DETERMINATION (NOD)

To: Office of Planning and Research  
 Street Address: 1400 Tenth Street  
 Sacramento, CA 95814  
 U.S. Mail: P.O. Box 3044  
 Sacramento, CA 95812-3044

From: (Department)  
 County of Santa Barbara  
 Planning and Development  
 123 East Anapamu Street  
 Santa Barbara, CA 93101

RECEIVED

2022 MAY 25 P 3: 02

COUNTY OF SANTA BARBARA  
 CLERK OF THE  
 BOARD OF SUPERVISORS

County Clerk  
 County of Santa Barbara

**SUBJECT: Filing of Notice of Determination with the Santa Barbara County Clerk in Compliance with Section 21152 of the Public Resources Code.**

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

22APL-00000-00004, 19DVP-00000-00016, 4701 Foothill Rd Cannabis Cultivation 17EIR-00000-00001 constitutes adequate review  
 19CDP-00000-00017

Project Number	Project Title	EIR or ND Number
N/A	Santa Barbara County, Planning & Development Department	(805) 568-2000
State Clearinghouse Number (if submitted to Clearinghouse)	Lead Agency/Contact Person	Area Code/Telephone

**PROJECT APPLICANT:** Eduard Van Wingerden

**PROJECT LOCATION:** The subject property is comprised of two lots totaling 29.23 acres zoned Agriculture I-10 (AG-I-10 with a 10-acre minimum parcel size), shown as APNs 004-003-008 and 004-005-002 and known as 4701 Foothill Road and 1495 Sterling Avenue, in the Carpinteria Agricultural Overlay, First Supervisorial District.

**Program EIR Project Description (Summary):** Consistent with state law, Cannabis Land Use Ordinances would regulate cannabis activities within the unincorporated County. The Cannabis Land Use Ordinances are intended to balance the diverse demands for cannabis products with the public health, safety, and welfare of the community through the enactment of strong and effective regulatory and enforcement controls. The Cannabis Land Use Ordinances would regulate how, where, and how much cannabis and cannabis products may be cultivated, processed, manufactured, tested, distributed, and sold while protecting the environment, neighborhood character, and quality of life for people and communities.

**PROJECT DESCRIPTION:** The Proposed Project is a request to allow propagation of immature plants (nursery) and mixed-light cultivation of cannabis in 468,000 sq. ft. (10.74 acres) of space within a permitted 492,251-sq.-ft. (11.30-acre) greenhouse that has historically been used for growing cut flowers. Cultivation will utilize timed-drip irrigation and recycled water in an elevated pot system. No drying, trimming, curing, or processing of harvested cannabis will occur onsite. Harvested cannabis will be transported offsite by a licensed third party distributor and will be processed at an offsite location. The cannabis premises will be enclosed by 8-ft.-tall chain link and barbed wire fencing with locked gates. Exterior lighting will be downward facing, fully shielded, and mounted a maximum height of 8 ft. There will be up to 57 full-time line or contract employees for the cannabis operation. Planting and harvests will take place continually year round. Hours of operation will be from 6:30 a.m. to 3:30 p.m. Monday through Saturday. On the parcel containing cannabis activities, there will be 51 parking spaces for the cannabis operation. The two properties to be voluntarily merged are comprised of an 18.49-acre parcel zoned AG-I-10, containing cannabis activities, shown as APN 004-003-008 and addressed as 4701 Foothill Road and a 5.09-acre parcel zoned AG-I-10, containing non-cannabis agriculture such as lettuce and avocados, shown as APN 004-005-002 and addressed as 1495 Sterling Avenue in the Carpinteria area, First Supervisorial District.

**On February 6, 2018, the County of Santa Barbara Board of Supervisors, as lead agency, approved and certified the final Program Environmental Impact Report for the Cannabis Land Use Ordinances, and made the following determinations regarding the Cannabis Land Use Ordinances:**

1. An Environmental Impact Report was prepared for this Project pursuant to the provisions of CEQA.
2. The Project will have a significant effect on the environment.
3. Mitigation measures (i.e., development standards set forth in the ordinance amendments) were incorporated into the Project, as part of the approval of the Project.
4. A mitigation report or monitoring plan was adopted for the Project.
5. A statement of Overriding Considerations was adopted for the Project.
6. Findings were made pursuant to the provisions of CEQA.
7. A portion of the Project requires discretionary approval from the California Coastal Commission.

The final Program EIR, including one EIR Revision Letter (RV01) with comments and responses, and record of project approval for the Cannabis Land Use Ordinances are available to the general public at:

- Santa Barbara County Planning and Development: 123 East Anapamu St. Santa Barbara, CA 93101; and
- Online at: <http://cannabis.countyofsb.org/zones.sbc>

**On May 24, 2022, the Santa Barbara County Board of Supervisors approved the above described Development Plan and Coastal Development Permit (Case Nos. 19DVP-00000-00016 and 19CDP-00000-00017) and made the following determinations regarding the Project:**

1. A Program EIR was previously certified for the Cannabis Land Use Ordinances and is used as the basis for this approval.
2. Findings and a statement of overriding consideration were previously adopted for the Cannabis Land Use Ordinances.
3. The Board used a written checklist pursuant to CEQA Guidelines Section 15168(c)(4) to document the evaluation of the Coastal Development Permit and Development Plan.
4. The Coastal Development Permit and Development Plan incorporate all applicable mitigation measures from the Program EIR.
5. The Coastal Development Permit and Development Plan would not have effects that were not examined in the Program EIR and pursuant to CEQA Guidelines Section 15162, no additional environmental review is required.
6. All of the environmental impacts of the Coastal Development Permit and Development Plan are within the scope of the Program EIR and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.

The Findings, CEQA Determination, CEQA Checklist, and record of project approval for the 4701 Foothill Road Cannabis Cultivation Project are available to the general public at:

- Santa Barbara County Planning and Development: 123 East Anapamu St. Santa Barbara, CA 93101; and

- Online at: <https://santabarbara.legistar.com/LegislationDetail.aspx?ID=4928864&GUID=E83A4F74-4A2E-4F16-BFF9-94C838A70643&Options=&Search=>

*Sharon Bezzler*

May 24, 2022

Planner

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Signature (Public Agency)

Date

Title

G:\GROUP\PERMITTING\Case Files\APL\2020s\22 cases\22APL-00000-00004 Concerned Carp Appeal of Everbloom\Notice of Determination.docx





State of California - Department of Fish and Wildlife  
**2018 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (Rev. 01/03/18) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 1416 9th Street, 12th Floor, Suite 1215  
 Sacramento, California 95814

# Journal Entry

Document Number: JE - 0165119  
 Document Description: CDFW FEE -ITEM 18-00066 -Cannabis Land Use Ordinances EIR  
 Post On:

Batch ID: 2145756  
 Processed On:  
 Processed By:

Created On: 2/7/2018 10:53:03 AM  
 Created By: Crysta Rider

## References

Audit Trail: Cash Type: I - Interfund

## Accounting

Fund	Dept	GL Acct	LI Acct	Debit Amount	Credit Amount	Prog	OU Unit	Proj	Act	Area	Equip	Depositor	Description
0001	053	2810	7325	3,168.00		4020	4000	598					CDFW FEE FOR Cannabis Ordinance EIR
0001	053	2810	7325	50.00		4020	4000	598					PROCESSING FEE FOR Cannabis Ordinance EIR
0001	0110	0110		3,218.00									CDFW FEE FOR CEQANOD FOR Cannabis Ordinance EIR
0998	0110	0110		3,168.00									CDFW FEE FOR CEQANOD FOR Cannabis Ordinance EIR
0998	1332	1332		3,168.00									CDFW FEE FOR CEQANOD FOR Cannabis Ordinance EIR
0001	0110	0110		50.00									Processing fee for NOD Cannabis Ordinance EIR
0001	012	2710	5909	50.00		4020							Processing fee for NOD Cannabis Ordinance EIR
				<b>Total</b>	<b>6,436.00</b>	<b>6,436.00</b>							

## Signatures

Signed By	Signed On	Department/Agency	Approval Level	Valid
Crysta Rider	2/7/2018 11:05:11 AM	053 - Planning & Development		Y
Jeffrey Brown	2/7/2018 11:06:21 AM	053 - Planning & Development		Y
Chelsea Lenzi	2/7/2018 4:48:58 PM	012 - County Executive Office		Y

# NOTICE OF DETERMINATION (NOD)

2018 FEB -7 AM 11: 49

To: Office of Planning and Research From: County of Santa Barbara  
Street Address: 1400 Tenth Street, Room 121 Planning and Development  
Sacramento, CA 95814, 123 East Anapamu Street  
U.S. Mail: P.O. Box 3044 Santa Barbara, CA 93101  
Sacramento, CA 95812-3044  
cc: County Clerk  
County of Santa Barbara

**SUBJECT: Filing of Notice of Determination with the Santa Barbara County Clerk in Compliance with Section 21152 of the Public Resources Code.**

17ORD-00000-00004, -09, -10, and 18ORD-00000-00001	Cannabis Land Use Ordinances	17EIR-00000-00003, RV01
Project Number(s)	Project Title	EIR Number
2017071016	Jessica Metzger	(805) 568-3532
State Clearinghouse Number	Lead Agency/Contact Person	Telephone

**Project Location:** The unincorporated (coastal and inland) areas of Santa Barbara County (excluding Federal lands, University of California lands, and the Channel Islands).

**Project Description (Summary):** Consistent with state law, Cannabis Land Use Ordinances (the Project) would regulate cannabis activities within the unincorporated County. The Project is intended to balance the diverse demands for cannabis products with the public health, safety, and welfare of the community through the enactment of strong and effective regulatory and enforcement controls. The Project would regulate how, where, and how much cannabis and cannabis products may be cultivated, processed, manufactured, tested, distributed, and sold while protecting the environment, neighborhood character, and quality of life for people and communities.

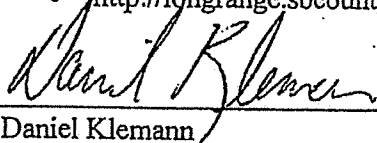
On February 6, 2018, the County of Santa Barbara Board of Supervisors, as lead agency, approved and certified the final Environmental Impact Report for the Project, and made the following determinations regarding the Project:

1. An Environmental Impact Report was prepared for this Project pursuant to the provisions of CEQA.
2. The Project will have a significant effect on the environment.
3. Mitigation measures (i.e., development standards set forth in the ordinance amendments) were incorporated into the Project, as part of the approval of the Project.
4. A mitigation report or monitoring plan was adopted for the Project.
5. A statement of Overriding Considerations was adopted for the Project.
6. Findings were made pursuant to the provisions of CEQA.

7. A portion of the Project requires discretionary approval from the California Coastal Commission.

This is to certify that the final EIR, including one EIR Revision Letter (RV01) with comments and responses, and record of project approval are available to the general public at:

- Santa Barbara County Planning and Development: 123 East Anapamu St. Santa Barbara, CA 93101; and
- <http://longrange.sbcountyplanning.org/programs/Cannabis/cannabis.php>



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Daniel Klemann  
Deputy Director, Long Range Planning

2/7/18  
Date





# 2022 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

105 E. Anapamu St. Room 407 • Santa Barbara • CA • 93101

(805) 568-2240

Complete this form when filing a Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report or Notice of Exemption.

You will need to submit one original for posting plus one copy for the Department of Fish & Wildlife. A scanned copy including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person <b>Gwen Beyeler</b>		Phone <b>(805) 934-6269</b>	
Lead Agency County of Santa Barbara - Planning and Development		Lead Agency Email gvonklan@co.santa-barbara.ca.us	
Project Title <b>4701 Foothill Road Cannabis Cultivation</b>			
Project Applicant <b>Eduard Van Wingerden</b>	Email <b>ed@ever-bloom.com</b>	Phone	
Project Applicant Address <b>4701 FOOTHILL RD</b>	City <b>CARPINTERIA</b>	State <b>CA</b>	Zip <b>93013</b>

### DOCUMENT BEING FILED:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR) .....	
<input type="checkbox"/> 2022 Filing Fee .....	\$3,539.25
<input checked="" type="checkbox"/> Previously Paid (must attach receipt) .....	\$0.00
<input type="checkbox"/> No Effect Determination (must be attached).....	\$0.00
<input type="checkbox"/> Negative Declaration or Mitigated Negative Declaration .....	
<input type="checkbox"/> 2022 Filing Fee .....	\$2,548.00
<input type="checkbox"/> Previously Paid (must attach receipt) .....	\$0.00
<input type="checkbox"/> No Effect Determination (must be attached).....	\$0.00
<input type="checkbox"/> Notice of Exemption .....	\$0.00
<input checked="" type="checkbox"/> County Administrative Handling Fee (required for all filings, effective 7/19/18) .....	\$50.00

RECEIVED  
 2022 JAN 25 PM 3:02  
 COUNTY OF SANTA BARBARA  
 BOARD OF SUPERVISORS

TOTAL: \$ 50.00

### PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

Cash   
  Credit Card   
  Check # \_\_\_\_\_   
  Journal Entry # \_\_\_\_\_  
 (in person only)



COUNTY OF SANTA BARBARA

X2155290

COB

Department

Date 05/25/22

Received from Coastal Blooms Nursery, LLC

In Payment of \$100, 4701 Foothill Road Cannabis Cultivation processing fee

Fifty

and 100 Dollars \$ 50<sup>00</sup>

Received original of the above numbered receipt

CREDIT CARD	
CASH	
CHECK	<input checked="" type="checkbox"/>

*[Signature]*

SIGNATURE OF PAYOR

#1080

*[Signature]*

AUTHORIZED SIGNATURE

-147

1086

Coastal Blooms Nursery, LLC  
4587 Foothill Rd  
Carpinteria, CA 93013  
(805)684-5566

EAST WEST BANK  
805 Huntington Dr.  
San Marino, CA 91108  
16-7038/3220

05/25/2022

PAY TO THE ORDER OF SB County Planning & Development Dept

\$ 50.00

Fifty and 00/100 \*\*\*\*\*

SB County Planning & Development Dept  
123 E. Anapamu Street.  
Santa Barbara, CA 93101

MEMO 4701 FOOTHILL RD CASE 22APL-004

*[Signature]*  
AUTHORIZED SIGNATURE

⑈001086⑈ ⑆32207038⑆ 8420004650⑈




State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print  Save

RECEIPT NUMBER:  
 42 — 05/26/2022 — 102  
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY County of Santa Barbara - Planning & Development	LEAD AGENCY EMAIL gvonklan@co.santa-barbara.ca.us	DATE 05/26/2022
COUNTY/STATE AGENCY OF FILING Santa Barbara 		DOCUMENT NUMBER

PROJECT TITLE

**NOD - 4701 Foothill Road Cannabis Cultivation**

PROJECT APPLICANT NAME Eduard Van Wingerden	PROJECT APPLICANT EMAIL ed@ever-bloom.com	PHONE NUMBER ( )
PROJECT APPLICANT ADDRESS 4701 Foothill Road	CITY Carpinteria	STATE CA
		ZIP CODE 93012

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

- |   |            |    |      |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR)  | \$3,539.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                   | \$2,548.00 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ | 0.00 |


- Exempt from fee  
      Notice of Exemption (attach)  
      CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

- |   |          |    |       |
|---|----------|----|-------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00  |
| <input checked="" type="checkbox"/> County documentary handling fee   |          | \$ | 50.00 |
| <input type="checkbox"/> Other  |          | \$ |       |

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED \$ 50.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Angelica Ramirez, Deputy Clerk
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State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

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- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

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- ✓ A copy of all NODs filed with the county during the preceding month
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**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090