

TEMPLETON AREA ADVISORY GROUP
Addressing the Area's Land Use Planning Since 1994
PO Box 1135 Templeton, CA 93465
REPORT TO THE COUNTY

TO: County Board of Supervisors: John Peschong, Debbie Arnold, Vicki Janssen, Kathleen Goble
County Planning Department: Trevor Keith, Cheryl Ku
Templeton Community Service District: Geoff English

CC: TAAG Board members

SUBJECT: Report of significant recommendations during TAAG's Zoom teleconferenced February 17, 2022 Board meeting

1. JACK CREEK BRIDGE REPLACEMENT CEQA DOCUMENT—

Members of TAAG reviewed this document prior to the TAAG meeting. The consensus of the TAAG Delegates was that they saw no problems of concern in the document. A motion was made to make no recommendations to the County regarding this project. This motion passed unanimously.

2. TAAG Board Election—

The TAAG Board previously set March 12, 2022 for the election from 8:30 AM till 12:30 PM. The Election Committee presented its plan to be in compliance with the TAAG Bylaws and Rules and Regulations, including use of the Service District Community Boardroom, signage, and use of voter registration from the County. The Service District Community Boardroom is at 420 Crocker Street, right next to the Fire Station and right across the street from the Park.

3. CITY BOY FARMS (DRC2017-00123) AND EDEN'S DREAM (PROJECT #DRC2018-00183)—

A report was prepared by the Chairman of the TAAG Cannabis Project Review Committee, Murray Powell. This report was submitted to the TAAG Board for consideration and approval of comments and recommendations to be submitted to the SLO County Planning Department in response to a January 24, 2022 Notice of Preparation and Scoping Meeting draft Environmental Impact Report concerning these two projects located on adjacent properties. After lengthy consideration of these recommendations, a motion was made to support the recommendation below in the Addendum to this report. A vote was taken. Two Delegates, Murray Powell and Doris Diel voted in favor of the motion. The remaining five Delegates voted in opposition to the motion. It should be noted that the two Delegates voting in favor of this motion were the members of the Cannabis Project Review Committee. Eric Hughes from the County Planning Department indicated that this document can be submitted with signatures from individual TAAG members and community members, and the Planning Department will address all of these issues.

Respectfully submitted,

Bruce Jones, TAAG Chair

ADDENDUM
TEMPLETON AREA ADVISORY GROUP (TAAG)
CANNABIS PROJECT REPORT

SO. EL POMAR ROAD TEMPLETON PROPOSED PROJECT EIR COUNTY SCOPING MEETING
CONDUCTED ON FEBRUARY 10, 2022

This report is prepared by TAAG Vice Chair Murray Powell. I am also the Chair of the TAAG CANNABIS PROJECT REVIEW COMMITTEE (CPRC). This report is submitted to the TAAG Board for consideration and approval of comments and recommendations to be submitted to the SLO County Planning Department and other Boards, Commissions, agencies, departments and to the members of the public in response to a January 24, 2022 Notice of Preparation and Scoping Meeting Draft Environmental Impact Report concerning the following two proposed Cannabis projects located adjacent to each other on So. El Pomar Road Templeton. Comments and recommendations must be submitted to the SLO County Planning Department by no later than February 24, 2022. I attended and made comments during this meeting.

- City Boy Farms (DRC2017-00123) 4225 So. El Pomar Road Templeton – Conditional Use Permit Proposed Activities include Outdoor and Indoor Cannabis Cultivation, Commercial Nursery Plant Cultivation and Sales offsite, Cannabis Product Manufacturing and Offsite Cannabis Delivery Services. The project also requests substantial modifications reducing the standard 300-foot minimum setback distances from the project’s property lines DOWN TO 100 FEET or less.
- Eden Dreams (CRC2018-00183) 4339 S0. El Pomar Road Templeton – Minor Use Permit Proposed Activities include Outdoor and Indoor Cannabis Cultivation, with ancillary nursery area permitted by SLO County cannabis ordinances.

Both of these projects have been extensively reviewed by TAAG Cannabis Project Review Committees and full Board Meetings during 2018 through 2020. Processing of both of these project applications have been deferred to later undetermined dates by the County Planning Department due to extensive public and legal opposition to each project. TAAG has recommended disapproval of both projects due to adverse environmental issues and failure to comply with certain SLO County Cannabis ordinances.

The February 10, 2022 Planning Scoping Meeting was conducted through a Zoom meeting process. Public in person attendance was not permitted. This meeting was the initial step in a process for the County to prepare and eventually approve and/or reject draft separate EIR’s for these two projects. The combining of both of these two projects into one scoping meeting was questionable due to substantial differences between the two projects’ proposed cannabis operations.

GENERAL COMMENTS REGARDING HOW THE FEBRUARY 10, 2022 ZOOM SCOPING MEETING WAS CONDUCTED

- The meeting was conducted by several members of the County Planning Department.
- Zoom comments presented by the public were controlled by the Zoom raised hand process and through phone calls that featured a similar raised hand process.

- It was my understanding that this meeting was a more or less informal question and answer process involving the public.
- County Planning Supervisor Steve McMasters announced that public comment was to be limited to 3 minutes for those wished to speak. I protested the arbitrary 3-minute limit on the basis that this was not a formal County hearing, and therefore the proposed public comment time limit was inappropriate. County Supervisor McMaster's agreed and rescinded his 3-minute public comment limit.
- It was my understanding that this was an open public comment meeting where questions and answers would be allowed and addressed during the full course of the scheduled two-hour meeting. However, requests to respond to County Staff comments for clarification and additional questions raised due to county staff remarks were ignored through the "raised hand" process and additional public comments were not recognized.
- It was and continues to be unclear as to what each project's actual accurate proposed design and description of their operations includes that will form the basis for the draft EIR provisions. The Eden Dreams project has issued revised minor project descriptions and other documents that can be found in the County Planning Citizens Self Service (CSS) website system for this project number. The only significant change I note is the reduction of the project's outdoor cannabis cultivation area from 3.0 acres to 2.63 acres. However, there is no evidence that this documentation has been determined to represent the documents that will be considered during the project's EIR drafting process.

Similar issues exist concerning the City Boy Farms project. Existing documentation for this project appears to consist of the original application documentation that resulted in the continuance of scheduled County Planning Commission hearings to undetermined dates due to extensive public and legal opposition to the project. I have been advised by a County Planner involved with this project that "minor" changes to this project's operations have been proposed by the project applicant but **NO REVISED INFORMATION HAS BEEN MADE AVAILABLE FOR PUBLIC REVIEW** as of this date to my knowledge.

Briefly the following issues appear to continue to support TAAG'S opposition to these projects:

EDEN FARMS

- There are no proposed Outdoor Cannabis odor mitigation systems proposed to ensure that odor is not detected offsite. The project proposes 2.63 acres of outdoor cannabis cultivation area in hoop houses. County cannabis ordinances prohibit detection of cannabis odor offsite.
- The project requests an outdoor cannabis setback modification reducing the County's standard 300-foot setback distance from the project's property lines down to 100 feet from the western property line. This modification significantly increases the possibility of odor detection offsite.
- This project proposes the use of cannabis hoop house outdoor cultivation activity. According to the project's recently revised Water Use analysis, hoop house cultivation expects to develop three (3) mature cannabis harvests each growing season between April and October. Cannabis odor production is the highest during the flowering and harvesting stages of cannabis cultivation. High odor production is expected to occur during the 30 to 45 days' maturation period prior to harvesting. In this case a minimum of 90 to 135 days of peak odor production will be experienced in the general area of the project during its seven- to eight-month annual outdoor cultivation season.
- The east side property lines of this project share an adjacent rural residential area consisting of approximately 20 residential properties. The experience with outdoor cannabis cultivation operations in

SLO County, SB County and other areas of California and other states has proven beyond a reasonable doubt that cannabis odor mitigation will, depending on weather and wind conditions, substantially impact neighboring properties.

- The project appears to be located in a Paso Robles Basin Area of Severe Decline that requires a Basin water use savings amount ratio of 2:1. This project's current estimated cannabis water use is approximately 9 acre-feet per year assuming hoop house outdoor cultivation. This project property currently cultivates grape vineyards and some olive tree area that would be removed in order to meet the required 2:1 Basin water use offset. It is unclear whether removal of existing County recognized crops such as vineyards and olive trees qualify this Commercial Cannabis project for onsite 2:1 Paso Basin water use offsets.
- The project violates the SLO County cannabis ordinance that prohibits visibility of cannabis plants from offsite properties. Several adjacent properties have clear unobstructed views of the proposed outdoor cannabis cultivation areas. Due to the elevation of certain neighboring properties, the blocking or obstruction of views of the cultivation areas are not possible.
- Community and neighborhood compatibility: Cannabis projects are defined by SLO County as "Commercial" not "Agricultural" properties. There are no known similar cannabis projects in the general area.
- Cumulative effect of the project on the community and the County: This project is one of three proposed adjacent cannabis projects in the So. El Pomar Road area. One RESIDENTIAL AG PROPERTY is surrounded on three sides by these three projects. California CEQA law requires that the County consider the environmental effects of this and each project in conjunction with other existing proposed projects in the area and in the County.

CITY BOY FARMS (DRC2018-00123)

- This project was the first cannabis project submitted to TAAG for review in January 2018.
- The project proposes both outdoor and indoor cannabis cultivation areas, a commercial outdoor cannabis nursery operation for sale to others, a cannabis product manufacturing operation and a nonstore-front dispensary operation for delivery of product offsite.
- The applicant estimates that 15 employees will be required full time during the outdoor growing season. 9 additional employees will be required during harvest periods (undefined). The Manufacturing operation will require 4 additional employees full time. The Dispensary delivery operation may require up to 3 employees when fully operational. This brings the total number of employees on site including 9 harvest workers to 32 employees.
- The project is a 25.59 acre property site that proposes 3 acres of outdoor mature cannabis cultivation area in hoop houses and approximately 3 acres of outdoor cultivation commercial nursery plants for sale to others. The project also proposes an extremely minimal "outdoor odor mitigation system" that only covers a very small (undefined) portion of the project's northern property line. Reviews of the project property site plans have determined that the proposed odor mitigation system will not prevent odor from detection offsite. County cannabis ordinances prohibit detection of cannabis odor offsite.
- The project requests outdoor cannabis setback modifications reducing the County's standard 300-foot setback distance from the project's property lines down to 100 feet or less from various project property line areas. These modifications significantly increase the likelihood of odor offsite detection.
- This project proposes the use of cannabis hoop house outdoor cultivation activity. As discussed in the Eden Dream's section above, outdoor hoop house cultivation expects to develop three (3) mature cannabis harvests each growing season between April and October. Cannabis odor production is the

highest during the flowering and harvesting stages of cannabis cultivation. High odor production is expected to occur during the 30 to 45 days' maturation period prior to harvesting of mature cannabis plants. In this case a minimum of 90 to 135 days of peak odor production will be experienced in the general area of the project during its seven- to eight-month annual outdoor cultivation season.

- The project applicant claims that outdoor hoop houses will mitigate outdoor odor. Hoop houses are classified as outdoor cultivation. SLO County cannabis and other ordinances prohibit any installation of electrical or irrigation systems and prohibit the use of any indoor type of odor mitigation systems or equipment. Hoop house structures are temporary structures that require venting odor-laden air directly to the exterior environment.
- All property lines of this project share adjacent AG ZONED residential property lines. The experience with outdoor cannabis cultivation operations in SLO County, SB County and other areas of California and other states has proven beyond a reasonable doubt that cannabis odor mitigation will, depending on weather and wind conditions, substantially impact neighboring properties.
- The project originally was entirely located within the Paso Basin Area of Severe Decline that requires a 2:1 Ratio Basin water use savings offset. It currently appears that, due to the recent adjustments of the Basin's designated areas of Severe Decline, the project property is currently partially within a Severe Decline area. We have been advised by the County that the application of the 2:1 offset ratio has not been determined as of this date.
- This project's current estimated cannabis water use is approximately 7.29 acre-feet per year. Assuming hoop house outdoor cultivation, it does not appear that provisions for increased outdoor hoop house cultivation water use have been considered in this water use estimate. This project property has no irrigated regular crop activities currently conducted on the property. The site was originally a decades old almond and walnut orchard farm that has not conducted any sort of irrigated crop activities for at least ten or more years. Currently existing trees appear dead or dying, and no crop production has been seen for many years. This project site is unable to generate any onsite irrigated water use offsets required by SLO County cannabis ordinances.
- The project violates the SLO County cannabis ordinance that prohibits visibility of cannabis plants from offsite properties. Several adjacent properties have clear unobstructed views of the proposed outdoor cannabis cultivation areas. Preventing or obstructing cannabis plant visibility from neighboring sites is not possible due to the elevation of certain neighboring properties. This is a violation of County cannabis ordinances.
- The proposed Manufacturing operation raises questions concerning employee, fire and other safety considerations.
- Community and neighborhood compatibility: Cannabis projects are defined by SLO County as "Commercial" not "Agricultural" activities. There are no known similar cannabis projects in the general area.
- Cumulative effect of the project on the community and the County: This project is one of three proposed adjacent cannabis projects in the So. El Pomar Road area. One RESIDENTIAL AG PROPERTY is surrounded on three sides by these three projects. California CEQA law requires that the County consider the environmental effects of this and each project in conjunction with other existing proposed projects in the area and in the County.

Submitted for consideration,

Murray Powell
TAAG Vice-Chair

