

## EXHIBIT 4

### VENTURA COUNTY AGRICULTURAL COMMISSIONER'S OFFICE SUMMARY OF COMMENTS RECEIVED REGARDING PROPOSED HEMP REGULATIONS

The nature of the comments is summarized here. Comments against the cultivation of hemp are treated first, followed by those in favor.

#### Comments in Favor of Restricting Hemp Production

- Comment. The principal complaint was odor. In fact, almost all other complaints, such as health concerns, air quality and quality of life, derived from odor. Hemp odor was described as a “stench” and compared to a skunk. The odor was reported to be so overwhelming that people closed their windows and were unable to go out and enjoy their property. Many feared that property values would fall as a result. Most complained of intolerable conditions at home, usually at night. Some, especially in Camarillo, objected to odors detected commuting to and from work or while visiting businesses.

Most complaints came from neighborhoods in Moorpark near the Tierra Rejada Valley. Camarillo residents also generated a large proportion of complaints, with Ojai, Fillmore, Santa Paula, Thousand Oaks, Ventura, Somis, and Piru contributing relatively few by comparison.

- Response. Clearly, some residents were disturbed by hemp odors. Though significant acreage in 2019 was planted by mid-July, complaints did not surface in earnest until nearly September, when plants were large and in full flower. It is the female, resin-laden flower which generates most of the hemp odor. The proposed ordinance mitigates odor primarily in two ways: setbacks from sensitive sites and “harvest discipline.” Setbacks will result in hemp cultivation being pushed away from urban residential areas. This alone would have reduced the 2019 impact of odors in certain highly sensitive areas such as the Serenata Neighborhood adjacent to hemp fields in the Tierra Rejada Valley. And Camarillo’s Leisure Village, which was adjacent to a hemp planting on unincorporated land just over its walls. In Tierra Rejada, a modest setback would not only have put hemp fields farther from homes, it would have likely reduced the total acreage planted in the valley. These two mitigations would have reinforced each other, significantly reducing the level of hemp terpenes in the air above Moorpark.

In Camarillo, with the exception of the Leisure Village site and a small plot in the city itself, little hemp was grown close to the city. However, more than half of the 3600 acres of hemp grown countywide was on the Oxnard Plain. Here, the harvest discipline provision will play a greater role. This will require that, for hemp grown within one mile of sensitive sites, hemp must be harvested promptly, within 30 days of receipt of the laboratory analysis report mandated prior to harvest. In 2019, growers who were unprepared for harvest due to bottlenecks in equipment availability or processing were allowed to retest the crop and start a new thirty-day clock. In both Tierra Rejada and the Oxnard Plain, this led to crops which sat in the field for months beyond the ideal harvest window. By significantly reducing the time mature hemp sits in the field, this provision would substantially lessen the terpene load in the air around urban areas.

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- Comment. Health was a concern. People complained of respiratory trouble, headaches (including migraines), nausea, allergies and health impacts generally.
- Response. The above-mentioned rules to mitigate odor will reduce hemp terpene concentration in the air around urban residences. This alone will improve things for those who experienced health impacts from hemp. No evidence has been presented that odors alone (terpenes and other volatile hemp compounds) negatively impact health, though odors are known to induce migraines and certainly nausea in some. Pollens are known allergens. Hemp is a wind-pollinated plant and thus contributes allergens to the air. Other common sources of pollen allergens are grasses, certain trees (oaks, etc.), and wind-pollinated agricultural crops like grains, beets and spinach. Hemp is grown commercially for many purposes, but primarily for fiber, grain (hemp seeds as food), cannabinoids (CBD, CBG, etc.), "smokables" (dried and smoked), and seed for planting. The first two produce pollen but are not viable locally due to low value per acre. Cannabinoids and smokables are grown in a pollen-free environment. Hemp for seed is the only locally grown hemp that releases pollen. Because of conflict with other non-pollen hemp operations or genetic contamination of rival seed crops, all seed (and therefore pollen) production will be relegated to remote sites or contained in greenhouses under the pollen control provision of the proposed ordinance. Part of that provision requires that growers patrol their fields and promptly remove male plants discovered.
- Comment. Many comments addressed hemp regulation directly. Setbacks or buffer zones were often cited, with many expressing that the current half-mile setback in the urgency ordinance should be retained, if not increased to a mile or more. Several comments urged that any setback be scientifically based, accounting for topography, prevailing air movements and the characteristics of the hemp varieties grown.
- Response. Hemp odor is a subjective thing. No formula will salve all wounds. This ordinance bases mitigations on an analysis of the volume, nature and location of complaints mapped against where hemp was and was not grown in 2019. The half-mile setback removes more than 30% of available farmland from potential hemp production. One mile would remove more than 60%. Staff feels that the combination of the proposed setback with harvest discipline will reach a reasonable compromise for both growers and the community.
- Comment. A complete moratorium was advocated by some.
- Response. Banning hemp entirely imposes costs which may not be recoverable. Some commenters shared that the urgency ordinance caused hemp buyers to seek product elsewhere and abandon Ventura County due to uncertainty. Once a market is lost, it is hard to regain. This ordinance seeks to take sensible, incremental steps toward a balance between the valid interests of both farmers and urban residents.

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- Comment. Some expressed concern that exceptions for research, or odor-mitigated greenhouses were Trojan Horses that would bring hemp cultivation to their doorsteps. A pervasive concern was that an exemption for 5-acre research or greenhouse operations within a setback zone would permit a farmer to subvert the intent of the exemption and simply subdivide a large field into 5-acre entities.
- Response. A key feature of the proposed ordinance's exemptions for growing inside the setback zone is that they are low density exemptions. They require that small, exempt plantings are setback from each other by one-half mile so that they are not packed into the buffer zone and are spread apart from others.
- Comment. Some commenters showed distrust for low-odor hemp varieties, questioning how the determination would be made and whether such a thing even exists. This was another exemption feared as a loophole to dodge regulation.
- Response. The proposed ordinance establishes a formal process for listing a variety as low-odor, a process which includes public notice and input. Low-odor hemp does exist. Some county growers are growing it now. Some varieties high in CBG (Cannabigerol) emit little but a mild lemon scent. It makes sense that if the complaint about hemp is its skunky smell, then a variety not exhibiting that feature be excluded from restrictions designed to fight odor.
- Comment. Exemptions for "transplants" (plants started by nurseries to be shipped to field for planting) were also looked upon with suspicion by some. The proposed ordinance restricts the growing of flowering hemp, not seedlings to be removed while still young.
- Response. The VCAC staff has extensive first-hand experience with hemp in all its stages. Large numbers of non-flowering hemp plants give off significantly less odor than flowering plants, if any. As stated above, complaints about hemp smell in 2019 did not come on strong until September, after plants which had been in the ground for months were in full bloom. Restricting the production of transplants would be an arbitrary prohibition which solves no problem.
- Comment. Cities and others expressed concern that sensitive receptors were too narrowly defined in the proposed ordinance, advocating that city limits, or zones labeled Ag Exclusive be included because such zones permit residential dwellings; that, in addition to residential properties, schools, daycare centers and hospitals, parks, hotels, golf courses, retail, and commercial be defined as "sensitive."
- Response. The proposed ordinance makes a distinction between urban and agricultural receptors. Little evidence has been presented that hemp fields are a health hazard, mostly that they are a nuisance to some. It makes sense that agricultural/rural

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residents have a different expectation of their environment than urban dwellers. The point of zoning land for different uses is based on this idea. It is reasonable to expect agricultural zoning to be more tolerant of agricultural issues, including its diverse and visceral odors.

- Comment. Some have claimed that hemp cultivation invites crime, luring out of county thieves who also commit other crimes after stealing hemp.
- Response. Although the Sheriff's office has indicated there were several thefts of hemp reported and several arrests made, including those from outside of Ventura County, they also have indicated that other venues such as retail outlets and the Fair attract out of area thieves, and that hemp theft has not been much more prevalent than other agricultural crimes. To address some of these concerns, the Hemp Regulations require growers to develop a site security plan and submit it to the Commissioner. This provides an opportunity to for review and make recommendations to the grower for added security.
- Comment. Some have complained that greenhouses with bright lights and noisy air filters were nuisances themselves.
- Response. Greenhouse production has not been specifically addressed in the proposed Hemp Regulations. However, should the Board choose to include regulation of greenhouses, staff has provided recommendations for setbacks, odor control measures and lighting restrictions in the Staff Report.

#### Comments Against Restriction of Hemp Production

Many commented positively about hemp cultivation, almost universally opposing its regulation beyond that of any other agricultural commodity. Support is characterized as follows:

- Comment. Hemp doesn't smell bad.
- Response. Good and bad are subjective evaluations when it comes to odor. Clearly, hemp odor was highly disturbing to some. Many took the time to wait for hours at board meetings to get the chance to convey their distress in public forum. The proposed ordinance cannot ignore this condition.
- Comment. Ventura County is an agricultural area.
- Response. Ventura has a robust agricultural sector, as well as ten cities and a smattering of other areas identified as "existing communities" in the county general plan. The proposed ordinance takes into account the expressed concerns of both

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sectors, creating separation between hemp fields and urban residential uses and enforcing "harvest discipline" to shorten field time.

- Comment. Many expressed that government shouldn't be telling farmers what to grow.
- Comment. Some claimed that the County's SOAR ordinance already limits farmers' options, agriculture fights urban sprawl, and once opportune markets are lost they will not return.
- Comment. The Urgency Ordinance violates CEQA, State and County Right to Farm laws, County General Plan
- Response. Many residents and city governments have expressed that they consider hemp to be a nuisance. The proposed Hemp Regulations seek to address that grievance while minimizing impact to farmers choice in what to grow.
- Comment. Commenters touted the many benefits of hemp, citing its diversity of uses, such as a source of fiber, food, building material and medicine, offering a new tool for farmers. Some noted that hemp is known to require reduced amounts of pesticides and use less water compared to some other crops.
- Response. The many uses of hemp are well-established, but nothing requires that the plant needs to be grown near densely populated areas for these benefits to materialize.
- Comment. Many commenters pointed out that industrial hemp is not pot and that no one can use it to "get high," implying that much of the opposition owes not to odor, but to judgment against drug use.
- Response. Some of the anti-hemp comments received did in fact betray confusion between hemp and marijuana.