

Sheila de la Guerra **Public Comment**

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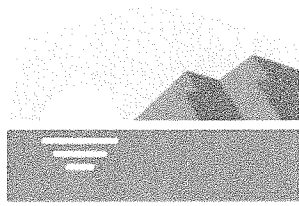
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**From:** Jared Ficker <Jared@axiomadvisors.com>  
**Sent:** Monday, April 22, 2024 8:27 PM  
**To:** sbcob  
**Cc:** Steve Lavagnino; Joan Hartmann; Supervisor Das Williams; Laura Capps; Supervisor Nelson; Whitney Collie; Peter Dugre  
**Subject:** Item #4 CARP Growers comments  
**Attachments:** Item 4 - CARP Growers Comments 4-22-2024.pdf

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Please see the attached comment letter from Carp Growers on Agenda Item 4. Thank you for your consideration.



**CARP  
GROWERS**

**Carpinteria Association for Responsible Producers (CARP) Growers**  
1072 Casitas Pass Road Suite 301  
Carpinteria, CA 93013  
[info@carpgrowers.org](mailto:info@carpgrowers.org)

April 22, 2024

Board of Supervisors  
Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
[sbcob@countyofsb.org](mailto:sbcob@countyofsb.org)

Subject: Board of Supervisors Meeting 04/23/24: Item 4 - Briefing on Cannabis Odor Abatement Plan Compliance Monitoring in Santa Barbara County

Dear Chair Lavagnino and Honorable Supervisors,

CARP Growers was initially formed with the inclusive idea that all members operating in the local legal Cannabis industry have aligned interests. Those interests have always included being good neighbors by fostering an attitude of cooperation and kindness within the community of Carpinteria and being compliant with the Santa Barbara County cannabis ordinances. From its inception, CARP Growers has been attentive to issues involving the subject of cannabis odor in and around Carpinteria as evidenced by the Agreement between the Santa Barbara Coalition for Responsible Cannabis and CARP Growers and in some cases going above and beyond what is currently required by the County cannabis land use ordinance.

We appreciate the work presented by the County staff and consultants to prepare an update report on the status of odor in the Carpinteria area. It chronicles the substantial work done by CARP Growers members to address odor, and largely demonstrates that odor has been controlled consistent with the ordinance requirements to protect sensitive receptors. However, the summary also identifies areas and approaches to address odor control beyond the requirements of the ordinances.

Below are comments on the potential next steps recommended in the Board letter:

Potential Next Steps (from Board Letter)	CARP Growers Comment
<p>1. Study the power supply demand and capacity in the Carpinteria area to determine the feasibility of utilizing the technologies being proposed, such as photocatalytic oxidizers, molecular scrubbers, and/or carbon scrubbers/filters in cannabis OAPs.</p>	<p>CARP Growers <u>supports</u> this recommendation. Many CARP Growers have been navigating power upgrades with the County and SCE for years and some upgrades are financially infeasible or simply cannot not be resolved without looking more comprehensively at the power infrastructure in the community.</p>
<p>2. Amend the land use development codes to:</p> <p>a. <i>Require use of specific odor control technology</i> that includes photocatalytic oxidizers, molecular scrubbers, and/or carbon scrubbers/filters, or an equivalent system where appropriate</p> <p>b. Require quarterly OAP inspections during the first year of operation and annual OAP inspections thereafter</p>	<p>CARP Growers <u>opposes</u> this recommendation without modification. The requirement of specific odor control technology must be supported with science and must also consider the site-specific considerations to optimize control technology for the specific site. CARP Growers supports regular OAP inspections, but the current costs that are charged to CARP Growers for each inspection are extreme and CARP Growers recommends the County develop an inspection fee that is more reasonable and reflective of the actual work done with the inspections. All of our member' operations are permitted already, so the most efficient way to address this issue is to work with the existing operators on the applicability of their already robust Odor Abatement Plans. Efforts to amend the land use development code would be more time-consuming and ultimately would not be applicable to existing permitted operations.</p>

<p>3. Research the feasibility of establishing a threshold (e.g. D/T measurements) used to determine compliance with approved OAPs and to identify when corrective action is appropriate (i.e., operations would be required to deploy the most appropriate BACT for the site).</p>	<p>CARP Grower <b>supports</b> this recommendation. It's important that the research on this topic is transparent and available to review. CARP Growers recommends the County convene a science symposium which is open to the public as part of this research. Establishing a threshold is challenging since odor is very subjective, but CARP Growers supports more research in this area and is open to sharing its findings. The research should be reviewed and presented to the Board prior to any policy recommendations being considered.</p>
<p>4. If the Board wishes to narrow the type of BACT that can be used to address odor to a specific technology (e.g., photocatalytic oxidizers), then staff recommends conducting additional research of odor control technologies. This research would include a peer review of the Initial Scrubber Efficacy Assessment and Odor Study at Roadside Blooms prepared by SCS Engineers in November 2022.</p>	<p>CARP Growers <b>opposes</b> this recommendation with the following clarification. Best Available Control Technology (BACT) is not typically a one-sized fits all concept, nor is every cannabis operation the same, nor are all operations in the same proximity of sensitive receptors. Currently, prioritization for the installation of photocatalytic oxidizers have been in areas of closest proximity to sensitive receptors. More research is needed on alternative technologies and operational practices. The research should be reviewed and present to the Board prior to any policy recommendations being considered.</p>

CARP Growers members have generated approximately 75% of the cannabis tax revenue received by the County since the 2018/19 fiscal year generating approximately \$37,500,000 just from our members over the last five years. In addition, we have separately invested tens of millions of dollars in odor control technology, research and development, technical consultants, weather stations and worked to reach a comprehensive agreement with the Santa Barbara Coalition for Responsible Cannabis which is now reflected in all of our Odor Abatement Plans. This body of work and expenditure has produced Odor Abatement Plans that are largely working and are in compliance with the cannabis land use ordinances as discussed in the Board letter. If the Board desires to expand odor control beyond the requirements of the ordinance, the most expeditious way to impact this is through investment of the substantial annual tax revenue already and continuing to be provided to the County for these operations.

If the Board has further interest in expanding odor control, CARP Growers has the following additional recommendations:

- 1) There County should develop a tax credit program to provide incentive for more investment in technology that that addresses odor above and beyond the current ordinance requirements, and existing installations may be eligible. Eligibility for the tax credit requires the operator to demonstrate the benefits of the odor control technology to reduce odor beyond the requirements of the existing ordinances.
- 2) The County should establish a task force on permit expediting for all odor control technology.
- 3) The County should establish a task force on power upgrades and infrastructure needed and consider funding such infrastructure upgrades to support some community desire to control odor above and beyond the ordinance requirements.
- 4) The County should develop an interoperable odor complaint/observation system that reports to operators in real time the nature of the report to seek to verify the information to make it actionable in the operators' required tiered response in their Odor Abatement Plans.

It is clear from the work contained in the Board letter, prepared by your staff and consultants, that a lot has already been accomplished related to cannabis odor control. We strongly urge the Board carefully consider this information and help support the research and work necessary to further inform additional policy recommendations. There is substantial variability at each of the cannabis operations and it important the Board is informed about how to best make policy that is durable and appropriately match with the problem.

Thank you for the opportunity to provide these brief comments. CARP Growers and its members look forward to participating in this hearing and developing creative, cost-effective, and expeditious solutions with the community and the County to address odor concerns.

Thank you for your consideration of our comments.

Sincerely,

/S/ Whitney Collie  
President  
CARP Growers