



# Appeal of the G&K Processing Facility

March 1, 2022

# The Project Would Compound An Existing, Unaddressed Nuisance

Why should the County grant more entitlements to an operator with a poor current track record?

- G&K's permitted cannabis greenhouse operations at the site have caused a **significant odor and air quality nuisance** since its CDP was approved, including pungent marijuana VOCs (ozone precursors) and emissions from an ineffective vapor phase system.
- Residents of the La Mirada, Padaro Ln, and the Foothill and condo neighborhoods, as well as visitors to Santa Claus Ln, associated beach areas, and bikers along Foothill Rd, are regularly subjected to **noxious cannabis fumes that put our quality of life and health at risk and impede our ability to enjoy the coast.**
- **Despite countless complaints** through the County's cannabis odor complaint survey site and to County staff, the **issues still persist.**
- It **does not make sense to compound an existing nuisance, with a poor operator track record**, by allowing the expansion of the most emissions-causing cannabis-related activity – processing – on the site, with additional marijuana coming in from another cultivation facility.

Waiting for an operator to prove over time that they can be a good neighbor and not cause significant air quality and odor impacts seems a prudent approach, before greenlighting expanded resident-impacting operations.

# The County is not able to enforce required controls and conditions

Why should we allow more entitlements when the County cannot enforce existing controls to safeguard residents?

1 **Required Control:** Existing activities on Project site require quarterly inspections, including - critically - review by a professional engineer/industrial hygienist to ensure effective odor control systems.

2 **Required Control:** G&K's existing operation is also subject to an annual business license renewal process (last renewed 11/3/21) that requires professional engineer/industrial hygienist review of odor control system efficacy.

## **Current Situation:**

- *There are hundreds of odor complaints in the Project vicinity per County records.*
- *Required quarterly and annual professional engineer/industrial hygienist reviews have not occurred to ensure odors are not experienced in residential zones.*
- *In discussing with Planning, there is not sufficient technology or consultant staffing to pinpoint the source of odors experienced in residential areas.*
- *There is not currently an ability to enforce the standard that odor should not be detectable in residential areas.*

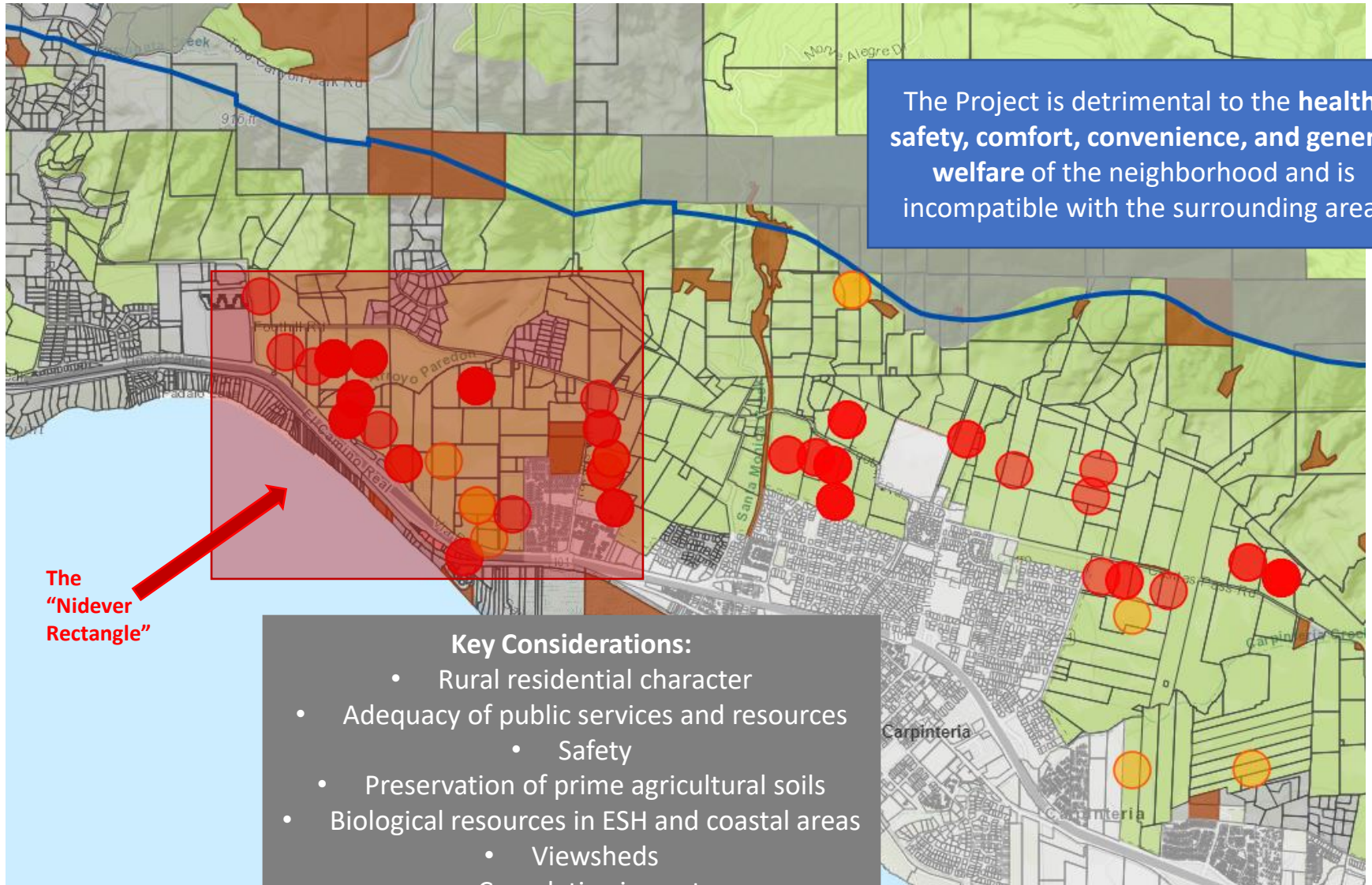
To be clear, this is not the fault of County staff. It is apparent that they are trying their best but are not sufficiently funded or equipped with technologies that would enable them to meaningfully fulfill the basic controls that were established to safeguard residents.

With insufficient enforcement of the controls required for the existing permitted project, it does not make sense to further add to the density of issues at the project site.



# Community Plan and Coastal Act Incompatibility

Extreme density in “Nidever Rectangle” of Carpinteria Valley is inconsistent with the Toro Canyon Community Plan



The Project is detrimental to the **health, safety, comfort, convenience, and general welfare** of the neighborhood and is incompatible with the surrounding area.

The  
"Nidever  
Rectangle"

- Key Considerations:**
- Rural residential character
  - Adequacy of public services and resources
    - Safety
  - Preservation of prime agricultural soils
  - Biological resources in ESH and coastal areas
    - Viewsheds
  - Cumulative impacts

# Environmentally Sensitive Habitats & Coastal Health Are At Risk

Coastal streams and riparian habitats are threatened by this development

- The Project is within the **mapped riparian ESH area of Arroyo Paredon**, a coastal stream in a high flood hazard area.
- Due to the density of this project and surrounding pipeline projects, there are significant risks from cannabis VOC emissions, which, coupled with NOx (readily present from neighboring freeway) can form **dangerous ground-level ozone**, a known health risk.
- The Planning Commission erred in not adequately considering the ESH, given the **increase in built structures, traffic, runoff risk and worker activity**, as well as additional utilization of **vapor phase odor control systems**.
- Per the project OAP and the legacy approved CDP, we can expect use of **3-6 gallons per day of Ecosorb or comparable vapor technology**.
- Assuming that other operators in Carpinteria Valley utilize similar daily volumes of Ecosorb per site, 365 days/year, with ~25 existing grow operations in Carpinteria Valley (not including the many in the permitting pipeline), we can expect an order of magnitude of **27,375 to 54,750 gallons (which equates to 862 to 1725 tons) per year of Ecosorb falling to earth, soil, stream and sea**.
- This huge quantity of Ecosorb, released continuously over time, will slowly degrade, meanwhile **building up cumulative concentration levels to as high as 1565% of the original Day 1 dose** due to a delayed degradation timetable.

Cannabis VOC emissions (terpenes) can create ground-level ozone and contribute to respiratory issues.

Vapor technology presents an unprecedented and gravely irresponsible ad hoc, unscientific experiment on human and ESH health.

We are putting at risk plant, animal and human health, as well as coastal-feeding stream water quality and prime agricultural soils.

# Coastal Land Use Plan, Coastal Zoning Ordinance, and Coastal Act Concerns

- Differential Zoning of Similar Parcels in Coastal Zone vs Inland
- Project Impairs Coastal Access, Recreation and Visitor Serving Uses
- Project Inconsistency with Development Standards of Agricultural Overlay District
- Coastal Commission's Recommendations to Local Governments Regarding Cannabis and LCPs – this Project exemplifies concern areas
- Project Inconsistency with several Comprehensive Plan and Coastal Act Policies that were noted in the Coastal Commission Staff Report on September 27, 2018
- Coastal Commission retains a critical oversight role over developments
- The Project's issues, if today's appeal is denied, merit de novo review given the environmental and coastal damage this Project and the broader County LCP present

We are jeopardizing the ability for residents and visitors to enjoy the beach and coastal zone – clean air and water being paramount considerations.

# In Closing

Thank you for your time – a quick recap

- 1 **Existing Nuisance:** The project would compound an existing, unaddressed nuisance from the permitted greenhouse operations, affecting residents and impeding enjoyment of the coast.
- 2 **Ineffective Oversight:** The County is not currently able to enforce even the meager existing controls and conditions in place to protect the community from experiencing odors in residential zones.
- 3 **Incompatibility:** The Project is incompatible with the Toro Canyon Community Plan (rural residential character, adequacy of services, safety, preservation of prime agricultural soils, viewsheds).
- 4 **Environment:** The ESH, water quality, agricultural soils, and human health, are at risk from cannabis VOCs and vapor phase odor control.
- 5 **Coastal Act & Associated Concerns:** This project presents significant concerns with respect to Coastal Act, Coastal Land Use Plan, and Coastal Zoning Ordinance and raises issues of statewide importance.

Respectfully, I urge you to deny this Project.