



COUNTY EXECUTIVE OFFICE
Mona Miyasato, County Executive Officer
Tanja Heitman, Assistant County Executive Officer
Wade Horton, Assistant County Executive Officer

Multi-Technology Carbon Filtration (MTCF) or Equivalent Installation Extension Form

I. APPLICANT INFORMATION

Name: Eric Edwards
Business Name: Emmawood B1, LLC
Facility Address: 5888 Via Real, Carpinteria, CA 93013
License Number(s): CNBS-CUL-00054, CNBS-CUL-00055
Contact Email: eric@goheadwaters.com
Phone Number: 818-402-4168

II. EXTENSION REQUEST DETAILS

Pursuant to Santa Barbara County Code Chapters 35 and 50, I hereby request a one-time extension of up to twelve (12) months for the installation of a Multi-Technology Carbon Filtration (MTCF) system or equivalent equipment.

Requested Extension Period (up to 12 months): From: March 31, 2026 To: March 31, 2027

Reason for Request (check all that apply):

- [x] Supply Chain Delays
[ ] On-site/Off-site Power Upgrade Issues or Availability
[x] Other (please explain):

See attached narrative and supporting documentation.

Please attach a narrative explaining the extension request. Include the details of the supply chain delays and/or power upgrade availability; attach timelines, correspondence, and supporting documentation to substantiate the request.



**III. REQUIRED STATEMENT**

I understand this request is subject to review and recommendation by the Planning and Development Director or, for operators located within the Carpinteria Overlay, the County Executive Office until such time that the Coastal Commission certifies the applicable code amendments.

I further understand that the deadline for submission of this extension request is December 31, 2025, and that failure to install the required odor control system or receive an approved extension may result in the denial of license renewal or license revocation.

**IV. DECLARATION**

I declare under penalty of perjury under the laws of the State of California that the information provided in this form is true and correct to the best of my knowledge, and that this request was executed on this 7th day of November, 2025 in Los Angeles, California (City, State).

Signature:  \_\_\_\_\_

Print Full Name: Eric S. Edwards, Esq.

Title: Counsel

**V. INTERNAL USE ONLY**

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed and Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Recommended to the BOS: Yes / No

Reason: \_\_\_\_\_

Approved by the BOS: Yes / No

Date: \_\_\_\_\_

Reason: \_\_\_\_\_

Extension Period: \_\_\_\_\_

Installation Deadline: \_\_\_\_\_



Emmawood B1, LLC  
5888 Via Real  
Carpinteria, CA 93013

November 7, 2025

Santa Barbara County  
105 E. Anapamu Street  
Santa Barbara, CA 93101

**RE: Request for One-Year Extension — Multi-Technology Carbon Filtration Installation**

To Whom It May Concern:

Emmawood B1, LLC (“EB1” and together with its affiliates, “Headwaters”) respectfully submits this request for a one-year extension to the installation deadline for the required Multi-Technology Carbon Filtration (“MTCF”) or equivalent odor control system.

**Background**

On April 1, 2025, the Santa Barbara County (“County”) Board of Supervisors (“Board”) adopted Ordinance 5246, amending Chapters 35 and 50 of the Santa Barbara County Code (“County Code”) to require all indoor and mixed-light cannabis cultivation facilities to install MTCF or equivalent odor control systems (“Ordinance Amendments”). The Ordinance Amendments established a compliance deadline of March 31, 2026, for installation (“County Deadline”).

Because Chapter 35 serves as the County’s Coastal Zoning Ordinance within the Local Coastal Program (“LCP”), the provisions applicable to facilities located in the Coastal Zone required certification by the California Coastal Commission before becoming fully operative. Even before the Board’s adoption – and in anticipation Coastal Commission certification – Headwaters was actively working toward meeting and exceeding the County’s odor-control standards to ensure timely compliance and responsible implementation.

Headwaters has been an active participant in the County’s ongoing and multi-year discussion surrounding cannabis-related odors. As one of the early adopters of vapor phase technology in the Carpinteria Valley, well before such measures were mandated by the County, Headwaters has demonstrated a sustained commitment to addressing odor impacts in the community.

Even prior to the Board’s adoption of the Ordinance Amendments, Headwaters undertook a multi-phased approach to identify, evaluate and implement an effective odor control solution. In March 2025, Headwaters solicited proposals from various technology vendors for its Carpinteria-based facilities. In May 2025, Headwaters retained SCS Engineers (“SCS”) to support engineering analysis and system design recommendations.

Over the past year, Headwaters conducted extensive reviews and meetings with odor-control technology vendors, including Byers Scientific, Envinity Group and Genesis Air. Headwaters’ evaluation considered several key factors, including efficacy, availability, ease-of-use, maintenance, installation, power consumption and cost.

In July 2025, Genesis Air conducted efficacy testing of their odor control units (the “GA Units”) at a neighboring greenhouse cannabis facility in Carpinteria. The results of these tests were promising and advanced Genesis Air to the top of Headwaters’ list. In September 2025, Genesis Air conducted additional safety testing to evaluate system performance in humid greenhouse environments. The results confirmed the safety of the GA Units when deployed in a facility comparable to EB1’s and are attached for reference.



After careful review of the SCS-conducted testing and comparative evaluations, Headwaters selected Genesis Air and the GA Units for EB1. Headwaters subsequently finalized its engagement with York Engineering – initiated in March 2025 – to prepare an updated odor abatement plan (“OAP”) for submission to the County’s Planning Department (“Planning Department”). York Engineering’s proposal is attached for reference. The preparation of EB1’s OAP is currently underway.

### **Basis for Extension Request**

Despite EB1’s substantial progress to date, EB1 respectfully requests a twelve (12) month extension for the following precautionary reasons:

1. **Supply Chain Delays**

The Genesis Air odor control units, like all technologies previewed by Headwaters, utilize specialized components with complex supply chains. While the GA Units are manufactured domestically – a key factor in Headwaters’ selection – unforeseen disruptions in component availability or shipping could impact delivery schedules. A precautionary extension would safeguard compliance in the event of supply chain interruptions beyond EB1’s control.

2. **Permitting Delays**

Preparation and review of OAPs often involve multiple rounds of technical review and coordination among the Planning Department, Geosyntec (the County’s contracted odor consulting firm) and applicants. As one of the first full-scale MTCF installations in the Carpinteria Valley under the new Ordinance Amendments, EB1’s project may require additional interagency review, including potential input from Santa Barbara County’s Air Pollution Control District (“APCD”). The GA Units, however, offer advantages that reduce permitting complexity: the units can integrate with existing electrical infrastructure and even replace current fans (reducing the potential electrical load resulting from the MTCF installation and avoiding the need to pursue a power upgrade for the system’s installation). Even so, a precautionary extension is prudent to accommodate potential review or permitting delays.

### **Conclusion**

The decision to select and implement an odor abatement technology involves complex considerations, including power constraints, supply chain logistics and significant capital investment. Headwaters believes that its selection of the GA Units will effectively mitigate fugitive odors while enabling timely compliance with County requirements.

EB1 remains fully committed to completing its MTCF installation well before the extended deadline and to working cooperatively with the County throughout the process. Despite diligent progress, certain factors remain beyond EB1’s control. This extension request ensures regulatory compliance and business continuity under the County’s evolving odor-control framework.

Headwaters appreciates the County’s consideration of this request and is available to provide additional information, documentation or updates upon request.

Sincerely,

  
Eric S. Edwards, Esq.

7 October 2025  
File No. 24225267.00

## DATA REPORT

TO: Josh Long, Executive Vice President  
Genesis Air  
5202 County Road 7350  
Lubbock, TX 79424  
[josh.long@genesisair.com](mailto:josh.long@genesisair.com)

FROM: SCS Engineers  
2370 Skyway Dr, Ste 101  
Santa Maria, CA 93455

SUBJECT: Data Report for Effluent Analysis of Genesis Odor Control Units

Dear Mr. Long,

Genesis Air (Genesis) requested assistance from SCS Engineers (SCS) with services related to the assessment of concentrations of specific pollutant classes within the ambient air the Genesis odor control units (Units) are operating. Testing was conducted over three (3) days at a cannabis cultivation facility in Carpinteria, CA on 15, 16, and 17-September 2025.

A total of 24 samples were collected to be analyzed via EPA Method TO-15 for VOCs and TO-11a for aldehydes and ketones, including formaldehyde. Additionally, an ozone (O<sub>3</sub>) analyzer was deployed onsite to collect real-time concentrations. Testing was conducted in the processing area for one (1) day, and in a greenhouse with no harvest occurring for two (2) days—one (1) day with the units off and the other with the units on and running for a minimum of 24 hours. Real-time ozone data was collected in the same locations.

No sample exceeded health standard concerns for any of the constituents measured; and all ozone concentrations were below ambient.

We are happy to assist with future testing, as needed.

Best,



Paul Schafer  
Project Director  
619-823-5333  
[pschafer@scsengineers.com](mailto:pschafer@scsengineers.com)



Eva Luu  
Project Manager  
805-345-1772  
[eluu@scsengineers.com](mailto:eluu@scsengineers.com)



## Sample and Analysis Methods

### SAMPLE COLLECTION

SCS was onsite at Autumn Brands, located at 3615 Foothill Rd, Carpinteria, CA on Monday 15-September through Wednesday 17-September 2025. Samples were collected in Greenhouse 5 and in the wet and dry processing areas for eight (8) business hours, during normal operation.

Evacuated Summa canisters, to be analyzed for volatile organic compounds (VOCs), and DNPH cartridges, to be analyzed for carbonyls (specifically formaldehyde), were placed at each location. The DNPH cartridges were connected to sampling pumps programmed to pull air at 1.5 lpm for eight (8) hours. Additionally, an EPA equivalency method designated ozone analyzer was used to measure real-time ozone concentrations.

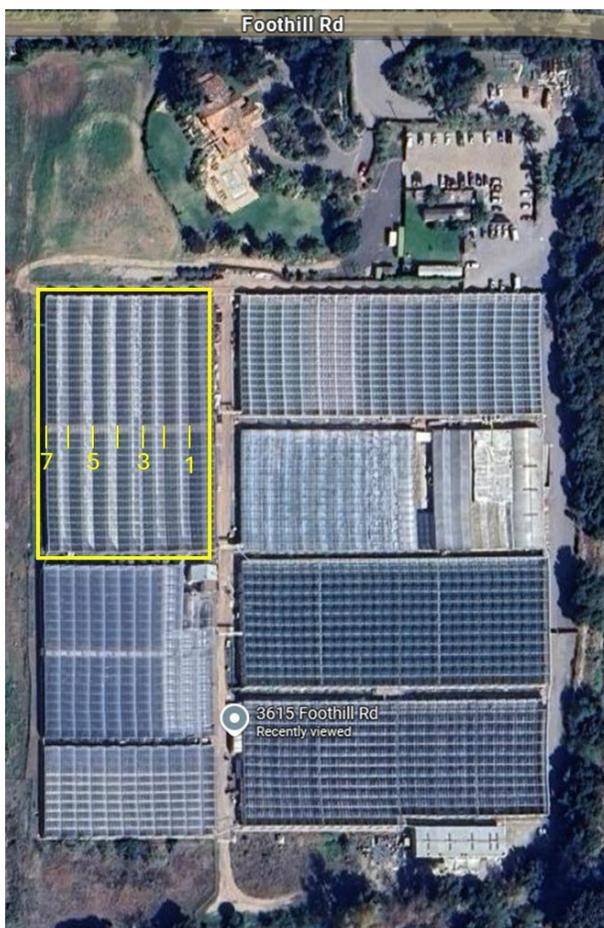
Samples from the processing area were taken on Tuesday. The Units in this area were operating for a minimum of 12 hours prior to sampling. Two (2) sets of samples were collected in both the dry and the wet processing areas: one (1) located at the effluent of the Unit; and one (1) located to represent ambient room air. In the dry processing room, active trimming was occurring. In the wet processing room, plants were in transit between harvest and drying operations. Plants in the room ranged from 0 to 14 days post-harvest.

The greenhouse was sampled on two (2) separate days, each with four (4) sets of samples collected. Sample collection was evenly spaced across the greenhouse to collect ambient greenhouse air, under roof vents 1, 3, 5, and 7, as shown in **Figure 1** below. The PCO portion of the Genesis Units were turned off for roughly 48 hours prior to sampling on Monday and were operating for roughly 36 hours prior to sampling on Wednesday. This was done to provide an adequate amount of time for the greenhouse to adapt to the conditions so ambient samples were representative.

### EPA METHOD TO-15 ANALYSIS FOR VOCs

Samples were analyzed by Atmospheric Analysis & Consulting (AAC) Laboratory in Ventura, California following EPA Method TO-15. Samples were collected in certified, evacuated Summa canisters and transported under vacuum to preserve sample integrity. In the lab, an aliquot of the canister air was

**Figure 1.** Greenhouse 5 with Ridge Vents 1, 3, 5, and 7 labeled



processed using a cryogenic preconcentration system that traps and concentrates VOCs while minimizing interference from water vapor and bulk gases. The concentrated VOCs were then introduced to a gas chromatograph for separation and subsequently detected and quantified by mass spectrometry. Detection limits are in the low part-per-billion by volume (ppbv) range. Instrument calibration is maintained through multipoint calibration curves and internal standards.

**EPA METHOD TO-11a ANALYSIS FOR CARBONYLS**

Air is pulled through cartridges coated with DNPH, which chemically reacts with carbonyls to form stable hydrazone derivatives. After sampling, the cartridges were capped, kept cold (~4 °C), and transported to AAC. At the lab, a solvent is run through the cartridge to dissolve and extract the carbonyl derivatives. Compounds are identified and quantified by comparing retention times and peak intensities to those of calibration standards. Quality controls include use of field and laboratory blanks, collection of adequate sample volumes, validation of flow rates, and adherence to reporting limits and holding times to ensure data accuracy and comparability.

**Data Results**

The lab results for detected VOCs and carbonyls are in the tables below. Sample IDs are labeled to indicate location, Unit operation, and area within location, as detailed in **Table 1**. Compounds detected in analyzed results were compared to NIOSH or OSHA exposure limits. NIOSH Recommended Exposure Limits (RELs) are stricter recommendations, used by employers and industrial hygienists to guide safe workplace practices. OSHA Permissible Exposure Limits (PELs) are the legally enforceable limits set by OSHA that determine the maximum average concentration a worker may be exposed to during a typical 8-hour workday. The more stringent of the two is listed in **Table 2**. Detected concentrations were far below exposure limits.

The flow controller in the ambient Wet Processing room malfunctioned so there is no VOC data for that location.

Ozone concentrations are displayed as timeseries graphs in **Table 5**. Concentrations did not exceed ambient at any point.

**Table 1.** Sample Details

Date	Sample ID	Location	Unit Operation
15-Sep	GH_OFF_1	Greenhouse	Off
15-Sep	GH_OFF_3	Greenhouse	Off
15-Sep	GH_OFF_5	Greenhouse	Off
15-Sep	GH_OFF_7	Greenhouse	Off
16-Sep	P_ON_DRY_EF	Dry Processing at Unit Effluent	On
16-Sep	P_ON_DRY_AMB	Dry Processing, Ambient	On
16-Sep	P_ON_WET_EF	Wet Processing at Unit Effluent	On
16-Sep	P_ON_WET_AMB	Wet Processing, Ambient	On
17-Sep	GH_ON_1	Greenhouse	On
17-Sep	GH_ON_3	Greenhouse	On
17-Sep	GH_ON_5	Greenhouse	On
17-Sep	GH_ON_7	Greenhouse	On

**Table 2.** Exposure Limits for Detected Carbonyls (TO-11a) and VOCs (TO-15)

Analysis	Detected Compound	Exposure Limit [ppb]
TO-11a	Formaldehyde	750
	Acetaldehyde	200000
	Acetone	250000
	Propionaldehyde	20000
	Crotonaldehyde	2000
	Methacrolein	n/a
	Butyraldehyde	n/a
	MEK	200000
	Benzaldehyde	n/a
	Valeraldehyde	50000
	m-Tolualdehyde	n/a
	Hexaldehyde	n/a
	TO-15	Chlorodifluoromethane
Chloromethane		100000
Methanol		200000
Ethanol		1000000
Acetone		1000000
2-Propanol (IPA)		400000
Carbon Disulfide		20000
Vinyl Acetate		4000
2-Butanone (MEK)		200000
Benzene		100
Toluene		10000
m & p-Xylene		100000
o-Xylene		100000
1,3,5-Trimethylbenzene		25000
1,2,4-Trimethylbenzene		1000

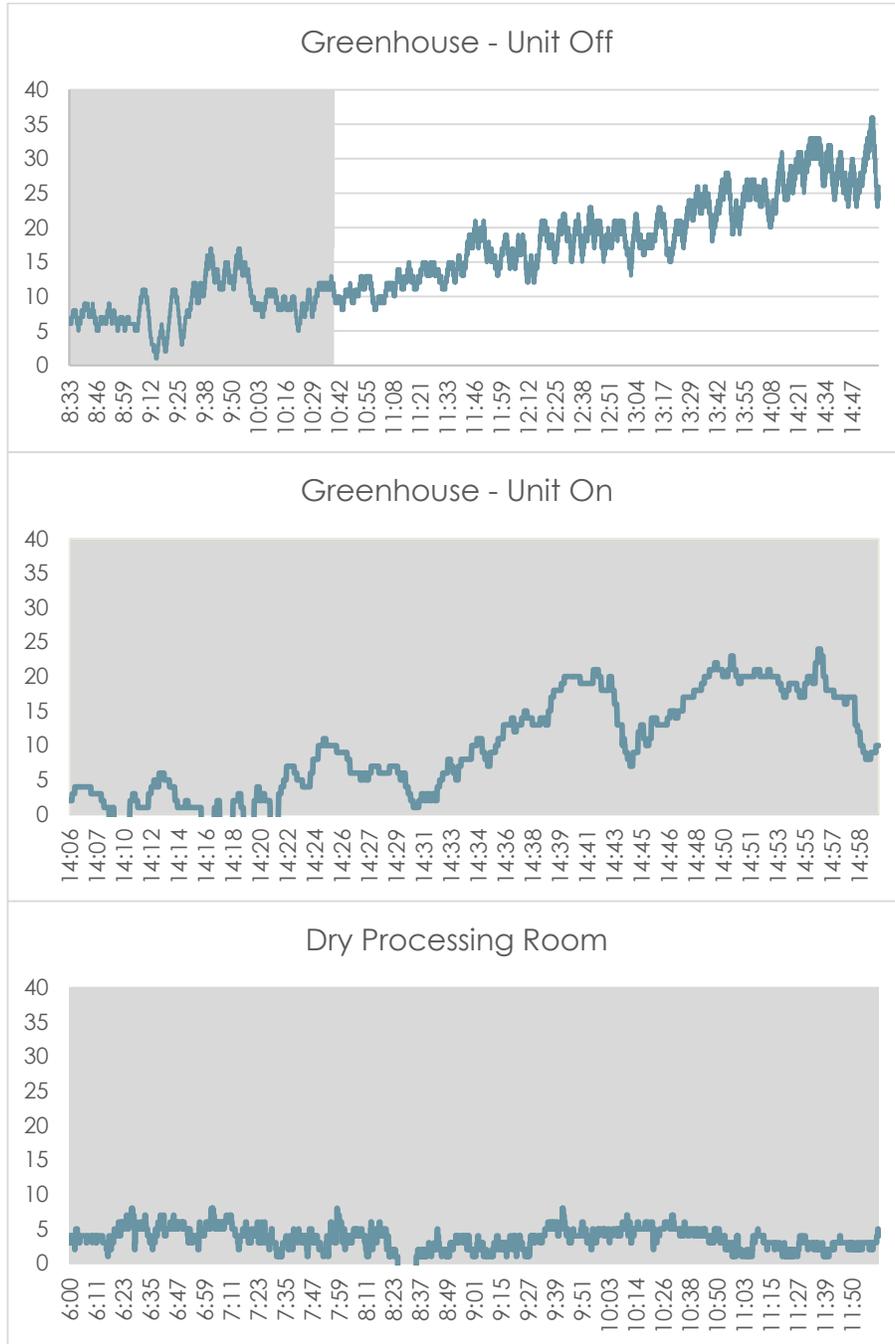
**Table 3.** Detected Carbonyls in ppb

Sample ID	GH_OFF_1	GH_ON_1	GH_OFF_3	GH_ON_3	GH_OFF_5	GH_ON_5	GH_OFF_7	GH_ON_7	P_ON_DRY_EF	P_ON_DRY_AMB	P_ON_WET_EF	P_ON_WET_AMB
Formaldehyde	0.28	0.189	0.166	0.157	0.141	0.174	0.091	0.208	0.383	0.419	0.193	0.307
Acetaldehyde	0.168	0.085	0.118	0.06	0.163	0.159	0.113	0.138	4.08	2.97	1.02	2.69
Acetone	0.291	0.077	0.198	0.064	0.116	0.158	0.099	0.138	5.02	3.4	1.34	3.35
Propionaldehyde	-	-	-	-	-	-	-	-	0.185	0.135	0.049	0.127
Crotonaldehyde	0.042	-	-	-	-	-	-	-	-	-	-	-
Methacrolein	-	-	-	-	-	-	-	-	0.062	0.04	-	0.04
Butyraldehyde	-	-	-	-	-	-	-	-	0.405	0.296	0.152	0.26
2-Butanone (MEK)	0.093	0.201	-	0.216	-	0.152	-	0.185	0.318	0.301	0.275	0.3
Benzaldehyde	-	-	-	-	0.026	-	-	-	0.096	0.075	0.027	0.057
Valeraldehyde	-	-	-	0.031	-	-	-	-	-	-	-	-
m-Tolualdehyde	-	-	-	-	-	-	-	-	0.919	0.847	0.711	1.3
Hexaldehyde	-	0.029	-	-	-	-	-	-	0.391	0.507	0.27	0.644

**Table 4.** Detected VOCs in ppb

Sample ID	GH_OFF_1	GH_ON_1	GH_OFF_3	GH_ON_3	GH_OFF_5	GH_ON_5	GH_OFF_7	GH_ON_7	P_ON_DRY_EF	P_ON_DRY_AMB	P_ON_WET_EF	P_ON_WET_AMB
Chlorodifluoromethane	-	-	-	-	-	-	-	-	-	2.77	2.6	4.22
Chloromethane	0.73	0.87	-	-	-	-	-	-	-	-	0.71	-
Methanol	22.4	18.3	24.2	18.3	17.3	20	21.2	9.73	-	390	246	470
Ethanol	13.2	16.5	17.7	14.9	23.9	16.4	23.4	17.1	1290	1290	491	1510
Acetone	8.15	5.88	8.63	5.34	6.34	6.26	7.33	7.39	79.6	74.7	89	109
2-Propanol (IPA)	-	-	-	-	-	-	-	-	218	218	89	229
Carbon Disulfide	-	-	-	-	-	-	-	-	-	-	3.11	-
Vinyl Acetate	-	-	-	-	-	-	-	-	-	-	1.43	2.62
2-Butanone (MEK)	-	-	-	-	-	-	-	-	-	-	2.08	-
Benzene	2.39	-	2.85	-	0.91	-	0.71	-	-	-	-	-
Toluene	2.88	-	2.82	-	0.96	-	0.75	-	-	-	-	-
m & p-Xylene	-	-	-	-	-	1.98	-	-	-	-	-	-
o-Xylene	-	-	-	-	-	0.96	-	-	-	-	-	-
1,3,5-Trimethylbenzene	-	-	-	-	-	0.95	-	-	-	-	-	-
1,2,4-Trimethylbenzene	-	-	-	-	-	5	-	-	-	-	-	-

**Table 5.** Ozone Concentrations in ppb



March 21, 2025

Mr. Eric Edwards  
Director of Compliance  
Headwaters  
Cell: (818) 402-4168  
E-mail: [Eric@GoHeadwaters.com](mailto:Eric@GoHeadwaters.com)

**Subject: Proposal – Air Quality Support – Carbon Scrubber Assessment and Odor Abatement Plan Revisions**

Dear Mr. Edwards:

Thank you for this opportunity to assist Headwaters by providing air quality and environmental compliance services.

## **QUALIFICATIONS**

Yorke Engineering, LLC (Yorke) was founded in 1996 to provide professional air quality and environmental services to clients in government and industry. We have offices across the State in Ventura, Los Angeles, Kern, Orange, Riverside, Fresno, Merced, San Diego, and Alameda Counties. Yorke specializes in air quality and environmental permitting and compliance under the jurisdiction of the California air districts. We have served over 2,050 clients, including cannabis manufacturing and distribution companies, power generation facilities, utilities, cities, counties, hospitals, large industrial facilities, petroleum distribution and refining operations, chemical manufacturing companies, and special districts, among others. Yorke staff have completed hundreds of odor control system studies, odor monitoring, and odor dispersion modeling projects and have used Purdue University odor labs, as needed, for advanced odor issues. We routinely work with and are well respected by the air agency staff at the San Barbara County Air Pollution Control District (SBCAPCD) and other California air districts, Region IX of the U.S. Environmental Protection Agency (U.S. EPA), and the California Air Resources Board (CARB).

For more information on Yorke, please visit our website at [www.YorkeEngr.com](http://www.YorkeEngr.com).

## **BACKGROUND**

We understand Headwaters operates two cannabis cultivation facilities in Carpinteria, CA:

- Emmawood B1, LLC (Emmawood) located at 5888 Via Real; and
- Cp1 Supply Systems (Cp1), LLC located at 4505 Foothill Road.

We understand Headwaters has relied on the Byers Scientific (Byers) vapor phase systems in the past; however, Santa Barbara County (the County) has requested that the Headwaters facilities utilize carbon scrubber systems to control odors. Headwaters is requesting an evaluation of their existing Envinity, Inc. carbon scrubbers and the potential addition of Byers scrubbers, as well as assistance with updating the Odor Abatement Plans (OAPs) for the Emmawood and Cp1 facilities.

## SCOPE OF WORK

The scope of work includes the effort to conduct an evaluation of the existing and proposed carbon scrubbers and to revise the OAPs for the Emmawood and Cp1 facilities.

We will perform the following tasks as necessary:

### Task 1 – Carbon Scrubber Analyses

Yorke will review the proposed carbon scrubber units to evaluate their use to reduce odor impacts from each area of odorous activities, including flowering and cultivation, processing, and to a lesser extent, nursery operations. The equipment review will evaluate the practicality and feasibility of the proposed controls, as well as the expected carbon control layout and whether the vendor’s expectations for odor abatement are realistic. Yorke will provide recommendations on the odor control strategy to be implemented in the OAPs.

Deliverable: Carbon Control Feasibility Assessment for Two Facilities

### Task 2 – Revision of Odor Abatement Plan

Yorke will review and update the facilities’ existing OAPs based on the final equipment configuration in Task 1 that incorporates all applicable provisions and criteria of the Santa Barbara County Land Use & Development Code for a project within the development code requirements. Yorke will prepare one draft and one final OAP for each site. Headwaters may provide Yorke with one set of consolidated comments on the draft OAPs, which will be incorporated into the final revised OAPs.

The OAPs will be reviewed and certified by a Professional Engineer (P.E.) to attest that the methods and equipment used are consistent with the accepted and available industry-specific best control technologies and methods designed to mitigate odor.

Deliverable: Draft OAPs and Final OAP Certifications by a P.E. for Two Facilities

## COST ESTIMATE

We propose to perform this effort on a fixed price basis for **\$9,800**.

**Table 1: Estimated Project Hours and Cost Estimate for Two Facilities**

Task	Description	Hours	Cost Estimate
1-2	Carbon Scrubber Analysis and Odor Abatement Plan – Emmawood	23	\$4,900.00
1-2	Carbon Scrubber Analysis and Odor Abatement Plan – Cp1	23	\$4,900.00
<b>Total Estimate</b>		<b>46</b>	<b>\$9,800.00</b>

### Retainer

Prior to commencement of work, please submit a payment of 50% of the cost estimate. The retainer will be held to cover any final invoice charges prior to delivery.

### Assumptions

In preparation of our estimate, we have made the following assumptions:

- Certifications of the revised OAPs are contingent on an assessment by a Yorke P.E., who will certify whether cannabis odors are detectable outside the facilities;
- The OAP revisions in Task 2 will be based on the final designs in Task 1; if the facilities implement another odor control design, additional revisions to the OAPs can be proposed separately; and
- If permitting cannabis operations or control equipment with the SBCAPCD is required, this effort can be proposed separately.

### AUTHORIZATION TO PROCEED

If you concur with our proposal, you may simply fax [(949) 248-8499] or e-mail back this signed contract for us to begin, or if you prefer you may incorporate this proposal into your own purchase order or contract. The terms and conditions for performing this effort are contained in Attachment A.

Thank you again for this opportunity to assist in this project, and we look forward to working with you. If you have any questions, please call me at (949) 248-8490.

Sincerely,



Brian A. Yorke  
Director of Operations & Marketing  
[Contracts@YorkeEngr.com](mailto:Contracts@YorkeEngr.com)



Signature of Agreement

9/29/25

Date

Eric Edwards, Director of Compliance  
Printed Name and Title

## ATTACHMENT A

### Yorke Engineering, LLC Terms and Conditions

#### Scope of Services

Yorke Engineering, LLC (“Yorke”) agrees to perform the services particularly described in the agreement to which these terms are attached. The services are to be performed by Yorke as a consultant to Headwaters (CLIENT).

#### Compensation

CLIENT agrees to pay, and Yorke agrees to accept, compensation in accordance with the agreement to which these terms are attached. Payment will be made Net 30 days.

#### Responsibility of Yorke Engineering

Yorke is an independent contractor. CLIENT shall not direct the services or the means for accomplishment of the services to be performed. CLIENT, however, retains the right to require the services provided by Yorke to meet specific standards and requirements of the project without regard to the manner and means of accomplishment thereof.

#### Termination

CLIENT may terminate this contract for its convenience. Yorke shall be compensated for services provided to the date of termination. If Yorke persistently fails to provide the services in a manner satisfactory to CLIENT, then CLIENT may terminate this contract. Yorke shall be compensated for completed and useful services provided to the date of termination.

#### Choice of Law/Jurisdiction

This contract shall be subject to the laws of the State of California. Jurisdiction of litigation shall be in that state.

#### Severability

If any part of this contract is found to conflict with applicable laws, such part shall be null and void, but the remainder of this contract shall be in full force and effect.

#### Limitation of Liability

It is specifically agreed by and between Yorke and CLIENT, as a reasonable allocation of risks hereunder, that in no event shall Yorke’s liability (including Yorke’s employees, subcontractors, and consultants) to CLIENT exceed:

1. As to liabilities relating to defects of design, remedial action, failure to render services, ordinary negligence, errors and omissions, permitting, and other similar actions arising under any individual project, not more than the dollar value of the applicable project; or
2. As to all other remaining liabilities of every kind or nature, the sum of \$5,000.00 in aggregate for all such liabilities under this contract.

CLIENT agrees that any claim for damages filed against Yorke by CLIENT or any contractor or subcontractor hired directly or indirectly by CLIENT will be filed solely against Yorke or its

successors or assigns and that no individual person shall be made personally liable for damages, in whole or in part.

All claims by CLIENT shall be deemed relinquished unless filed within one (1) year after substantial completion of the services.

### **Consequential Damages**

Yorke shall not be liable to CLIENT for any incidental, indirect, special, or consequential damages (including but not limited to damages for loss of use, power, business good will, revenue, or profit, nor for increased expenses or business interruption) arising out of or related to the performance or non-performance of this contract and related project.

### **Non-Solicitation and Recruiting Fees**

During the term of this agreement and for 2 years from the date the agreement is terminated, CLIENT will not directly or indirectly, on their own behalf or on behalf of or in conjunction with any person or legal entity, recruit, solicit, or induce, or attempt to recruit, solicit, or induce, any Yorke employee for employment.

If a violation of the Non-Solicitation portion of this agreement is discovered, or the CLIENT chooses to hire the aforementioned Yorke employee, the CLIENT agrees to pay Yorke a fee equal to an amount of 75% of the Yorke employee's current salary within 10 business days as a recruiting fee.

### **Indemnity**

Yorke agrees to indemnify CLIENT, its directors, employees, and officers, from and against only those direct claims, causes of action, liabilities, costs, or expenses, including reasonable attorneys' fees (excluding consequential and indirect damages) finally awarded and attributable directly to bodily injury, death, or property damage that CLIENT incurs as a result of actions and that arises directly out of and to the extent of Yorke's negligent acts or willful misconduct in and occurring during the performance of this contract. CLIENT shall provide Yorke reasonable assistance in defense or settlement of such claims. All of the indemnity and other provisions of this paragraph shall also reciprocally apply so that CLIENT is the indemnitor and Yorke is the indemnitee in a corresponding indemnity by CLIENT in favor of Yorke. In the event any liability to a third party results from the joint, concurrent, or combined negligence of Yorke and CLIENT, then Yorke and CLIENT will only indemnify, defend, and hold each other harmless to the extent of the indemnitor's allocable portion of such joint, concurrent, or combined negligence. Yorke shall not be responsible for any damages, costs, or other liability arising out of precontract or site environmental problems or for any liabilities that may arise from the non-negligent performance by Yorke of the work.

### **Integration**

The terms and the agreement to which they are attached represent the entire understanding of the parties as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters. This contract may not be modified except in writing, signed by both parties.

Revision 3, 5/23/2023



Emmawood B1, LLC  
5888 Via Real  
Carpinteria, CA 93013

January 16, 2026

Santa Barbara County  
105 E. Anapamu Street  
Santa Barbara, CA 93101

**RE: Initial Feed Back Letter Case No. 25TEX-00027 Response**

Dear Ms. Razo,

We are writing in response to the Initial Feedback Letter dated December 19, 2025, regarding Emmawood B1, LLC's ("EB1") request for a one-year extension for the installation of Multi-Technology Carbon Filtration ("MTCF") equipment.

We appreciate the Department's review and the opportunity to clarify the nature of our request. While the County noted that our initial justification regarding supply chain delays appeared "overly general", we wish to clarify two critical points: (1) the request is strictly precautionary as the units have already been procured; and (2) the Feedback Letter did not address our concerns regarding administrative permitting delays, which are currently substantiated by real-time examples from our other facilities.

**Status of Equipment and "Act of God" Precautions**

The County requested documentation such as "executed purchase orders" or statements on "delivery dates" to substantiate supply chain risks.

To be clear, EB1 is not requesting this extension to delay the purchase or installation of the equipment. We are fully committed to the March 2026 compliance deadline. In fact, we have already purchased the required Genesis Air units, and a majority of them are currently on-hand or in route to the facility.

Therefore, our request is not based on a speculative inability to procure the technology. Rather, given the severe consequences of failing to meet the installation deadline, this request is a necessary insurance policy against "Acts of God" and logistical force majeure events beyond our reasonable control – such as theft, fire, or vehicular accidents during the final transport and staging of the units. We seek this extension solely to safeguard business continuity against catastrophic, unforeseen events, not to delay our compliance efforts.

**Substantiated Risks of Permitting Delays**

The Initial Feedback Letter focused heavily on supply chain issues but did not address the second basis of our request: Permitting Delays.

In our initial application, we noted that the preparation and review of Odor Abatement Plans ("OAP") involve multiple rounds of coordination between the Planning Department, Geosyntec, and the applicant. The County encouraged us to "diligently pursue applications to update the OAPs". We are doing exactly that; however, recent experiences with the County's review timeline demonstrate that administrative delays present a genuine threat to the installation deadline, regardless of our diligence.

To illustrate the reality of these delays, we offer the following recent examples regarding Headwaters facilities:

Facility A: We submitted an OAP update on November 24, 2025. As of today—nearly eight weeks later—we have yet to receive a response or feedback from the County.



Facility B: We submitted an OAP update on December 4, 2025. We did not receive feedback until January 13, 2026 (nearly six weeks later). Furthermore, this delayed feedback is now necessitating additional meetings with third-party engineers to address minimal changes required to match County ordinance updates.

These timelines confirm our initial concern that review cycles are taking significantly longer than anticipated. With the installation deadline fast approaching, a six-to-eight-week turnaround time for a single round of feedback leaves virtually no margin for error. If similar delays occur with the EB1 OAP, we will be pushed past the compliance deadline through no fault of our own.

**Conclusion**

EB1 remains dedicated to completing the MTCF installation well before the deadline. However, the combination of potential force majeure events during transport and the proven pattern of administrative delays in the OAP review process constitutes a valid, substantiated basis for a precautionary extension.

We respectfully request that the County reconsider the extension request in light of these specific facts. We are prepared to submit proof of our equipment purchase and possession if requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric S. Edwards', written over a horizontal line.

Eric S. Edwards, Esq.  
General Counsel  
Emmawood B1, LLC

## ATTACHMENT 2b – FINDINGS OF DENIAL

### **1.0 CEQA FINDINGS**

The Board of Supervisors finds that the project is not a “Project” subject to CEQA review per CEQA Guideline Section 15378(b) (5), since it is an organizational or administrative activity of government that will not result in direct or indirect physical change in the environment; and will not result in direct or indirect physical changes in the environment.

### **2.0 ADMINISTRATIVE FINDINGS – ODOR ABATEMENT PLAN EXTENSION**

**2.1 Section 35-144U.A.2.f.2) - Extensions. (This provision is only applicable to 35-144U.C.7 - Odor Abatement Plans) A one-time extension of the implementation time period described above may be allowed for up to 12 months. The request for an extension shall be heard by the Board of Supervisors with a recommendation by the Director. A request for an extension must be submitted 90 days prior to the expiration of the implementation period and approved by the Board of Supervisors. Requests for extensions may include, but not be limited to:**

- a. Supply chain delays**
- b. On-site power supply upgrades**
- c. Off-site power supply upgrades and availability**
- d. Other circumstances as determined by the Director**

On November 18, 2025, the applicant submitted an Extension application (Attachment 2a) citing supply chain delays and permitting delays as reasons for the request. The multi-technology carbon filtration (MTCF) units have since been purchased and delivered to the site but have not yet been installed. The applicant is awaiting approval of their Odor Abatement Plan (OAP) to ensure the number and placement of units is acceptable before installation.

The applicant stated the operation anticipates being fully compliant with the March 18, 2026 MTCF installation deadline and that the requested extension is intended to safeguard compliance in the event of delays in approval of their OAP. The applicant

stated that an extension would accommodate the technical review of the OAP and coordination among P&D staff, their technical consultant, and input from the Air Pollution Control District. The application included two supporting documents; a data report from SCS Tracer Engineers documenting efficacy testing of the Genesis Air "GA Units" and a proposal from Yorke Engineering to analyze the units and to evaluate the OAP. The operator submitted an OAP revision application to P&D on January 30, 2026 and the application is currently under review by P&D.

The applicant stated that final installation of the MTCF technology may closely approach or exceed slightly the current March 18, 2026 deadline. Because the applicant has submitted an OAP revision application and has taken delivery of their MTCF equipment, the Board of Supervisors approves a two-month extension to May 18, 2026. While the applicant requested a twelve (12) month extension, the Board finds that a two (2) month timeframe would be sufficient to allow for approval of the OAP and installation of the MTCF equipment.

Therefore, the Board of Supervisors finds there is sufficient evidence in the record to approve a two-month time extension to May 18, 2026 pursuant to Section 35-144U.A.2.f.2.

**ATTACHMENT 2c – NOTICE OF EXEMPTION**

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Errin Briggs, Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**APN:** 001-080-042

**Case No.:** 25TEX-00027

**Location:** 5888 Via Real, Carpinteria, CA 93013

**Project Title:** Emmawood B1, LLC - Time Extension Request for Installation of Multi-Technology Carbon Filtration

**Project Applicant:** Emmawod B1, LLC.

**Project Description:** Case No. 25TEX-00027 is a time extension request to extend the implementation deadline for installation of Multi-Technology Carbon Filtration Odor System one-time for two months from March 18, 2026 to May 18, 2026 per the Santa Barbara County Coastal Zoning Ordinance Section 35-144U.A.2.f.2. The existing cannabis operation is permitted with a Coastal Development Permit and consists of 8.22 acres of cultivation. The property is a 6.84-acre parcel zoned AG-I-10 and shown as Assessor’s Parcel Number 001-080-042, located at 5888 Via Real, Carpinteria, CA, First Supervisorial District.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Entity Carrying Out Project:** Eric Edwards

**Exempt Status:**

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guidelines Section:** State CEQA Guidelines Section 15378(b)(5)

**Reasons to support exemption findings:** The activity is not a “Project” subject to CEQA Guidelines Section 15378(b)(5), since it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

Emmawood B1, LLC Odor Abatement Plan Extension, Case No. 25TEX-00027  
March 10, 2026  
Attachment 2c

**Lead Agency Contact Person:** Errin Briggs

**Phone:** (805) 568-2047

**Department/Division Representative:**



**Date:** March 10, 2026

**Acceptance Date:** \_\_\_\_\_

**Distribution:** Hearing Support Staff

**Date Filed by County Clerk:** \_\_\_\_\_