



September 10, 2021

Chairman Bob Nelson
Santa Barbara County Board of Supervisors
105 E. Anapamu Street, Fourth Floor
Santa Barbara, California 93101

RE: Items # D 3 & 4, September 14, 2021, Cannabis Permitting Ordinance Amendments

Chair Nelson and Members of the Board of Supervisors:

The Santa Barbara Coalition for Responsible Cannabis is an active participant in the County's management of the cannabis industry. The Coalition supports a responsible cannabis industry that does not cause harm to other businesses, including farms, vineyards and wineries, and that does not cause odors that adversely impact publicly accessible areas. The Coalition has worked cooperatively with cannabis industry trade associations in Carpinteria, and facilitated a process that will lead to the voluntary cessation of odors in that community. The Board must take action to facilitate a similar resolution in the outdoor grow environment, where the current permitting system is inadequate to protect existing businesses and communities and cultivators have little incentive to meaningfully control odors and other impacts.

While a focus of concern is the Santa Rita Hills AVA based on the disproportionate number of cannabis operations that are proposed there and the sensitivity of the wines produced there to cannabis (both at tasting rooms and in wine production), the impacts and conflicts between existing agriculture and outdoor cannabis grows throughout the County are just beginning to be realized. Large grows have a disproportionate impact as the emissions are concentrated and very intense, and improved control of all outdoor grows is needed. An additional sub-cap for the Santa Rita Hills AVA is needed, along with programmatic enhancements to address the growing problems of odors from outdoor grows impacting nearby businesses, agricultural operations, and residences Countywide.

The Coalition has the following recommendations in response to the Staff Report that was released yesterday:

1. **Require CUPs for all outdoor grows.** A CUP has been shown to be an appropriate and necessary level of permit to give County discretion to properly condition and control future project approvals.

2. **Require Odor Abatement Plans (OAPs) for all outdoor grows.** This was identified as a mitigation measure in the PEIR but removed based on a fallacious theory of freedom in crop choice. Cannabis is different from other crops because permits are required, Right to Farm does not apply, and odor issues are prevalent in the Highway 246 corridor and throughout the County. A requirement of OAPs for all outdoor grows will drive needed technological improvements in odor control from outdoor grows. We now have the tools to measure odors, which is essential to identify improved odor control technologies and techniques. As an example, the Clean Air Act is a “technology-forcing” statute that has led to control technology breakthroughs that were considered unattainable at the start. The County must approach cannabis odor control in the same manner, and can enhance odor control from outdoor grows by integrating professional, technical input from the Air Pollution Control District in the development of improved odor control technologies.
3. **Maintain and Enforce the Acreage Cap.** The 1575 acre cap on total cultivation must not be expanded. County ordinances should be amended to not allow continued cannabis permit processing after the cap has been met. It is senseless to conduct additional permitting, and an unfair burden on the community to maintain vigilance over the County’s permitting of projects that will never be implemented.
4. **Require Notification and PDD Website Posting of Upcoming Harvest Activities.** Harvests bring major increases in workers, trucks and traffic, odors, security personnel and lighting. Residents of rural communities should be able to know when this intensification is about to happen - to be prepared and on guard.
5. **Strengthen Chapter 50 procedures.** The County should clarify and strengthen business licensing procedures to better define cap eligibility and procedures when the cap is met, to ensure BACT updates at each annual license renewal, to increase transparency of ownership, transfers of ownership, and ensure future owners remain bound to all permit terms.
6. **Direct Funding to Impact Research and Mitigation.** Research into terpene taint and the absorption of malodorous compounds into wine grapes is long overdue. Odor control strategies need to be tested and improved through research and development, like what Carpinteria achieved in the Mixed-light environment. The County needs to seek outside funding and provide matching funds to these two research priorities.

Although there is clearly a need for swift action on these ordinance amendments, meaningful public input is difficult when these proposals are disclosed only hours before the comment deadline. Ordinarily the Planning Commission provides suggestions on ordinance amendments that provides a public process for these proposals to be vetted and refined. The instant process lacks transparency and

respect for the community's views on this issue. As adopted, the cannabis ordinance was projected to cause an unprecedented twelve significant adverse environmental impacts, more than any other project or program in the County's history. Now that we are two years into this program, it is clear additional revisions are needed. Adequate funding should be allocated to swiftly address these issues and ensure that cannabis can flourish in Santa Barbara County without causing undue impacts to surrounding land uses, businesses and the character of the community.

Respectfully Submitted,

/S/
Blair Pence, President
Santa Barbara Coalition for Responsible Cannabis