

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT
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W12a

A-4-STB-22-0028 (Van Wingerden)

FEBRUARY 8, 2023

CORRESPONDENCE

From: Anna Carrillo <annacarp@cox.net>
Sent: Thursday, February 2, 2023 8:52 PM
To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>
Subject: 12a Appeal No. A-Ş-STB-22-0028 (Van Wingerden, Santa Barbara County)

To: Coastal Commission
February 2, 2023

As a 50 year resident of the Toro Canyon Plan area I would like to make some comments regarding this project. I have been a member of the public who has been following and attending all the meetings regarding the rules and regulations for cannabis activities adopted by the County of Santa Barbara in the Carpinteria area. I actually was part of a presentation to the Coastal Commission during a public comment period probably 4 or 5 years ago. I also have spoken and attended all the meetings for this project.

1. I urge you to find “substantial issues” with this project so it will be entitled to an Appeal hearing/de novo permit at a future date.
2. There are 5 cannabis projects that have received their Coastal Development Permits that border the Arroyo Paredon Creek, but this project shares the largest footprint of the 5 along this creek and have their greenhouses in the 100’ ESH.
3. When they first applied for their CDP in 2019 they had built unpermitted greenhouse structures within the 50’ ESH. Since being granted their CDP, they have agreed to remove the greenhouse structures within the 50’ ESH, but are not willing to remove almost an acre of those greenhouse structures within the 100’ ESH that is required by the Carpinteria Agricultural Overlay and the County Coastal Zone.
4. It is vitally important that maintaining no structures in the 100’ ESH is paramount. Not only did Arroyo Paredon Creek overflow its bank in the 2018 debris flow, it also did so again 5 years later, Jan. 9, 2023.
5. Allowing the county to adjust a setback requirement does not set a good precedent especially as there can be dire consequences when the creek overflows its banks.
6. The bridge at the state highway 192 was completely rebuilt and this creek also caused problems at the 101 both times, closing it in 2018 and also again in 2023 after receiving 8 inches of rain.
7. Arroyo Paredon Creek is a federally designated critical habitat for Southern California steelhead

and tidewater goby. When Caltrans replaced the bridge over Arroyo Paredon Creek after the 2018 mud debris flow, Caltrans installed a fish ladder for the steelhead. Also in the Caltrans 2022 update on the fall 101 Project Update, there is a picture of team biologists safely relocating **6,427 tidewater gobies** before installing the new bridge at 192.

8. Unfortunately, the report done by Storrer Environmental Services, LLC Nov. 2021 stated “due to the intermittent nature of Arroyo Paredon and lack of pools, the likelihood of sensitive fish species such as the tidewater goby and Southern California steelhead near the project site is low” is not correct. **There are in fact significant coastal resources being affected.**

9. Arroyo Paredon Creek is a pristine creek at 192, but by the time it travels downstream toward the Pacific Ocean the creek is very polluted, full of algae bloom probably from the fertilizers being used by those cultivation sites located along the creek.

10. Because this cannabis operation is in the FEMA Recovery Map High Hazard Area, the structures need to be floodproofed to a minimum of the Flood Advisory Elevations plus 2 feet .

11. Because of the proximity of this project to the creek, it is very important that this creek be protected and structures within the 100' ESH be removed.

12. The Coastal Commission warned that the County's ability to modify the setback and buffer standard of the LCP **sets a bad precedence and undermines resource protection in the LCP policies.**

Thank you for your consideration,
Anna Carrillo

From: in <garydel@aol.com>

Sent: Friday, February 3, 2023 8:57 AM

To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>

Subject: 12a) Appeal No. A-4-STB-22-0028 (Van Wingerden, Santa Barbara County)

This request is in support of a de novo Appeal Hearing to present the “substantial issues” that were not a part of the current decision. These issues follow...

- Request removal of approximately 1½ acres of development that would remain within 100' Environmentally Sensitive Habitat of the Arroyo Paredon Creek which the Toro Canyon Plan and Carpinteria Agricultural Overlay prohibit.
- With the recent rains in 2023 the creek overflowed its banks again both at 192 and Via Real and forced Hwy. 101 to be shut down.
- Allowing this Project may cause irreparable harm to the creek from internal irrigation pipe leaks, hot water storage tank leaks, and leaking fertilizers during natural disasters, ie. flooding, earthquakes, fire, etc.
- The permitting of 2 legal non-conforming structures, within the ESH, to be enlarged and expanded (by raising their height to 22 ft.) is not permitted in the Carpinteria Agricultural Overlay.
- Allowing Santa Barbara County to interpret the Coastal Zoning Ordinance to give structures with nonconforming status conforming status sets a bad precedent and has the potential to undermine Local Coastal Program protections.
- 3508 Via Real is one of the 5 approved cannabis sites bordering the Arroyo Paredon Creek with the longest border right next to operating greenhouses.
- Need to protect federally endangered tidewater goby and the southern California steelhead trout.
- 6,427 tidewater gobies were safely and manually relocated from Arroyo Paredon Creek, by Caltrans team biologists, in advance of construction at the Arroyo Paredon Creek Bridge (Caltrans 2022 update).
- After the 2018 debris flow Caltrans in rebuilding the bridge for State Highway 192 installed fish ladders in this creek.

Thank You for considering these issues in support of the requested de novo hearing appeal.

Gary Delanoeye

From: Gail Stassinis <stassinosgail@gmail.com>
Sent: Wednesday, February 1, 2023 9:31 AM
To: SouthCentralCoast@Coastal <SouthCentralCoast@coastal.ca.gov>
Subject: re item 12a Appeal ASTB 220028 re 3508 via real development

this is in support of the appeal of jill stassinis and other concerned carpinteria residents. Your Commission has concede that the County's position in support of the development is largely based upon invalid grounds, but then goes on to state that appellants raise issues that are not [substantial.to](#) the contrary, the appeals raise issues of risk of substantial harm to the environment if the development is allowed without further safeguards,.this is abundantly illustrated by the recent creek overflow during the storm several weeks ago, which forced closure of several roads and even highway 101.certainly, the likelihood of similar events in the future seems reasonable, and will clearly present more than a "de minimus" (or even moderate) risk of harm to the environment as well as cost to the gove