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Ramirez, Angelica

From: Beck, Dianna <DBeck@scsengineers.com>
Sent: Friday, May 29, 2020 12:45 PM
To: sbcob
Cc: Eady, Nathan; Schafer, Paul
Subject: Letter Regarding Item D-7 for 6-2-2020 BoS Agenda
Attachments: CARP_SCSmnt_ltr_BOS_May2020.pdf



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Hello
Please see the attached letter regarding Item D-7 on the upcoming Board agenda.

Thank you
Dianna

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SCS ENGINEERS

Formerly Tracer Environmental Sciences & Technologies, Inc., now a part of SCS Engineers.

May 29, 2020

Santa Barbara County Board of Supervisors
Clerk of the Board
105 East Anapamu Street, Suite 407
Santa Barbara, CA 93013

Subject: Cannabis Ordinance Updates

To Supervisors:

SCS Engineers (SCS), on behalf of the Carpinteria Association of Responsible Producers (CARP), has reviewed your Staff's Board Letter and associated attachments regarding potential updates to the County's Cannabis Land Use Regulations. We kindly offer the following comments and recommendations:

General Cannabis Ordinance Status

SCS Engineers is continuing to advise the CARP Growers members on improvements to their odor control technologies, as well as other industry best practices, including appropriate design of additional carbon filtration systems, repair and maintenance of all active odor abatement technologies, and standard operating procedures for employees. At this point it seems premature to alter existing permit process and/or odor standards on the presumption they are not effective, when in reality the existing standards are only binding on the small minority of Projects which have received land use approval to-date. As a result it is unknown whether or not the ordinance, as it exists today, is already sufficient to abate the industry's odor issues and how best to address any shortcomings because the ordinance has yet to be actively applied to the majority of facilities within the County. Therefore the CARP Growers object to ordinance revisions until such time as most facilities have been permitted and the true effectiveness of existing regulations can be evaluated based on their application in practice. If ordinance revisions are appropriate in the future, they can be better informed through lessons learned based on facilities which have reached a fully developed and operational state based on current ordinance requirements.

Odor Abatement Plan Standards

If the Board proceeds with its consideration of the ordinance changes, the Planning Commission's recommendations currently request new ordinance language to include: *"Odors generated by cannabis activities: (a) must not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood; and (b) must be compatible with the surrounding area."* The terms "comfort" and "convenience" are especially problematic because they are so illusory and would create an unenforceable measure for both County staff and the private Professional Engineers/Certified Industrial Hygienists responsible for reviewing the plans. It is unclear how the industry would demonstrate compliance with this proposed language.

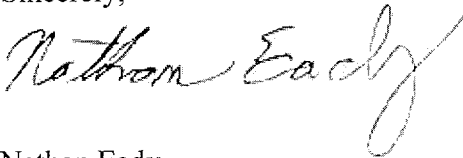


Required Permitting Path

Based on the Planning Commission's recommendations, the County's ordinance would be potentially modified to require the processing of a "Major" *Conditional Use Permit* instead of the currently mandated *Land Use Permit* or *Coastal Development Permit*. This effectively elevates the cannabis permitting path by two rungs on the proverbial permitting ladder and skips the intermediary process of a *Minor Conditional Use Permit*. We encourage the County to take the long-view and reflect on the fact that in the span of a few years the volume and controversy of cannabis projects will abate. At that time, it would seem unnecessary to burden County staff and the Planning Commission's time with hearing every cannabis project irrespective of location, intensity, or size.

Thank you for your time and consideration of this matter. SCS will continue to work with the cannabis industry and community stakeholders as we continue to implement environmental solutions and improve the permitting process for this emerging industry. Our staff are available as a resource should the Board have additional questions or concerns.

Sincerely,



Nathan Eady
Land Use Planner/Project Director



Paul Schafer
Air Quality Specialist/Project Director