



From: Anna Carrillo <annacarp@cox.net>
Sent: Monday, January 27, 2020 3:09 PM
To: sbcob; Laura BridleyPC; Mike Cooney; Dan Blough; JParke@aklaw.net; larryf@lagunafarms.com
Subject: Cannabis Discussion

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To: Planning Commissioners
 From: Anna Carrillo
 January 27, 2020

The presentation to the Board of Supervisors tomorrow will be quite revealing re: number of state provisional licenses that will be expiring. Using 1/15/2020 CDFA data, I have figured that in the Carpinteria Valley there are a total of 314 State Provisional Licenses, and that 146 will be expiring by the end of March. Of these 146 state provisional licenses that are expiring on 13 different locations, 8 of them are possible locations of where I hear neighbors complain about the odor. Six of these have processing provisional licenses which we now know emit quite a bit more odor. Also from the Board’s presentation we now know that 94.4% or 221 of the 234 odor reports are from Carpinteria. We have a very small area that we are dealing with.

I know the Board of Supervisors will be grappling with this renewal issue as the renewals based on the county authorization should not be granted without some further requirements. I made the following recommendations to the Board for their authorization to the state: re: 1. odor, verification that no odor is emitted outside of their premises from those who have been reported for previous odor violations and 2. the applicants need to show that substantial progress is being made on their LUPs/CDPs applications, not allowing “awaiting applicant action” as an excuse. Also 3. the applicant needs to show physical proof of their growing medical marijuana before Jan. 19, 2016.

When the 186 acre limit was passed, we didn’t realize that is too much in our small valley. We’re a very dense, compact area and this is too much. We’re having trouble now with maybe half that acreage being utilized now. When greenhouses are contiguous to each other, and next door to EDRNs, residents, schools there needs to be a maximum of how much of the property can be used.

Buffers from residents, schools, other agriculture need to be increased to at least 1000’ and measured from property line to property line.

CUPs need to be required on all cultivation and processing projects.

I urge you to consider Marc Chytilo’s suggestion re: that all cannabis be grown and processed in hermetically sealed structures and emissions scrubbed to a zero emission standard. I understand that this would be a big change from using greenhouses in Carpinteria that need to vent. In order to protect our other agriculture and the quality of life in Carpinteria this needs to be mandated.

I also like Marc Chytilo’s suggestion that all Cannabis land use entitlements be limited to a short and specific term. These CDPs and LUPs must not be permanently issued. There are just so many unforeseen consequences that need to be ironed out first.



Ramirez, Angelica



From: Susan Mailheau <susan.mailheau@gmail.com>
Sent: Monday, January 27, 2020 3:13 PM
To: negghart@countyofsb.org; Hartmann, Joan; Adam, Peter; Lavagnino, Steve; Williams, Das; sbcob; Melekian, Barney; Yee, Steven H - CEO
Subject: Cannabis constraints requested

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Dear Supervisors,

I am writing to express my astonishment that the County Government appears to behave in such a one-sided fashion toward the interests of Cannabis Growers. These growers and their unnamed, uncounted supporters who appear to profit financially from this industry, are controlling a great many aspects of life in Carpinteria.

There is the stench, of course, and this is pervasive throughout the small town of Carpinteria and neighborhoods at any given time of day. There is extreme arrogance. If we are bothered by the stench we must take our own personal time, again at any given time of day, to report it. How is this representing those who live in your county?

There is the rumor of tax evasion. Is it my job to confirm the accuracy too? There is the lack of control - permits being granted at breakneck speed. How is this government anything other than a company-run enterprise?

And of course there is the “element” of individuals who have invaded this once quiet, educated, principled populace and turned it into rough, rude, and law-breaking and self-entitled thugs.

I ask that you please hold a moratorium on granting more permits, more licenses, and more takeover of Carpinteria Valley and Santa Barbara County. There should be sanctions against this takeover such as something that would benefit all. Growing food, maybe?

Susan Mailheau, DVM
susan.mailheau@gmail.com

de la Guerra, Sheila

From: Renee O'Neill <chasingstar2701@yahoo.com>
Sent: Monday, January 27, 2020 6:27 PM
To: Villalobos, David; sbcob
Cc: Lillian Clary; Dave Clary; Linda Tunnell
Subject: Tepusquet Traffic Images
Attachments: Tepusquet Cannabis Traffic.zip; Follow up letter to PC, re 1-22-2020.docx; Dave Clary's Letter to PC- RE CANNABIS LUDC AMENDMENTS, 1-22-2020.pdf

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Dear David and Clerk of the Board,

Attached, please find my compressed zip-folder re Tepusquet Traffic. The 24 images are a small representation of the style and size vehicles that drive through our property and on Tepusquet Road, on a regular basis (some, as often as *16 times a day*).

I feel it is important for these images to be available to our Supervisors and Planning Commissioners, in addition to being submitted for Public Comment (if possible), to see exactly why commercial cannabis is not appropriate in small, rural, isolated communities like ours.

This, along with other matters, was addressed in my recent follow-up letter to the Commissioners, re last Wednesday's workshop meeting. I included two statements that address commercial industry and traffic in EDRN's. Both David Clary's and my letter is attached for your convenience but these were already submitted to the PC so, no need to resubmit.

The two statements that relate to this matter, follow:

1. Please prohibit commercial cannabis in EDRN's. Only a handful of growers would be impacted by this "ban" and frankly, most, if not all of these growers have proven to be "Bad Actors." (Herbal Angels is most recent example).

6. Please review David Clary's detailed Public Comment letter, re Tepusquet traffic issues that are identified in the PEIR. David wrote,

"In the Programmatic Environmental Impact Report for Commercial cannabis activity in Santa Barbara County, in Volume 1, Section Page 3.12-9, apparent hard bound volume page number 457, the drafters provided the following evaluation regarding traffic along Tepusquet Road: ... Tepusquet Canyon road connects from Foxen Canyon Road to SR 166. Tepusquet Road is intermittently striped for single-lane travel in each direction. Steep canyon walls, vegetation, narrow stretches of road, and the topographical form of the winding canyon support poor line-of-sight and unsafe road conditions unsuitable for commercial vehicles or traffic." (Emphasis added)."

"The programmatic EIR, again describes the impact of increased traffic from commercial cannabis operations in Tepusquet Canyon to be a major issue. See PEIR, Volume 1, at Section pages 3.12-28 and 29, apparent hardbound page 476."

"Then the PEIR concludes that these impacts are both "significant and unavoidable." See PEIR, Volume 1, Section page 4-4, apparent hardbound page 530; Id at Section page 4-37, apparent hardbound page 558; and Id at Section page 4-51, apparent hardbound page 577."

With that said, we would greatly appreciate your consideration and revisions to ordinances re this important concern.

Thank You.

Renée O'Neill



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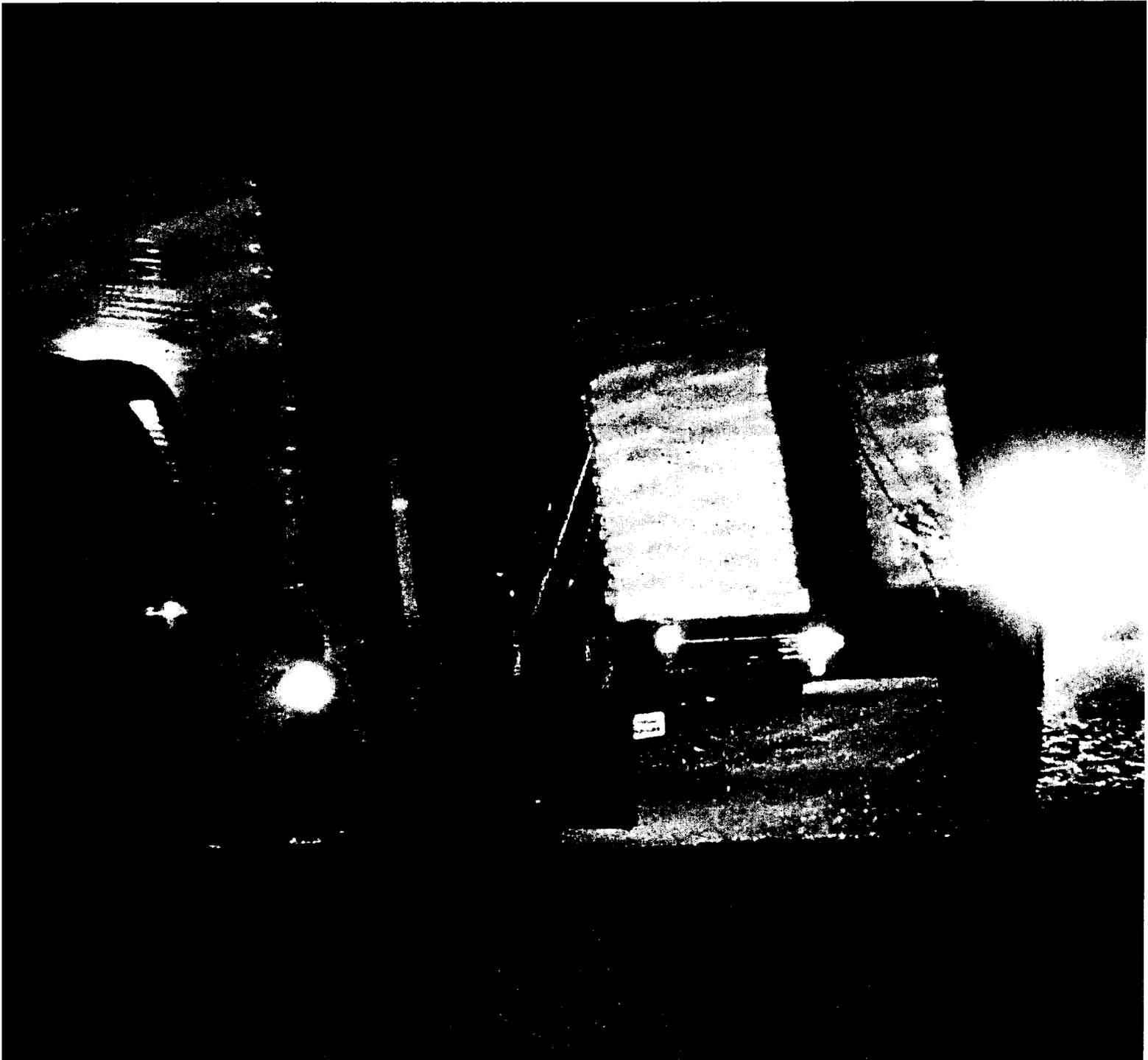
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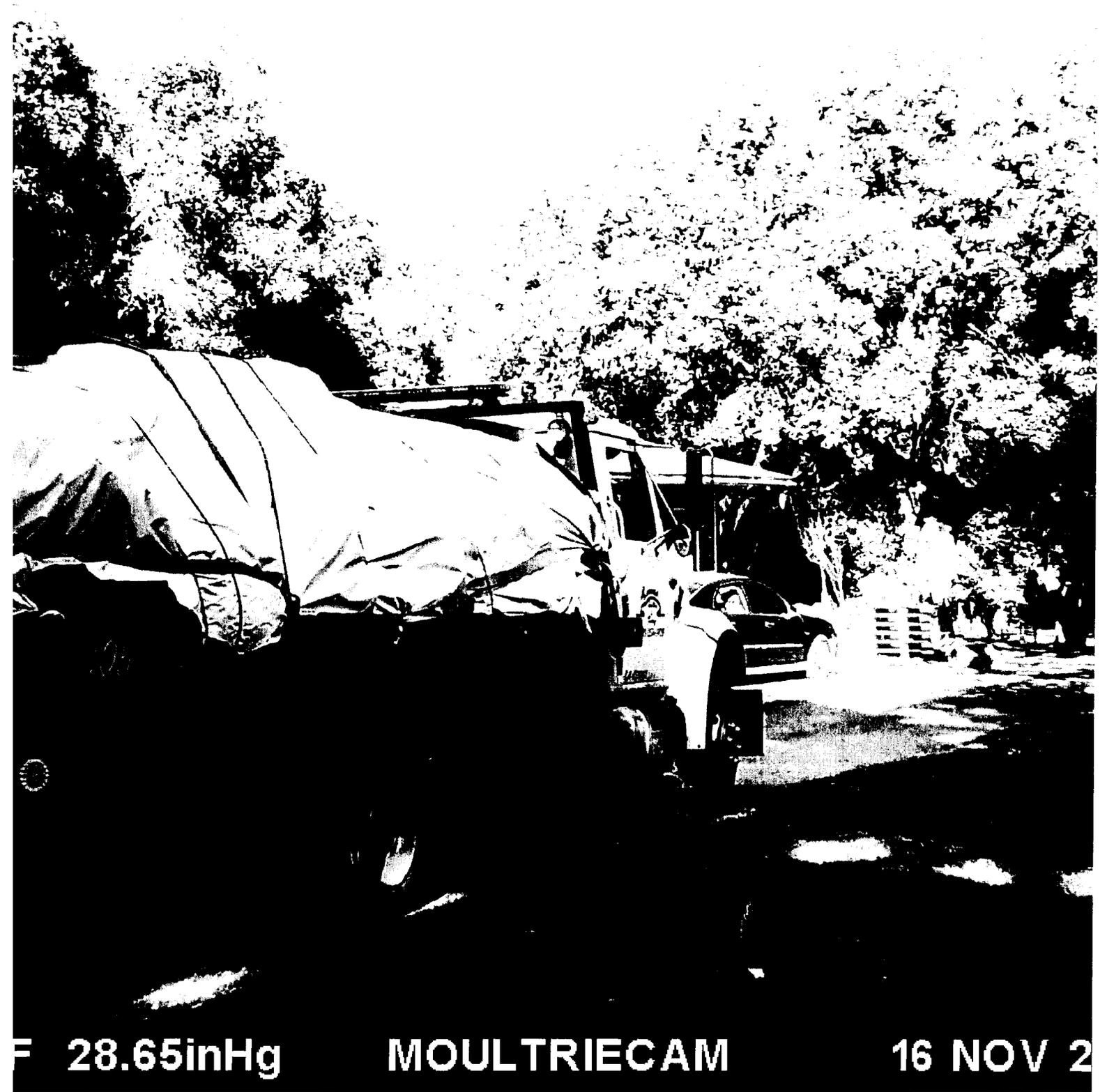
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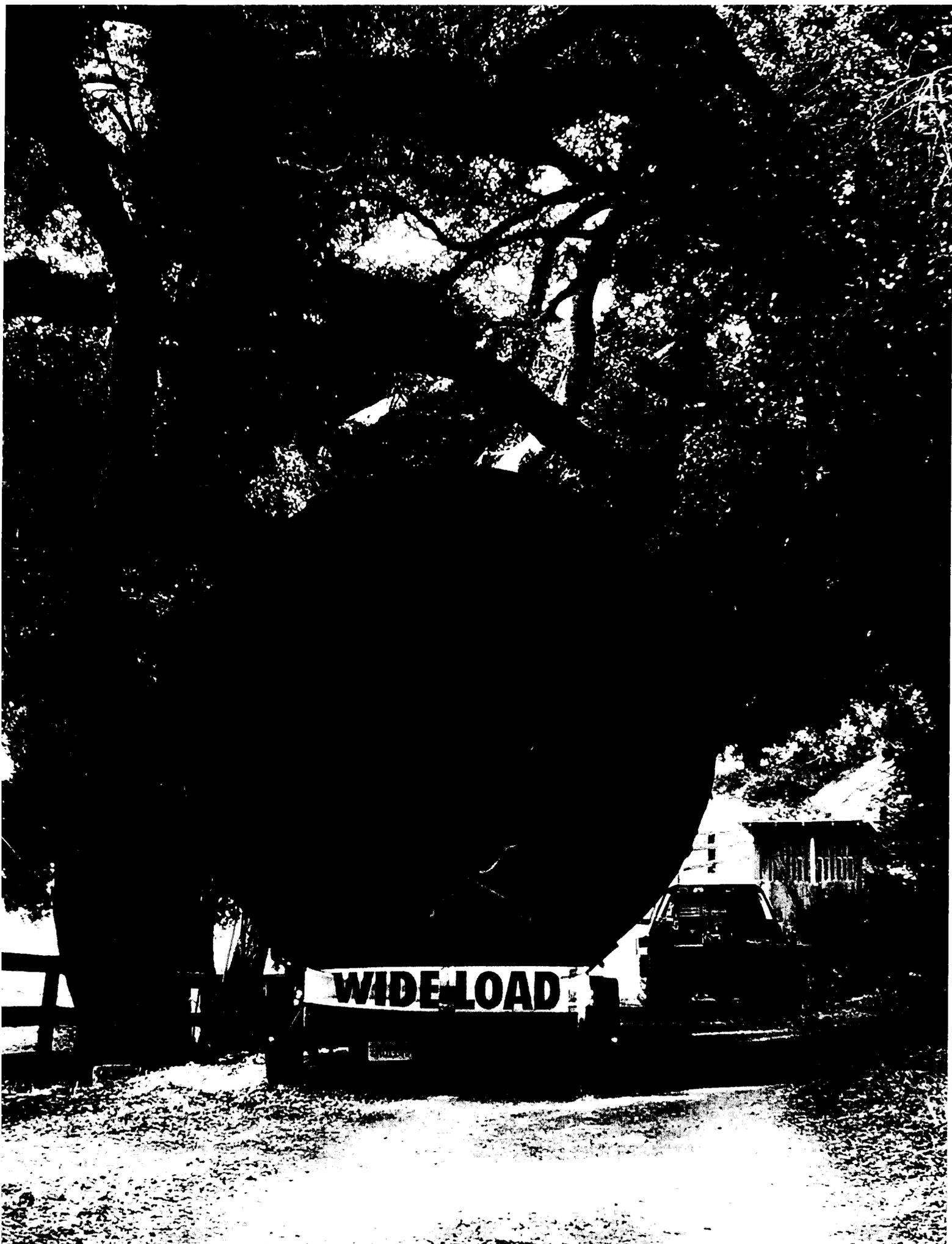
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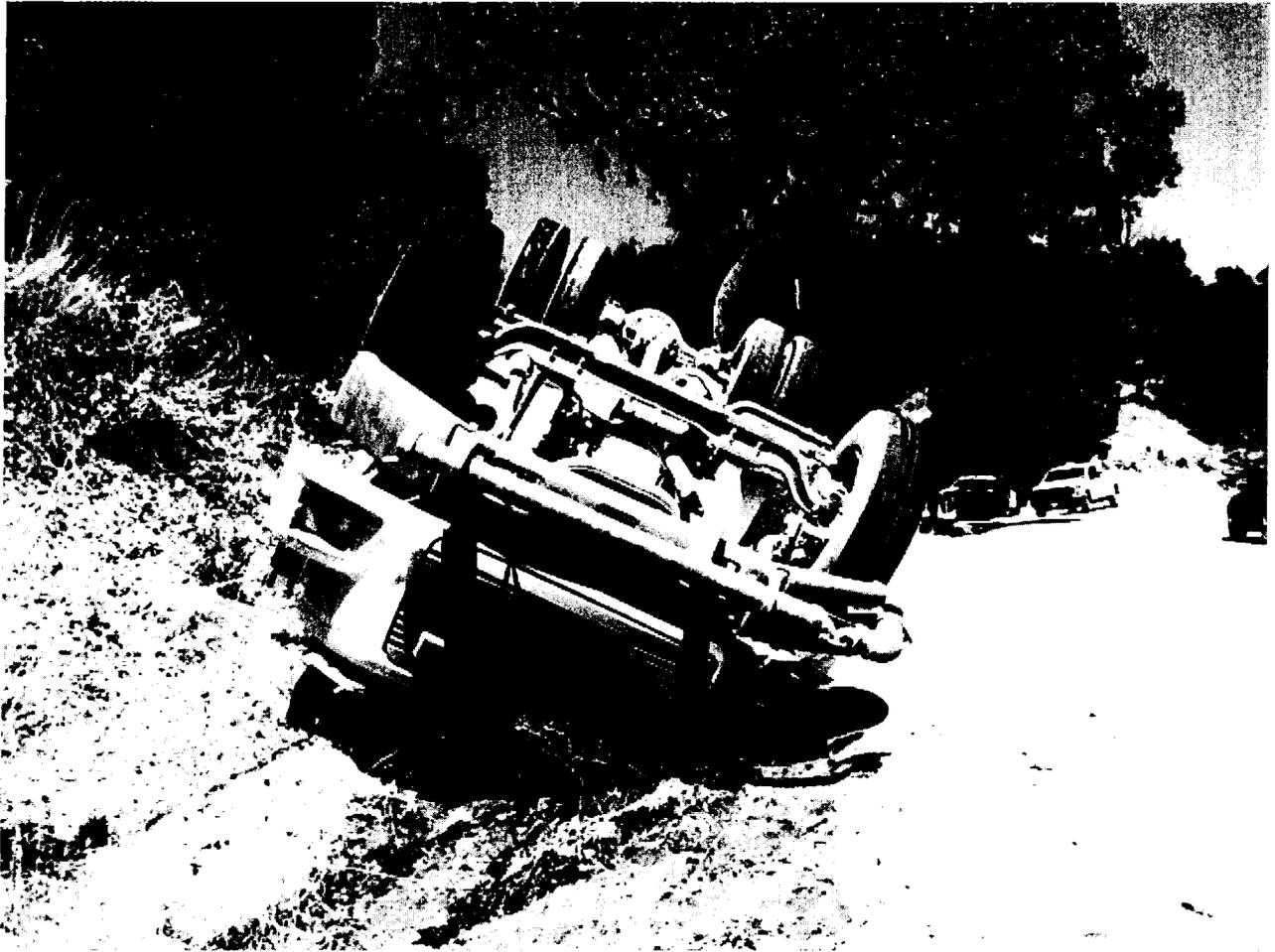
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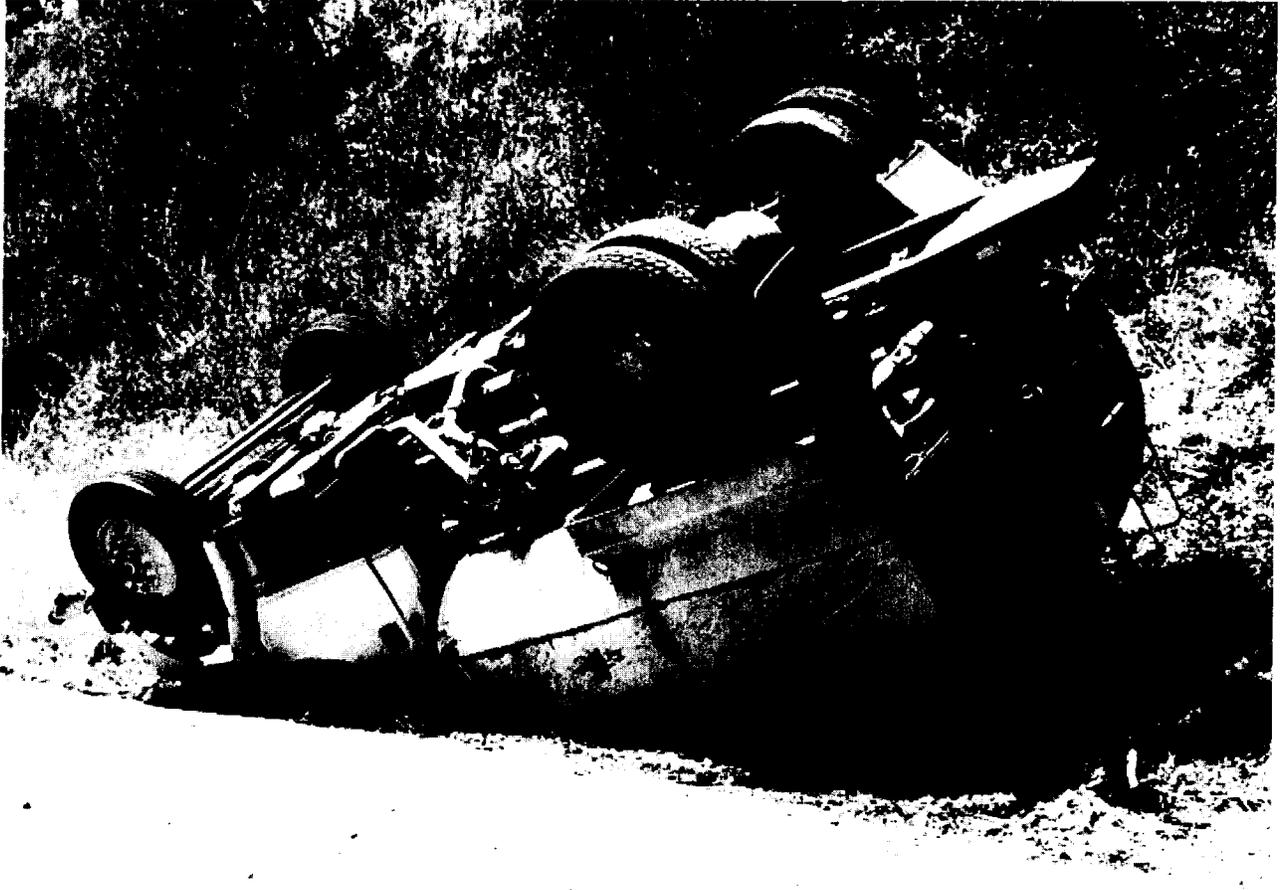


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Dear Planning Commissioners and Staff,

January 24, 2020

“We the People,” wish to express our appreciation to you for your diligent efforts to fine-tune cannabis regulations. This has been an extremely frustrating process for all of us, especially considering all the historical (hysterical) circumstances. It’s so disappointing.

Here is a brief follow-up re issues and concerns raised at your recent workshop, which specifically affect Tepusquet Community:

1. Please prohibit commercial cannabis in EDRN’s. Only a handful of growers would be impacted by this “ban” and frankly, most, if not all of these growers have proven to be “Bad Actors.” (Herbal Angels is most recent example).
2. Re Legal Non-conforming: Please, immediately revoke Provisional Licenses for operations in Tepusquet. Last summer, our County CEO *unwittingly(?)* gave Dayspring permission to continue operating another year, regardless of his multiple, major violations. Both P&D and Tepusquet have documented evidence of his falsified affidavits, numerous and repeated county, state and federal violations (three Fish and Wildlife) and his ongoing refusal to become “compliant.”
3. Please do not allow permits to “run with the land.” This will allow bad actors to continue to operate, under another name.
4. Prevent odor from traveling beyond property boundaries. Prohibit chemically operated odor control systems (like Byers) and require charcoal filter (non-toxic), instead. (This is was recommended by Dan Blough, from the get-go).
5. Retroactively prohibit license stacking and limit each parcel to one license per parcel, regardless of size.
6. Please review David Clary’s detailed Public Comment letter, re Tepusquet traffic issues that are identified in the PEIR:

“In the Programmatic Environmental Impact Report for Commercial cannabis activity in Santa Barbara County, in Volume 1, Section Page 3.12-9, apparent hard bound volume page number 457, the drafters provided the following evaluation regarding traffic along Tepusquet Road: ... Tepusquet Canyon road connects from Foxen Canyon Road to SR 166. Tepusquet Road is intermittently striped for single-lane travel in each direction. Steep canyon walls, vegetation, narrow stretches of road, and the topographical form of the winding canyon support poor line-of-sight and unsafe road conditions unsuitable for commercial vehicles or traffic.” (Emphasis added).”

“The programmatic EIR, again describes the impact of increased traffic from commercial cannabis operations in Tepusquet Canyon to be a major issue. See PEIR, Volume 1, at Section pages 3.12-28 and 29, apparent hardbound page 476.”

“Then the PEIR concludes that these impacts are both “significant and unavoidable.” See PEIR, Volume 1, Section page 4-4, apparent hardbound page 530; Id at Section page 4-37, apparent hardbound page 558; and Id at Section page 4-51, apparent hardbound page 577.”

As you are aware, we have provided numerous photos that document both style and frequency of commercial cannabis traffic, including JB Dewar fuel tankers, semi-trucks, flat-bed trucks with trailers hauling supplies/equipment, etc., and..., water tankers.

I could continue ad infinitum with all the reasons commercial cannabis should be prohibited in Tepusquet and other EDRN’s but I know how valuable your time is and that you have many pressing matters to deal with... not just cannabis. Thank you for your patience, time and consideration and thank you for your continued support of our efforts.

Sincerely Appreciative,
Renée O’Neill

To: the Santa Barbara County Planning Commission

Re: January 22, 2020 Hearing on the Cannabis Ordinance Amendments.

Submitted by: David Clary, resident of Tepusquet Canyon

Submission date: January 17, 2020

In the introduction to the Memorandum from Dan Klemann, Deputy Director of the Long Range Planning Division, the topics to be considered at the hearing are set forth. Then there is a general statement that it is to be a “workshop style” hearing. In addition to “...a brief staff report, the Planning Commission will receive public testimony and should provide staff with direction on additional tasks that the Planning Commission would like staff to complete, pursuant to the Board’s direction.”

Since this is a major opportunity to review and consider the impact of the Cannabis Land Use Ordinance and proposals for changes in the Ordinance based upon experience and additional analysis, I would like to propose a major overhaul to one aspect of the Cannabis Land Use Ordinance. That would be to prohibit commercial cannabis operations in the Tepusquet Canyon EDRN or sites which the sole means of ingress or egress is through the Tepusquet Canyon EDRN.

The Santa Barbara County Environmental Thresholds Guidelines Manual, Section 19.B.1.c sets forth a definition of “significant traffic impact” as occurring when “[a] project adds traffic to [a] roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with substantial increases in traffic (e.g., rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that will become potential safety problems with the addition of project or cumulative traffic.”

In the Programmatic Environmental Impact Report for Commercial cannabis activity in Santa Barbara County, in Volume 1, Section Page 3.12-9, apparent hard bound volume page number 457, the drafters provided the following evaluation regarding traffic along Tepusquet Road:

“Within this region, existing cannabis operations are largely concentrated within the rural mountainous areas of Tepusquet Canyon and are intermittently dispersed within and around the City of Santa Maria. Access to and from Tepusquet Canyon is limited via the 15.8-mile-long paved two-lane Tepusquet Road . Tepusquet Canyon road connects from Foxen Canyon Road to SR 166. ***Tepusquet Road is intermittently striped for single-lane travel in each direction. Steep canyon walls, vegetation, narrow stretches of road, and the topographical form***

of the winding canyon support poor line-of-sight and unsafe road conditions unsuitable for commercial vehicles or traffic. (Emphasis added)

The programmatic EIR, again describes the impact of increased traffic from commercial cannabis operations in Tepusquet Canyon to be a major issue. See PEIR, Volume 1, at Section pages 3.12-28 and 29, apparent hardbound page 476.

Then the PEIR concludes that these impacts are both “significant and unavoidable.” See PEIR, Volume 1, Section page 4-4, apparent hardbound page 530; Id at Section page 4-37, apparent hardbound page 558; and Id at Section page 4-51, apparent hardbound page 577.

Even though CEQA allows the County to decide to proceed with a project even if the environmental impact is “significant and unavoidable,” meaning that mitigation efforts will not be effective, is that the correct way to approach the issue? No it is not. The reasonable response is to completely prohibit commercial cannabis operations in Tepusquet Canyon. “Significant and unavoidable” means it cannot be mitigated. Why then allow it at all? What benefit could outweigh this looming disaster?

These standards and findings, and the anecdotal experience of residents of Tepusquet Canyon, previously reported ad infinitum to the Planning Commission and Board of Supervisors in written and oral presentations, point to a clear conclusion that it was an error to allow commercial cannabis operations to be established in the LUDC and Cannabis Business License ordinances in Tepusquet Canyon.

Many of the proposed commercial cannabis grow sites set forth estimates of traffic required by employees of their operations. We believe these estimates, universally are low. However, taken individually, or cumulatively, they are simply wrong for Tepusquet Canyon.

We advocate, in reviewing and redrafting relevant ordinance provisions, that commercial cannabis operations of any kind, be completely prohibited in the Tepusquet Canyon EDRN or for any commercial cannabis site whose sole means of access to the site or sites is through the Tepusquet Canyon EDRN.

This would affect only a handful of growers. This is further supported by the nature of the proposed commercial cannabis sites, principally for growing and related activities and nurseries. We cannot expect them to want to limit their grow sites and not advocate for expansion once they have been granted land use permits. Thus granting any grower or other cannabis commercial operation is to put too much of a traffic burden (let alone increased fire hazard, pollution, unauthorized tree cutting, and other risks) on the canyon. And it would likely only expand.

Hence, in reviewing the land use ordinances, we request that you completely prohibit cannabis commercial operations (including medical) in the Tepusquet Canyon EDRN and for any commercial cannabis site which requires passage through the Tepusquet Canyon EDRN for ingress and/or egress.

Respectfully submitted,

David T. Clary, 24 year resident of Tepusquet Canyon

de la Guerra, Sheila

From: merrily peebles <merpeebles@gmail.com>
Sent: Monday, January 27, 2020 7:14 PM
To: Hart, Gregg; Hartmann, Joan; Adam, Peter; Lavagnino, Steve; Williams, Das; sbcob; Yee, Steven H - CEO
Cc: bmelekian@countyofsb
Subject: Cannabis Ordinance Revisions needed now

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 Supervisors,

This letter is a request for a revision of the Cannabis Ordinance. I am a resident of the Carpinteria foothills. My family and I have lived here for more than forty years.

The requirement for operators to have *only submitted* a permit application accepted for processing by the P&D, in order to obtain a provisional license, has funneled a landslide of operators through the County system. Why? Because there are no proper regulations required by the County before a state license is obtained. This has allowed the operators to grow cannabis without the County's ability to enforce odor control, or even enforce unpermitted structures nor demand proof of medical marijuana growing prior to the January 2016 date. No wonder there is more cannabis cultivation in SB County than anywhere else in the state or nation.

Basically the County has given the OK to grow cannabis without a land use permit or conditional use permit. This has caused the avalanche of cannabis growing in the County. As of January 15, 2020 the CDFA reported that 1,186 cultivation licenses had been authorized in our County, --- 25% of those issued Statewide. It would seem appropriate, and consistent with State law, for the County to rescind local authorization for State Provisional licenses on those operators who have failed to pay taxes or submit records, or who fail to complete the requirements of a land use application, as they are no longer in compliance with local law, as required by AB 97 and the resulting Business and Professions Code.

These licenses total over 200 acres of cultivation in Carpinteria and over 1500 acres in the County, most unenforceable for regulation. The County and P&D department are inundated with complaints about "legal" grows. The policing of illegal grows is important, but does nothing to help those in Carpinteria that live with unregulated "legal" grows. This is because the ordinance needs to be rewritten.

When one looks at the thoughtful and logical way all other counties in the state have approached the growing of cannabis one must wonder what is going on in Santa Barbara County? Residents, teachers and ag owners, not on a cannabis payroll, all wonder. We have been crushed by the cannabis lobby, and their millions, who engineered the idea of SB County allowing State licenses on land without land use permits. No one could have imagined this massive takeover by cannabis but this is why the ordinance needs to be rewritten. We would like fair representation. We send in complaints with no meaningful responses. Doesn't that mean the ordinance needs to be rewritten so that not just the cannabis businesses are represented? We vote. We live here.

There is also the question of tax collection based on gross receipts, self-reported by the growers. The growers are not accountable, when one hears almost two thirds have reported no income. The ordinance needs to be changed.

Accountability comes with effective regulation. The growers are not admitting there is odor even when the Byers system (developed originally for garbage dumps) is turned on. In some cases we can smell the “odors” of the system and the cannabis at the same time. Or we smell just the cannabis, or just the system. Carpinteria is not a garbage dump. The “three odor complaints in a year” idea is absurd. In reality there are three complaints in a day in most areas.

And now those overseeing the odor complaints worry about how to tell where they come from. That is because the cannabis is grown in too dense an area. One property with acres of cannabis, next to another property with acres of cannabis, next to another. Please address the unsustainable density of and proximity of commercial cannabis grows to EDRNs, homes and schools, as the current situation in Carpinteria is not tenable with open-venting greenhouses. The differential zoning treatment between Ag 1-10 parcels inland (where commercial cannabis growing is banned) vs similarly-zoned parcels in the Coastal Zone (where it is allowed, despite similar incompatible use issues) is also unfair and is harming the public.

The ordinance needs to be changed now.

Thank you,

Merrily Peebles

La Mirada, Carpinteria.