

# Daily Journal

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## Top Cannabis Lawyers 2022



### Amy M. Steinfeld

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP  
SANTA BARBARA



Amy M. Steinfeld is a shareholder and the office managing partner at Brownstein Hyatt Farber Schreck, LLP, where she co-chairs the cannabis and industrial hemp industry group. Her primary focus is the intersection of land use and water law, along with public agency

and administration law. She joined Brownstein Hyatt's predecessor firm in 2005 before a 2008 merger.

Steinfeld was ready in 2017 when Santa Barbara County put in place regulations for the newly legal cannabis industry. "I'd been doing environmental and water law for years. The county opened its arms to sun-grown cannabis, and we are blessed with almost perfect climate conditions."

But there was immediate pushback from the region's wine industry, which formed a NIMBY group called the Santa Barbara Coalition for Responsible Cannabis Inc. "It was a front for, 'We don't like cannabis,'" Steinfeld said. An early target was Busy Bee's Organics near Buellton.

When the county issued owner Sara Rotman a permit, the coalition petitioned for a writ of mandate to set it aside, alleging a prejudicial abuse of discretion. Steinfeld successfully defended the client through five administrative appeals at the planning commission and board of supervisors and in trial court litigation. *Santa Barbara Coalition for Responsible Cannabis Inc. v. County of Santa Barbara*, 20CV01736 (S. Barbara Co. Super. Ct., filed April 23, 2020).

It was legacy agriculture versus the upstarts. The dispute was the county's first cannabis cultivation case to reach trial and the first in California in which the plaintiff invoked the California Environmental Quality Act. Steinfeld

said it was a matter of first impression "that allowed us to showcase our problem-solving capabilities."

One of the claims argued by the winegrowers was that the odors of growing cannabis would contaminate nearby wine grapes with so-called terpene drift and taint, the aerial migration of the plants' chemical compounds. The plaintiffs contended that made cannabis incompatible with other crops.

"They found a case from Australia in which nearby eucalyptus trees allegedly altered the taste of wine from a vineyard, so we came back with science of our own," Steinfeld said. "Sara Rotman is a total rockstar who was on board with getting the best experts to make our case."

The science the defense experts produced undercut the plaintiff's claims. Santa Barbara County Superior Court Judge Thomas P. Anderle wrote terpene taint was only "speculative" and outside the scope of CEQA law, he noted that "speculation is not substantial evidence."

The denial of the winegrowers' petition was a major win. "It quieted down the coalition and took the wind out of their sails," Steinfeld said. "They appealed, then decided not to pursue the appeal. Now they are working with our growers, not against them."

— John Roemer