

TEMPLETON AREA ADVISORY GROUP (TAAG) SPECIAL BOARD MEETING

Tuesday January 11, 2022

Minutes of the meeting (submitted by Sonja Bolle)

This meeting of the Templeton Area Advisory Group (TAAG) was held via Zoom telecommunication procedures.

2021-2022 TAAG BOARD MEMBERS

Bruce Jones, Delegate/Chair
Murray Powell, Delegate/Treasurer/Vice-Chair
Erik Gorham, Delegate/Secretary
Dede Davis, Delegate
Doris Diel, Delegate
John Donovan, Delegate
Scott Shirley, Delegate
Christine Nelson, First Alternate Delegate

1. CALL TO ORDER

The meeting was called to order at 6:05 pm

2. ROLL CALL

Bruce Jones, Delegate/Chair	present
Murray Powell, Delegate/Treasurer/Vice-Chair	present
Erik Gorham, Delegate/Secretary	not present
Dede Davis, Delegate	not present
Doris Diel, Delegate	present
John Donovan, Delegate	present
Scott Shirley, Delegate	present
Christine Nelson, First Alternate Delegate	not present

3. PUBLIC COMMENT on items not on the agenda

None

4. AGENDA ITEM

The purpose of this Special Board meeting was to develop TAAG approved comments to be submitted in response to a SLO County Notice of Preparation Draft Environmental Impact Report (EIR). The Notice indicates that SLO County will be the lead agency and will prepare this EIR for the City Boy Farms' proposed cannabis project (Project No DRC2017-00123). This EIR is requested by City Boy Farms applicant Jason Kallen. This Notice indicates that public comments received by 5:00 PM on January 14, 2022 will be considered in developing the scope of the draft EIR. A copy of this Notice of Preparation can be viewed below as an attachment. This cannabis project is located at 4225 So. El Pomar, Templeton CA.

This Notice is the initial step in the County's EIR process for this project. The County will draft an EIR document that will be published and publicly noticed. A public comment period regarding the proposed draft EIR document will be made available at this time.

This is SLO County's first attempt to prepare a project-specific Environmental Impact Report related to a County Land Use Permit application. This project application has been in process with County Planning since late December 2017. This process will eventually require public hearings conducted by the County Planning Commission and the Board of Supervisors to consider whether to accept or reject this EIR.

This TAAG meeting was scheduled at the request of the Cannabis Project Review Committee. Board chair Bruce Jones turned the meeting over to committee chair Murray Powell.

Murray Powell asked Eric Hughes, project manager in the county department of planning and building, to outline the expected stages in the process.

ERIC HUGHES: A notice of preparation is required by CEQA (California Environmental Quality Act) to notify interested parties that the county will prepare a draft Environmental Impact Report (EIR). It gives agencies 30 days to voice concerns, alert the county to required local permits, etc. The project description gives the general components. What is not typical is a Mitigated Negative Declaration (MND) of more specific issues of concern: traffic, greenhouse emissions, agricultural, cultural resources, etc. An MND indicates where there may be significant impact and what mitigations might be implemented.

There may be a request for proposal to consulting firms, depending on the budget for the EIR; consultants over a certain dollar figure must be approved by the Board of Supervisors.

Once the EIR is in preparation, a draft will go out; there will be opportunities at various points for public comment. The Board of Supervisors then votes whether to accept the EIR. The whole process can take a year, sometimes a bit more or less. This one should probably take about a year.

Hughes mentioned the possibility of an EIR being prepared on another cannabis project, Eden's Dream, adjacent to City Boy.

POWELL: There is substantial cost involved in this process, with a consultant hired by the county. Is it true that the applicant must reimburse the county for costs?

HUGHES: Once a contract is awarded, the applicant pays the costs.

QUESTION: What role does the applicant have in the selection of the consultant?

HUGHES: Really no role. The applicant might say that a consultant is too expensive.

POWELL: The applicant, Jason Kallen, received notice of this meeting and had the opportunity to speak on the project. He contacted TAAG objecting to the short notice. Although the deadline for comment to the county made a special meeting necessary at short notice, TAAG met its requirement for 48 hours' notice.

There was no representative present for the applicant.

POWELL noted that many board members were not involved when TAAG first considered the City Boy project application in 2018, and gave a brief history. In 2018 and 2019, there were extensive review committee meetings, attended by the applicant and many members of public. It was a struggle to understand the process, as this was the first project referred by the county.

In the 2018 review, TAAG did not advise approval or denial, lacking sufficient information.

In 2019, the project review committee had a 4-hour meeting, with about 25 members of the public present. One or two were in favor of the project; the rest, through comment or a show of hands, objected to the project. The TAAG board voted 7-0 to recommend denial of the project.

In Powell's estimation, all information relating to this project currently available on the county's citizen's self-service web site is substantially the same as what was available in 2018. Eric Hughes concurred that recent changes were minor. There have been several continuations posted on the project since 2017; it has yet to come before the County Planning Commission.

QUESTION: Is this SLO county's first attempt to prepare EIR for this project? Or for any project?

POWELL was not aware of any application that has gone through this process with the county for a cannabis project. The Board of Supervisors has recently approved the drafting of an EIR relating to Paso Basin water issues, and they are estimating a year for its completion.

A York Mountain project was the first to appeal to the Board of Supervisors 3 years ago. At that time, SLO county had not provided any environmental review documentation and granted a CEQA exemption. There was legal challenge questioning the county's compliance with CEQA.

With this project, the record shows legal letters from firms challenging the MND, and rising demand for a full EIR.

Before this meeting, the TAAG cannabis project review committee had drafted and circulated proposed comments responding to the Notice of Preparation of Draft EIR, to be submitted to the county before the Friday, Jan. 14 deadline.

The board reviewed the comments, largely reading the text as reproduced in the addendum below and making minor amendments as warranted.

The meeting was ZOOM-BOMBED in the middle of the discussion, causing a 7-minute delay and some consternation.

More than 10 community members were present at the meeting. Residents of properties adjacent to the project voiced concerns about neighborhood compatibility, visibility of the project from neighboring properties and setback modifications.

BRUCE JONES took the chair and opened the floor again for anyone representing the project. [No answer.]

A motion was made to submit the document to the county as amended during the discussion, with minor missing information to be supplied before submission.

Motion seconded.

Roll call vote:

Murray Powell	YES
Doris Diel	YES
John Donovan	YES
Scott Shirley	YES
Bruce Jones	YES.

Report to be sent to the county was unanimously approved.

5. ADJOURNMENT

Motion for adjournment made and seconded. Meeting adjourned by general consent at 7:47 pm.

ADDENDA TO MINUTES:

1. San Luis Obispo County Notice of Preparation: Draft Environmental Impact Report
2. TAAG Report to the County regarding preparation of draft EIR for Templeton area proposed cannabis project

ADDENDUM #1

NOTICE OF PREPARATION

Draft Environmental Impact Report

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND
BUILDING 976 OSOS STREET | ROOM 200 | SAN LUIS OBISPO |
CALIFORNIA 93408 | (805) 781-5600 Promoting the Wise Use of Land |
Helping to Build Great Communities

DATE: December 13, 2021

TO: Interested Persons

FROM: Eric Hughes, Project Manager

Department of Planning and Building
976 Osos St., Room 300
San Luis Obispo, CA 93408-2040
Email: ehughes@co.slo.ca.us

PROJECT TITLE: City Boy Farms Conditional Use Permit DRC2017-00123
(ED19- 043, SCH#2019089069)

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the City Boy Farms Conditional Use Permit project (DRC2017-00123). The project is a request by City Boy Farms to establish up to 3 acres of outdoor cannabis cultivation in hoop houses or direct sunlight, up to 22,000 sq. ft. of indoor cultivation canopy in 27,500 sq. ft. of greenhouses, 139,230 sq. ft. of outdoor commercial nursery in hoop houses or in direct sunlight, 9,850 sq. ft. of indoor commercial nursery in greenhouses, 160 sq. ft. of nursery clone area, 640 sq. ft. of processing area within seatrain containers (drying/curing), and a new 8,000 sq. ft. metal barn-like structure to support 2,680 sq. ft. of manufacturing area, 2,000 sq. ft. of processing area (trimming/packaging), 600 sq. ft. of non-storefront dispensary area, 1,400 sq. ft. of loading bay area, 1,080 sq. ft. of storage area, 600 sq. ft. office area, and an ADA restroom. Additionally, a new 35-space parking area with two ADA parking spaces, 16,000 sq. ft. compost area, 2,500 sq. ft. waste and recycling area, a 100 sq. ft. shed for pesticide and fertilizer storage, a 100 sq. ft. shed for security monitoring, a security cabinet, 150,000- gallons of water storage in tanks for irrigation, fire suppression water storage tanks, road improvements

per Cal Fire standards, and two portable restrooms are proposed to support the cannabis operation. The project also includes request for ancillary transport. The project would result in approximately 9.59 acres of new site disturbance and no oak trees will be removed. A modification from the setback standards set forth in Land Use Ordinance Section 22.40.050.D.3 is requested to reduce the required setback to the eastern property line from 300 feet to 100 feet. A modification from the parking standards set forth in Title 22 section 22.18.020.H is requested to reduce the required number of parking spaces from 67 to 36. The project site is within the Agriculture land use category and is located at 4225 S. El Pomar Road. The site is in the El Pomar-Estrella Sub Area of the North County Planning Area.

The Notice of Preparation and Initial Study for the proposed project are available for review and comment at the Office of Planning and Research CEQAnet Web Portal (SCH#2019089069) and the County's Department of Planning & Building Citizen Self Service Portal website: https://energov.sloplanning.org/EnerGov_Prod/SelfService#/plan/24DDB2AF-B7A6-4170-98F6-0747EBD28F1F?tab=attachments.

Comments received will be considered in developing the scope of the EIR. Please submit written comments by 5:00 p.m., January 14, 2022. Comments may be submitted via email to ehughes@co.slo.ca.us, or sent via mail to the address listed above. For further information, please contact Eric Hughes at (805) 781-1591 or via the email address above.

NOTICE OF PREPARATION Draft Environmental Impact Report SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING 976 OSOS STREET | ROOM 200 | SAN LUIS OBISPO | CALIFORNIA 93408 | (805) 781-5600 Promoting the Wise Use of Land | Helping to Build Great Communities

Addendum #2

TEMPLETON AREA ADVISORY GROUP
Addressing the Area's Land Use Planning Since 1994
PO Box 1135 Templeton, CA 93465
REPORT TO THE COUNTY
For Special Zoom Meeting January 11, 2022

TO: County Board of Supervisors: John Peschong, Debbie Arnold, Vicki Janssen, Kathleen Goble

County Planning Department: Trevor Keith, Cheryl Ku, Eric Hughes

CC: TAAG Board members

SUBJECT: Report of significant recommendations during TAAG's Zoom teleconferenced January 11, 2022 Board Special meeting

The purpose of this special meeting was to develop TAAG approved comments to be submitted in response to a SLO County notice of Preparation Draft Environmental Impact Report for City Boy Farms' Project DRC2017-00123.

TAAG Board members in attendance:

Bruce Jones

Murray Powell

Doris Diel

John Donovan

Scott Shirley

Recording Secretary Sonja Bolle

The Zoom meeting was called to order at 6:05 by Bruce Jones, Chair. A roll call was obtained. There was no public comment on any subject not on the agenda. Neither the applicant nor his agent was in attendance for a presentation prior to proceeding with review of possible recommendations. The TAAG Chair deferred this presentation to Murray Powell, Chair of the TAAG Cannabis Project Review Committee. Mr. Powell presented background and history regarding this project, which was previously reviewed extensively by TAAG. A list of possible actions was presented by Mr. Powell. These potential actions were thoroughly discussed by members of the TAAG Board and members of the community and were revised by the Board. More than ten community members were present at the meeting.

Approximately halfway through the meeting, a large number of "zoom bombers" entered

the meeting, shouting obscenities and attempting to take over control of the computer screen. This appeared to be an attempt to stop the proceedings of the meeting. After this lengthy disruption, the meeting resumed.

Below is the document that the TAAG Board approved unanimously:

County Notice of Preparation of Draft EIR for Templeton Area Proposed Cannabis Project

Known as City Boy Farms Project No. DRC2017-00123

This is a proposed draft motion submitted for approval to the TAAG Board for comments to be submitted to SLO County Planning regarding response to the County's Notice of Preparation (NOP) of a Draft EIR public comment period regarding the above noted cannabis project.

1. The project's Land Use Permit Planning Commission approval hearings were continued to an undetermined date on November 14, 2019. The NOP refers to the project's documents posted to the County Citizens Self Service website link for this project number. This information appears to consist of various original 2019 project application documents submitted for the October and November 2019 continued Planning commission hearings. The current available project information posted to the County CSS system may not disclose current accurate project information that will be considered during the EIR drafting process.

TAAG Comment – TAAG requests that updated proposed project documentation such as project site design and operating plans and all other information required by SLO County Land Use Permit application processing ordinances be submitted, as soon as possible, that may be the basis for the draft EIR that will eventually be subject to public reviews and comments.

2. A substantial environmental concern is the adverse health concerns that cannabis odor has on persons living and working in the general area of the project. Existing available project plans briefly propose a limited outdoor cultivation odor mitigation system with references to system suppliers New Waste Concepts or FOGCO.

TAAG comment - TAAG requests written documentation submitted by these suppliers and others, if any, that indicates the actual proposed system designs and specifications that these suppliers would install on this project site. We also request identification of the actual outdoor mitigation system that may be installed on the project. We also request documentation from the identified suppliers regarding the effectiveness of their outdoor cannabis odor mitigation systems experienced on other cannabis cultivation projects.

3. The applicant has requested the County to grant modifications to reduce the standard 300-foot outdoor cultivation area setback distances to 100 feet. The project's site plan indicates cannabis plant areas as close as 65 feet from the project property lines. See the attached Site Plan. County Planning staff's 2019 PC hearing reports recommend approval of this setback reduction to 100 feet. Reduction of the 300-foot setback requirement is an environmental concern regarding the adverse effects of cannabis odor on public health, safety, welfare and the environment.

TAAG Comment - TAAG recommends that the draft EIR require compliance with the County's cannabis ordinances requiring a minimum 300-foot setback for ALL cannabis mature and nursery (immature) outdoor cultivation areas.

4. TAAG has determined through site visits to the project and to adjacent neighboring properties that the project's outdoor cannabis cultivation areas are clearly visible from adjacent and other offsite properties located in the general project area. SLO County cannabis ordinances Section 22.40.050 D.6. requires that "Cannabis plants shall not be easily visible from offsite." The project applicant claims that the request setback modifications will "lessen", not eliminate, off-site visibility of cannabis plants.

TAAG Comment - TAAG recommends that the project be denied due to the project's inability to comply with this County ordinance provision prohibiting off-site visibility of cannabis plants.

5. The project's existing documentation indicates estimated annual energy use to be 810,000 kWh per year. Possible project excessive energy use is a substantial environmental issue that must be accurately estimated in order to determine certain environmental effects of the project. No attempt was made by the County to verify the accuracy of this 810,000 kWh annual energy use estimate. The project MND (page 54 of 175) accepted this estimate without verification. Current existing County cannabis ordinance Section 22.40.040 A.2.a. requires that "A detailed inventory of energy demand prepared by a Certified Energy Analyst. The detailed inventory shall include an estimate of total energy demand from all sources associated with all proposed cannabis cultivation activities including, but not limited to, lighting, odor management, processing, manufacturing and climate control equipment."

TAAG Comment - The draft EIR must accurately determine the project's estimated energy use in order to evaluate the project's effect on the environment and comply with CEQA law and comply with the County's current cannabis ordinance requirements for verifying the project's annual energy usage.

6. An important environmental issue required by CEQA law is the Cumulative Effect of the Project when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects in the general Templeton area when combining the project together with other projects causing related impacts. Current SLO County cannabis ordinances allow for 141 cannabis Cultivation projects to be permitted within the unincorporated area of the County. The project's August 2019 MND – Initial Study failed to identify existing and proposed projects that should be considered in determining the cumulative environmental effects of this project. It should be noted that this project and two other cannabis projects yet to complete their County permit application and approval processes are located immediately adjacent to this project. These two adjacent projects propose outdoor and indoor cannabis cultivation operations that will produce similar environmental concerns and will violate certain County cannabis ordinance provisions such as odor detection offsite and visibility of cannabis plants offsite. The project draft EIR must determine the precise adverse cumulative environmental effects that these two other neighboring projects and other existing and proposed and future projects in the general area will have on properties, residents and business operations located in the project area. The August MND fails to provide any evidence that the cumulative effects of other cannabis projects were determined in supporting the project's MND conclusion that this project will not have a significant effect on the environment.

TAAG comment – The project draft EIR must determine the precise adverse cumulative environmental effects that these two other neighboring projects (DRC2018-00183 and DRC2019-00072 and other existing approved, proposed and future projects in the general area

will have on properties, residents and business operations located in the project area.

7. Paso Robles Water Ground Water Basin water use. The project was and appears to be in the Basin's designated area of Severe Decline that requires a 2:1 water offset saving of the project's irrigated groundwater needs. The project estimated during 2019 that annual Paso Basin ground water use to irrigate the project would be 7.29 acre feet per year (AFY). The required 2:1 water offset is then 14. irrigated 58 AFY or 4,750,908 gallons per year. The estimated project water use was documented by a Wallace Group "Water Demand Evaluation letter" dated July 25, 2019. This evaluation applied erroneous estimated water use factors based on an August 2017 Santa Cruz County EIR. This EIR used water use application rates derived from a "study" conducted in Humboldt County CA by a single nursery. No evidence exists of the accuracy of the Humboldt information that was the basis for the Santa Cruz EIR. Obviously Santa Cruz County and Humboldt County environmental and groundwater availability issues differ substantially from existing conditions at the Templeton project location. Additionally the Wallace letter admits that "Published water use values have not yet been consistently established in the industry, however the Central Coast Regional Water Quality Control Board (RWQCB) cannabis development team uses outdoor and indoor water use estimated application rates applied in the Wallace letter. This is an inaccurate statement. We have been advised by the Water Control Board in writing that the RWQCB does not provide or approve water use estimated factors for SLO County cannabis water use estimates. The responsibility of the Water Control Boards is to monitor water quality not water quantity use.

TAAG Comment – The project's revised estimated annual Paso Basin groundwater use must be based on the existing environmental factors such as weather, temperature, humidity and drought factors specifically affecting the project location. Santa Cruz County and Humboldt County estimated water use factors are not relevant to existing factors experienced at the project site.

8. Neighborhood Compatibility. This is an important issue that has created substantial controversy and opposition during the past four years regarding many of the County's proposed and approved cannabis projects. The general area of the City Boy Farms project consists of rural residential properties, adjacent properties conducting cattle grazing, grape vineyards, winery operations, a horse training facility, and an adjacent 10-acre family farm occupied by several school age children. No cannabis operations are known in the area except for a very small enclosed indoor cannabis facility. No crop production of any kind was performed during that prior ownership period of time. The project proposes to employ at least 15 workers full time with substantial worker increases during the various harvest periods experienced each year. The project proposes to create a 36-space parking area. Obviously this project is designed as an "industrial size" cannabis operation that the County classifies as a "commercial business operation" not an agricultural operation. Similar commercial cannabis operations do not exist in the So. El Pomar Road general area.

TAAG Comment – The draft EIR should consider the environmental effects of this "industrial size commercial cannabis project" on the health, safety and welfare and the potential for negative environmental impacts on the adults and children living and working in the area of the project.

Submitted for Consideration by

Murray Powell
TAAG Vice Chair
January 11, 2022