

**From:** Barak Moffitt  
**To:** [Wolf, Janet](#); [jhartman@countyofsb.org](mailto:jhartman@countyofsb.org); [Williams, Das](#); [Adam, Peter](#); [Lavagnino, Steve](#)  
**Cc:** [sbcob](#)  
**Subject:** Cannabis Cultivation Land Use Considerations  
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Dear Supervisors,

My name is Barak Moffitt and my family and I are residents of Tepusquet Canyon in Santa Barbara County. I am writing to urge your consideration of our unique circumstances and those of other established, mountainous, and remote communities with respect to cannabis cultivation.

We fully understand your positions as elected officials with regard to issues such as the will of the voter and the need for sustainable revenues, but we are urging you to consider your decisions in light of the unique consequences to Santa Barbara county, its people, communities, and ecosystem. Our first concern is for the appropriate implementation of sustainable and safe cannabis cultivation that is done in a way that keeps us safe, and our culture and environment healthy.

As an experienced media and entertainment executive in dealing with challenging market conditions, I understand the need for new revenue sources. I urge you to take care to address this opportunity with wisdom, integrity, innovation, and caution especially with respect to a strong protections for our community and its unique values, and even stronger enforcement of those protections. We urge you to insist on strong regulations that will maintain what is special about our region, communities, and culture, and even stronger enforcement provisions. It is critical that you allow cultivation *only in enforceable, safe, and sustainable areas*.

In our community we have seen an incredible proliferation of illegal cannabis cultivation operations since proposition 64 was passed. A drive through Tepusquet Canyon between Foxen Canyon and the 166 will expose even the casual observer to the recent illicit phenomena. A simple roadside drive along canyon shows a massive explosion of hoop houses, open grows, site excavations, new roads, water tanks, trucks, trailers, mobile homes, and more. Satellite imagery shows even more.

Agricultural traffic such as water trucks and daily agricultural worker traffic has exponentially increased to our small community, where narrow, steep, 1 and 1.5 lane roads and blind curves are the rule, not the exception. These modest roads were built to be the driveways to our residences doorsteps, not commercial throughways. Incidents of new accidents, rolled trucks, dangerous drivers, street litter, and damaged utilities have never been higher in our neighborhood. In fact, an accident involving 2 critical injuries happened just last night.

Cannabis fumes are potent and unbearable not only from the main road, but also from miles downwind of such grows. Water is scarce, and many in the community rely on aquifers that are immediately downstream from grows which rely on dangerous fertilizers and chemicals. Dozens if not hundreds of centuries-old oaks have been recklessly and illegally felled - the evidence of this is obvious to the naked eye from the side of the public road and easements in the community. And new hoop houses glow in the night powered by noise-and-air-contaminating diesel generators, offering night light to maximize the profit of illegal grows for which the community sees no benefit, while to the contrary, polluting the sky with unnatural luminance disturbing not only the circadian rhythms of the ecosystem but the nighttime views

of the community.

Furthermore, the loss this community experienced during the Alamo Fire conflated with the terrible instances of loss Santa Barbara County is now experiencing with the Thomas fire and other fires before it only emphasizes the danger of unchecked illegal agricultural activity which significantly affects fire hazards and loss of life as a result of unwarranted traffic, ignition hazards, and zealous transportation of goods in evacuation zones during emergency conditions.

These growers' blatant and opportunistic disregard for the rule of law, the safety of the communities in which they operate, and the delicate ecosystem of the central coast establish clear a precedent that foreshadows the kind of patron from whom the County expects revenues and compliance. Such operations, where casual observation of the recently proliferated and existing grows in our community that are clearly and obviously operating in violation of many established laws including the recent moratorium, article X, CEQUA, RICO, and other noise, light, odor, and diesel pollution statutes, also disregard the safety, security, and prosperity of the existing tax-paying property owners. Further to this concern, it is well established that the vast majority of the cannabis cultivated here is distributed and sold outside of California state lines which is a clear violation of state and federal laws.

It is at best uninformed and at least ignorant to expect that such a precedent would create meaningful and safe revenues without *exacting and powerful enforcement of strong law and regulation*, including punitive measures for the the existing violations that have created such crisis. Continuous, reliable, severe and regular penalties for lack of compliance is a must.

Such negative precedent also establishes the need to recognize the special circumstances of communities that can neither handle the burden of cultivation nor will allow for reasonable and effective enforcement due to unique circumstances like Tepusquet and similar communities.

*To this end, we urge an outright ban on established residential communities and communities in remote circumstances with specific traffic, fire, and water conditions such as ours. Zoning cannot be the sole category used to apply such rules. Considerations for water, community, environment, fire, and traffic must be incorporated into regulation and enforcement. Remote, mountainous, difficult-to-access, and sensitive ecosystems must be considered independently of zoning.*

We urge you to insist on strong regulations that will maintain what is special about our region, communities, and culture, and provide even stronger enforcement provisions. It is critical that you allow cultivation only in enforceable, safe, and sustainable areas.

Thank you,  
Barak Moffitt