COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT

MEMORANDUM

TO:	County Planning Commission
FROM:	Travis Seawards, Deputy Director, Development Review Division
STAFF CONTACT:	Gwen Beyeler, Planner
DATE:	August 24, 2021
HEARING DATE:	September 1, 2021
RE:	Cresco California Mixed-Light Cannabis Cultivation and Processing Project 3861 Foothill Road Case Nos. 18CDH-00000-00031, 20RVP-00000-00058, and 21CUP-00000-00006

I. Introduction

At the August 11, 2021 County Planning Commission hearing, the Planning Commission continued the Cresco California Mixed-Light Cannabis Cultivation and Processing Project to September 1, 2021 and directed staff to analyze the updated Odor Abatement Plan (OAP) provided by the Applicant on August 10, 2021 and return with recommended actions for the Proposed Project based upon the updated OAP. The purpose of this Memorandum is to:

1. Summarize the changes to the OAP dated August 10, 2021;
2. Outline changes to the required findings and conditions of approval based on the updated OAP; and
3. Provide recommended actions for the revised Project.

II. Updates to the Proposed Project

Staff reviewed the updated OAP dated August 10, 2021 and found it to be consistent with Section 35-144U.C.6 of the Article II Coastal Zoning Ordinance. For convenience and to help track the proposed changes, a redline-strikeout version of the updated OAP is included as Attachment B to this Memorandum. In summary, the updated OAP includes the following information:

- SCS has conducted pilot testing of regenerative carbon scrubbing system (RCSS) greenhouse scrubbing technology and completed site-specific air dispersion modeling to confirm the likely effectiveness of internal greenhouse scrubbing systems such as RCSS.
- The Applicant will utilize internal greenhouse odor scrubbers/filters such as the RCSS or equivalent internal greenhouse scrubbers/filters as the means of primary odor control

technology as soon as commercially available and no later than 12 months after the commencement of full-scale cultivation of cannabis onsite.

- The deployment of the RCSS odor control technology, or equivalent internal scrubbing system, would require grid-like distribution of the scrubbers/filters throughout the interior of the cultivation greenhouse with approximately 36 units. The ratio of scrubbers/filters per acre will be based on factors including greenhouse volume and cubic feet per minute rating for the scrubbers/filters.
- Upon installation and testing of the internal scrubber/filtration system, the Applicant will reduce or eliminate the use of vapor-phase neutralizing systems to the maximum extent feasible based upon the ability to prevent fugitive odors from reaching residentially zoned receptors.
- If offsite odor observations occur, the Applicant will reactivate the vapor-phase system temporarily while RCSS improvements are completed. Improvements can include, but are not limited to, manufacturer recommendations to improve individual scrubber/filter performance, adjustment of scrubber/filter location within the greenhouse, or installation of additional scrubber/filter units.
- If the RCSS is sufficient to prevent offsite odor observations, the Applicant will continue to operate the RCSS for a period of six months to ensure the odor reduction efficacy can be maintained consistently without failure. Should the RCSS continue to perform at expected levels, the Applicant will proceed to permanent decommissioning of the vapor-phase system.
- If offsite odor observations occur and no further RCSS performance improvements are viable, the Applicant will begin testing the use of RCSS and vapor-phase in combination with an emphasis on the RCSS as the primary odor mitigation system and minimization of vapor-phase neutralizer. Effort will be made to utilize the minimum daily-volume release of neutralizer needed to achieve effective odor control including limited vapor-phase system operation to certain times of the day or operational activities where supplemental odor mitigation is warranted.
- If offsite odor observations occur with the use of RCSS and vapor-phase in combination, the Applicant will conduct a new odor control BACT analysis to examine alternative odor mitigation technologies.

III. Revised Findings

The Findings (Attachment C) for the Proposed Project have been revised as follows (deleted text shown in strikethrough font and new text shown in underlined font):

2.3.5 That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

The Planning Commission finds that the Proposed Project, as conditioned, will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. The Proposed Project is a change of use from cultivating cut flowers to cultivating cannabis and is a continuation of agricultural use on an agriculturally zoned property. Project activities will take place within an existing greenhouse, new greenhouse addition, and new processing building totaling 7.98 acres of cultivation. As part of the Proposed Project, 12 existing, as-built storage containers will be removed from the subject parcel and three existing greenhouses will be demolished.

Total grading for the detention basins and the new construction will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. The detention basins are designed to improve run-off and the percolation of storm water into the ground. The construction and expansion of the basins are conditioned to meet Flood Control and Project Clean Water requirements for storm water detention on the subject parcel.

As detailed in Sections 6.2 and 6.3 of the staff report and herein incorporated by reference, the proposed Landscape and Screening Plan (Attachment E to the staff report, dated August 3, 2021, incorporated herein by reference), includes new landscaping around the processing building and the northern parking area. The proposed Lighting Plan (Attachment E to the staff report, dated August 3, 2021, incorporated herein by reference) includes proposed fixtures that would be fully shielded and directed downward. The South Board of Architectural Review (SBAR) conceptually reviewed the Proposed Project, including the landscaping, lighting, and fencing on multiple occasions and requested the Applicant return once zoning approval has been obtained from the decision maker. Approval of the landscape and screening plan by the SBAR is required prior to Coastal Development Permit issuance (Attachment B to the staff report, dated August 3, 2021, Condition No. 30, incorporated herein by reference).

The Odor Abatement Plan (included as Attachment A to this memorandum, dated August 24, 2021, and incorporated herein by reference) describes the ~~proposed vapor phase system in which odor neutralizing chemicals would be emitted through a series of pipes that surround~~ regenerative carbon scrubbing system that will be installed in the existing greenhouse and new greenhouse addition. There will also be carbon scrubbers located in the new processing building, and HVAC exhaust ducts to the outside will be controlled with industrial grade carbon odor absorbers. The processing building will be constructed with vapor barriers and opening seals that will limit air and odor exfiltration at the exterior building envelope. Additionally, the air handling system will maintain a slight negative pressure differential between the inside and outside air in order to control odor exfiltration.

The Applicant submitted a Site Transportation Demand Management Plan (STDMP) (Attachment F to the staff report, dated August 3, 2021, and incorporated herein by reference) which describes carpooling and staggered work shifts as mechanisms to reduce average daily trips (ADT). According to the STDMP, all employees will be required to enter the site using the Via Real access road, whereas all traffic currently enters the site from Foothill Road as part of the existing cannabis operation. With the proposed use of the Via Real access road for employees, there will be a net reduction of 66 ADT from Foothill Road and a net increase of 108 ADT from Via Real. County Public Works Roads Division reviewed the Proposed Project, determined that there will be no significant impacts to the public road system, and did not have any comments or conditions. Additionally, the Carpinteria-Summerland Fire Department reviewed the Proposed Project, including access, for compliance with fire safety regulations, and issued a condition letter (Attachment B to the staff report, dated August 3, 2021, Condition No. 43, incorporated herein by reference).

The APCD reviewed the Proposed Project for compliance with air quality regulations, and issued a condition letter (Attachment B to the staff report, dated August 3, 2021, Condition No. 43, incorporated herein by reference).

IV. Revised Conditions of Approval

The Conditions of Approval (Attachment D-1) for the Revised Development Plan have been revised as follows (new text shown in underlined font):

1. **Proj Des-01 Project Description**. This Revised Development Plan is based upon and limited to compliance with the project description, the Planning Commission Staff Report hearing exhibits marked A-O, dated August 3, 2021, the Planning Commission Staff Memorandum hearing exhibits marked A-E, dated August 24, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

   The Proposed Project is a request for a Coastal Development Permit, Minor Conditional Use Permit, and Revised Development Plan to a Development Plan (Case No. 10DVP-00000-00010) approved on March 10, 2014 to allow for 7.98 acres of mixed-light cannabis cultivation, nursery, and processing. Mature mixed-light cultivation will take place in the existing 264,500 sq. ft. greenhouse, and nursery mixed-light cultivation will take place in a new 17-ft.-tall, 58,396 sq. ft. addition to Greenhouse 1. The addition will include locker rooms, administrative offices, a walk-in cooler, and restrooms. Cultivation will utilize water conservation methods including timed drip, evaporative barriers, soil moisture monitors, recycled water, and rain capture. Harvests will take place continuously year round. Compost will be transported off-site by a licensed operator.

   Greenhouses 2, 3 and 4 will be demolished. A new 26-ft.-tall, 24,751 sq. ft. processing building will be constructed and used for freezing, curing, drying, bucking, trimming, grading, packaging, storage, testing sampling, and offsite transport. The processing building will also include an employee break area, locker rooms, administrative offices, and restrooms. A 5-ft.-tall retaining wall will be constructed between the processing building and existing greenhouse.

   The Proposed Project will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit.

   The northern portion of the parcel is within the 100 ft. buffer of Arroyo Paredon Creek, which contains Environmentally Sensitive Habitat (ESH). There is no ESH in this buffer area. In the northern portion of the parcel, an existing unpaved parking area will be abandoned and avocado trees *(Persea americana)* will be removed, and the northernmost portion of the 100-ft. buffer area along an existing 7-ft.-tall fence will be restored with native vegetation to enhance the ESH buffer area. All restoration in the ESH buffer will take place outside of the nesting season. No

native vegetation exists in the 100-ft. buffer area, and no native vegetation or habitat will be removed as part of the Proposed Project.

Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan includes maintenance of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 6:30 a.m. to 7:30 p.m. daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The Conditions of Approval (Attachment D-2) for the Minor Conditional Use Permit have been revised as follows (new text shown in underlined font):

1. **Proj Des-01 Project Description**. This Minor Conditional Use Permit is based upon and limited to compliance with the project description, the Planning Commission Staff Report hearing exhibits marked A-O, dated August 3, 2021, the Planning Commission Staff Memorandum hearing exhibits marked A-E, dated August 24, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

   The Proposed Project is a request for a Coastal Development Permit, Minor Conditional Use Permit, and Revised Development Plan to a Development Plan (Case No. 10DVP-00000-00010) approved on March 10, 2014 to allow for 7.98 acres of mixed-light cannabis cultivation, nursery, and processing. Mature mixed-light cultivation will take place in the existing 264,500 sq. ft. greenhouse, and nursery mixed-light cultivation will take place in a new 17-ft.-tall, 58,396 sq. ft. addition to Greenhouse 1. The addition will include locker rooms, administrative offices, a walk-in cooler, and restrooms. Cultivation will utilize water conservation methods including timed drip, evaporative barriers, soil moisture monitors, recycled water, and rain capture. Harvests will take place continuously year round. Compost will be transported off-site by a licensed operator.

   Greenhouses 2, 3 and 4 will be demolished. A new 26-ft.-tall, 24,751 sq. ft. processing building will be constructed and used for freezing, curing, drying, bucking, trimming, grading, packaging, storage, testing sampling, and offsite transport. The processing building will also include an employee break area, locker rooms, administrative offices, and restrooms. A 5-ft.-tall retaining wall will be constructed between the processing building and existing greenhouse.

   The Proposed Project will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit.

   The northern portion of the parcel is within the 100 ft. buffer of Arroyo Paredon Creek, which contains Environmentally Sensitive Habitat (ESH). There is no ESH in this buffer area. In the northern portion of the parcel, an existing unpaved parking area will be abandoned and avocado trees *(Persea americana)* will be removed, and the northernmost portion of the 100-ft. buffer area along an existing 7-ft.-tall fence will be restored with native vegetation to enhance the ESH buffer area. All restoration in the ESH buffer will take place outside of the nesting season. No native vegetation exists in the 100-ft. buffer area, and no native vegetation or habitat will be removed as part of the Proposed Project.

   Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan

includes maintenance of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 6:30 a.m. to 7:30 p.m. daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The Conditions of Approval (Attachment D-3) for the Coastal Development Permit have been revised as follows (new text shown in underlined font):

1. **Proj Des-01 Project Description**. This Coastal Development Permit is based upon and limited to compliance with the project description, the <u>Planning Commission Staff Report</u> hearing exhibits marked A-O, dated August 3, 2021, <u>the Planning Commission Staff Memorandum hearing exhibits marked A-E, dated August 24, 2021,</u> and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

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Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan includes maintenance of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 6:30 a.m. to 7:30 p.m. daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

V. Recommended Action

Staff recommends that the Planning Commission take the following action:

1. Make the required findings for approval of the Proposed Project as specified in the Revised Findings included as Attachment C to the Staff Memorandum dated August 24, 2021, including California Environmental Quality Act (CEQA) findings.

2. Determine that the previously certified Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003) is adequate, and no subsequent environmental review is required pursuant to CEQA Guidelines §15162 and §15168(c) (CEQA Guidelines Checklist is included as Attachment E to the Staff Memorandum dated August 24, 2021, and a link to the PEIR is included as Attachment D to the Staff Report dated August 3, 2021).

3. Approve the Proposed Project, Case Nos. 18CDH-00000-00031, 20RVP-00000-00058, and 21CUP-00000-00006, subject to the Revised Conditions included as Attachment B to the Staff Memorandum dated August 24, 2021, herein incorporated by reference.

ATTACHMENTS

A. OAP dated August 10, 2021
B. Redlined OAP dated August 10, 2021
C. Findings – Revised

D. Conditions – Revised
    - D-1. Revised Development Plan Conditions of Approval – Revised
    - D-2. Minor Conditional Use Permit Conditions of Approval – Revised
    - D-3. Coastal Development Permit Conditions of Approval – Revised
E. CEQA Checklist – Revised

CC: Case File (to Planner)
Hearing Support

ATTACHMENT A: ODOR ABATEMENT PLAN, DATED AUGUST 10, 2021

Cresco/SLO Cultivation- Carpinteria Odor Management Plan

Prepared for:

Cresco/SLO Cultivation
3861 Foothill Road
Carpinteria, CA 93103

Prepared by:

SCS ENGINEERS

2370 Skyway Drive Suite #101
Santa Maria, CA 93455
805-346-6591

August 10, 2021

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Attachments

1.0 ODOR MANAGEMENT PLAN

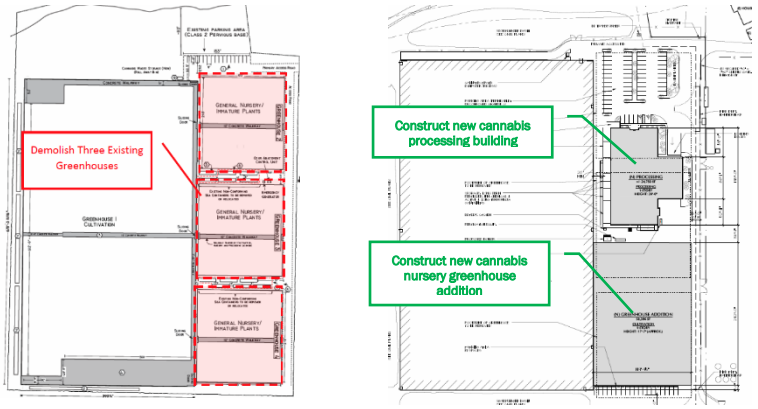
This Odor Management Plan (Plan) has been prepared in compliance with applicable local and State regulations for the purposes of minimizing nuisance odors related to the cultivation of cannabis associated with the operations of Cresco/SLO Cultivation (Operator) in Carpinteria, California. The Project Site (Site) is located at 3861 Foothill Road also identified as APN 005-310-024. The Site is approximately 13.66 acres in size and currently contains four (4) existing greenhouse structures and twelve (12) pre-fabricated supporting structures (freezers, equipment & material storage, etc.), totaling approximately 389,800 square feet of development. As described in further detail below, the Site will be redeveloped to retain the largest existing greenhouse, demolish three (3) existing greenhouses, develop a new greenhouse addition for nursery space, and develop a new cannabis processing support building. Surrounding land uses include agriculture (predominantly greenhouses and orchard) to the North, South, East, and West. Low density residential development is located approximately 400 feet to the Northeast. The Site is also bordered by an ephemeral drainage along the Northern extent of the subject property. Refer to Attachments 1 and 2 for further site development and use details.

1.1 PROJECT DESCRIPTION

As it pertains to odor emitting activities, the proposed Project would allow for:

1. Utilization of existing **Greenhouse 1 (GH1),** approximately 264,500 square feet in size, for mature mixed-light cannabis cultivation.
2. Demolition of three (3) existing greenhouses, known as **Greenhouse 2 (GH2)**, **Greenhouse (GH3**), and **Greenhouse 4 (GH4),** which are approximately 40,700 square foot each. Remove twelve (12) pre-fabricated containers.
3. Development and operation of a 58,396 square foot addition to **GH1** for nursery/juvenile mixed-light cannabis cultivation.
4. Development of a new 24,751 square foot pack house which will be utilized for cannabis processing (bucking, drying, and packaging).

Figure 1- Before & After Site Comparison



1.2 ODOR EMITTING ACTIVITIES

Figure 2- Existing Greenhouse 1 Exterior

GH1 will contain a mature/adult-flower cultivation area of approximately 264,500 sq. ft. (California Type 3B, Tier 2, Cultivation License)(sometimes referred to herein as the "Indoor Cultivation"). The proposed 58,396 square foot addition to GH1 will contain Indoor Cannabis Nursery (California Type 4 License)(sometimes referred to herein as the "Indoor Nursery" or "Propagation").

Within the proposed 24,751 pack house/processing building, mature cannabis flower will be harvested, wet-bucked, and weighed. The flower product will then be handled in one of two ways. Approximately 40% (subject to change based on market conditions) of the daily flower production will be placed within vacuum bags and frozen in the processing building's proposed freezers. This "fresh-frozen" material would then be loaded into specially equipped freezer trucks and exported for further processing off-premises. The remaining 60% of the daily flower production would be dried, cured, bucked, and then packaged into consumer goods (such as jars or pre-rolls). The existing twelve (12) pre-fabricated containers currently existing on the Project Site and utilized for cannabis processing, will be removed.

The strongest occurrences of cannabis odor will be associated with Indoor Cultivation mature/adult-flower cultivation within GH1 and the proposed processing building. Nuisance odors from the nursery portion of GH1 are possible, although immature plants do not reach the state of maturity associated with cannabis' most pungent odors.

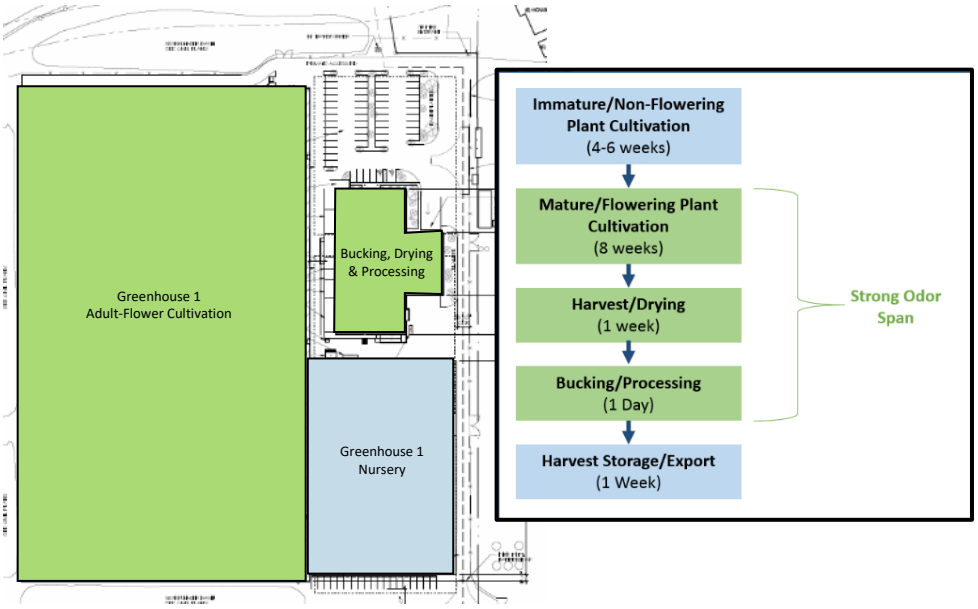
1.3 PHASES OF ODOR EMITTING ACTIVITIES

The phases of growing and processing cannabis proposed by Cresco/SLO Cultivation have two main stages that emit odors. These odor emitting phases are mature/flowering plant cultivation and bucking/processing. During an initial period of four (4) to six (6) weeks immature/non-flowering plant cultivation occurs during which minimal odors are expected. Once the juvenile plants become mature and begin to flower they enter the mature plant cultivation phase where they emit stronger odors; this phase spans approximately eight (8) weeks. Once the cannabis plants have matured plants are harvested and either:

1. Wet-bucked (bucking is the process of mechanically stripping cannabis flowers from the stem and leaf matter), weighed, and placed into bulk plastic bags which are vacuum sealed prior to freezing.
2. Placed in totes with sealed lids and transported to drying & curing rooms. After the plants are dried and cured, they are dry-bucked, and the flowers are packaged into consumer goods (such as jars or pre-rolls).

These cannabis containers will then be loaded into trucks for export. These phases of cannabis cultivation and processing are illustrated in Figure 3 below and each phase can be seen in the location that it occurs. It is important to note that due to the rotational crop management, the Site is expected to have approximately 30% of the total cannabis crop in a mature, strong odor emitting phase at any given time.

Figure 3- Cannabis Odor Distribution



1.4 ACTIVE ODOR CONTROL SYSTEMS- GREENHOUSES

1.4.1 Operation of Vented Greenhouses

Existing greenhouses throughout the Carpinteria region, including the Project's existing Greenhouse 1 and proposed nursery additional, are not air tight. Temperatures and humidity necessary for healthy plant cultivation are presently achieved by venting warm air moisture through mechanical vents on the roof. This passive method of ventilation allows greenhouses to leverage Carpinteria' s temperate climate conditions and operate with substantially reduced energy consumption in comparison with sealed greenhouses or indoor cultivation facilities which must utilize:

Figure 4- Existing Greenhouse 1 Exterior

- Additional gas combustion powered boiler(s) to supplement greenhouse heat.
- Electrically driven compressors and/or fans to air condition/cool.

- Electrically driven fans to drive air exchanges and reduce humidity build-up.
- Inject carbon dioxide to promote plant growth and overall health.

1.4.2 Scrubber Development for Vented Greenhouses

As a consequence of these passive ventilation operations, traditional carbon filtration of odors from vented air via negative pressure is not feasible. A partial vacuum cannot be practically achieved within the existing greenhouses to route air and avoid venting and constant recirculation of fresh air exchanges for such large volume quickly exhausts conventional carbon systems absorption capacity.

Accordingly, Cresco/SLO Cultivation proposes installing a recently developed odor control technology, or equivalent internal scrubber/filter system, known as a Regenerative Carbon Scrubber System (developed by Envinity Group).

This Regenerative Carbon Scrubber System consists of five (5) primary components.

1. An initial, cleanable, pre-filter to remove large particles from the influent stream of ambient air.
2. A high-flow ionization stage to apply a charge to the remaining particles after the pre-filter.
3. A second-stage, cleanable, filter to capture the remaining particles in the air stream.
4. A catalytic carbon filtration stage that utilizes the "traditional" carbon filter to retain any odor gasses long enough for Ultra-Violet (UV) light to oxidize and reduce the odor-causing gases to smaller, odorless gases.
5. A final stage with a specially-impregnated filter to capture any remaining fugitive gases that remain after the catalytic carbon stage.

The prototype system consists of a series of ground-mounted scrubber towers spread evenly throughout the interior of the greenhouse in a grid-like pattern (see Figure 5). Future production models will likely be offered in both ground-mounted and framing mounted variants (such that they can be elevated above benched growing space).

Due to the fact that the Regenerative Carbon Scrubbing Systems (RCSS) are an emerging technology for the purposes of treating greenhouse odors, per the request of CARP Growers, SCS recently completely a site specific analysis of the prototype system's efficacy at an active cannabis facility located at 3508 Via Real in Carpinteria (Project Site/Facility). SCS field staff confirmed that the Project Facility was similar to proposed cannabis greenhouses throughout the region with adult-flowering cannabis and operable roof vents. The RCSS is innovative technology intended to sustain a substantial reduction in detectable cannabis odors within greenhouses prior to the fresh air exchange which occurs when greenhouses are deliberately roof-vented, when air escapes during opening and closing of access doors, or fugitive air emissions which occur even when the greenhouse is predominantly sealed (roof vents closed and black-out curtains drawn). Traditional carbon scrubber systems have failed in this greenhouse function due to the significant volume of moisture laden air constantly

needed for recirculation. The carbon pore space becomes saturated in a matter of days or weeks, after which the efficacy of the odor reduction drops precipitously. In contrast, the combination of Envinity's electrostatic air purifiers combined with the regenerative carbon scrubber does not utilize the carbon bed as the primary means for odor molecule elimination. Instead the combination of titanium oxide impregnated carbon and ultra-violet light utilizes both adsorption and chemisorption to actively treat the odiferous chemicals within the filters. The systems pre-filters also prevent ultra-fine and larger diameter particulate matter from reaching and compromising the scrubbing media's pore space. The ionization process used to drive the chemisorption reaction takes place only inside the scrubber and no charged particles, radicals, or ozone are emitted by the system.

Figure 5- Prototype Regenerative Carbon Scrubber System

Carpinteria Case Study

To conduct the case study, SCS completed two (2) rounds of odor and air quality testing at the Project Facility. The overall test conditions included an approximate 2.6-acre greenhouse with cannabis cultivation in various stages of adult-flower throughout the structure. A total of fourteen (14) CFS-3000 scrubbers were deployed with each scrubber operating at an air circulation rate of approximately 2,950 cubic feet per minute (CFM). See Attachment 1 for the CFS-3000 product specification sheet.

Odor Testing Event 1 focused on the overall odor reduction within the circulated greenhouse air while *Odor Testing Event 2* focused on the net odor reduction in the influent and effluent streams of an individual scrubber. It is important to note that after the conclusion of the first testing event, the scrubber manufacturer (Envinity) was provided valuable feedback which was subsequently used to adjust the function of the scrubbers and further improve their odor reduction efficacy prior to the second testing event. The primary cannabis odor samples for both testing events were taken within the greenhouse structure interior.

Odor Testing Event 1: Pre-scrubber Adjustment, Circulated Greenhouse Air

In February 2021, SCS collected a suite of twelve (12) total odor samples at strategically appropriate times to capture potential maximum odors in the greenhouse's circulated interior air mass to determine odor destruction efficacy of the Regenerative Carbon Scrubber System. The testing event included the collection of six (6) odor samples prior to scrubber activation (i.e. unscrubbed air within the greenhouse) and six (6) odor samples after the scrubbers had operated for approximately forty-eight (48) hours. Each before and after sampling event included four (4) samples (two during AM hours and two during PM hours) taken inside various locations of the greenhouse intended to capture the average odor level in the continuously circulated greenhouse

environment. The other two (2) samples were taken outside the greenhouse to establish an exterior baseline. SCS strategically sampled at times and locations within the greenhouse which represent worst-case odor saturation, thus odor levels were often at orders of magnitude higher than average greenhouse conditions observed during earlier sampling events in Carpinteria.

These samples were then shipped to an independent third-party laboratory (Odor Science and Engineering, Incorporated in Bloomfield, Connecticut) for analysis. The OS&E laboratory has an expert odor panel which conducts blind evaluations of the odor samples (the panel is not informed of the potential type or source of the samples). The odor panel provides both a character (i.e. sour, skunk, exhaust, garbage) and an concentration for each odor sample. The concentration of odor is quantified as a dilution to threshold ratio (D/T) with higher numbers reflecting stronger odors. For example, the baseline odors present in most communities range from 8-12 D/T. Eight (8) D/T represents eight (8) parts of clean, purified air for each unit of odor sample. The specially trained and qualified odor panelists can often detect a net increase of 3-5 D/T over this baseline condition. Members of the general public can typically detect a net increase of 5-10 D/T. Most municipal jurisdictions with an adopted odor nuisance ordinance/policy therefore adopt a threshold of 10 D/T or higher.

Odor levels prior to scrubbing ranged from 7,599 D/T to 8,989 D/T with an average D/T of 8,296. Odor levels after the scrubbers operated for forty-eight (48) hours ranged from 1,067 to 2,606 with an average D/T of 1,537. This equates to an overall average of an 81.0% reduction in odor concentration in the continuously circulated greenhouse interior air. All interior samples were identified as having a character commonly including odor descriptors such as: cannabis, pot, weed, marijuana, and skunk. It is important to note that the averaged 81.0% odor reduction efficiency is the result of a relatively small data set which is hampered by one sample which registered at 65.7% reduction in odor. The remaining three (3) samples all registered odor reduction rates of 84% or higher with two (2) of the samples indicating that an approximate 87% reduction of odor is feasible. It is likely that increasing the density of scrubbers per acre and improving their even distribution throughout the greenhouse structure could improve the overall consistent performance of the system to achieve an odor reduction rate approaching or exceeding 87%.

Table 1- Odor Sampling Results from Circulated Interior Greenhouse Air

Sample ID	Odor D/T Prior to Scrubbing	Odor D/T After Scrubbing	% Reduction in Odor Concentration
AM Sample Point #1	8,989	1,166	87.03%
AM Sample Point #2	8,282	1,310	84.18%
PM Sample Point #1	8,313	1,067	87.16%
PM Sample Point #2	7,599	2,606	65.71%
		Average Total	**81.02%**

Odor Testing Event 2: Post-scrubber Adjustment, Scrubber Influent and Effluent
SCS collected a suite of five (5) total odor samples at strategically appropriate times to capture potential maximum odors in the ambient greenhouse environment to determine odor destruction efficacy of the individual Regenerative Carbon Scrubber System units. These five (5) sample collections included two (2) scrubber influent, two (2) scrubber effluent, and one (1) ambient location within a second, untreated, greenhouse. These samples were then shipped to an independent third-party laboratory (Odor Science and Engineering, Incorporated in Bloomfield, Connecticut) for analysis.

The odor samples relative to the influent of the Regenerative Carbon Scrubber System within the Project Site's greenhouse resulted in odor concentrations of 1,793 D/T (daytime) and 1,793 D/T (night-time) respectively with a character commonly including odor descriptors such as: cannabis, pot, weed, marijuana, and skunk. Samples taken of the effluent from the Project Site's regenerative carbon scrubber system resulted in odor concentrations of 63 D/T (daytime) and 25 D/T (night-time). This data indicates an average of a 97.6% reduction of cannabis odor concentration from the influent of the scrubber compared to the effluent into the greenhouse. This 97.6% odor reduction limit should be considered the theoretical maximum odor reduction rate achievable in close proximity to each individual scrubber, however odor reduction for a greenhouse as an entire circulated air mass is unlikely to ever achieve this upper limit.

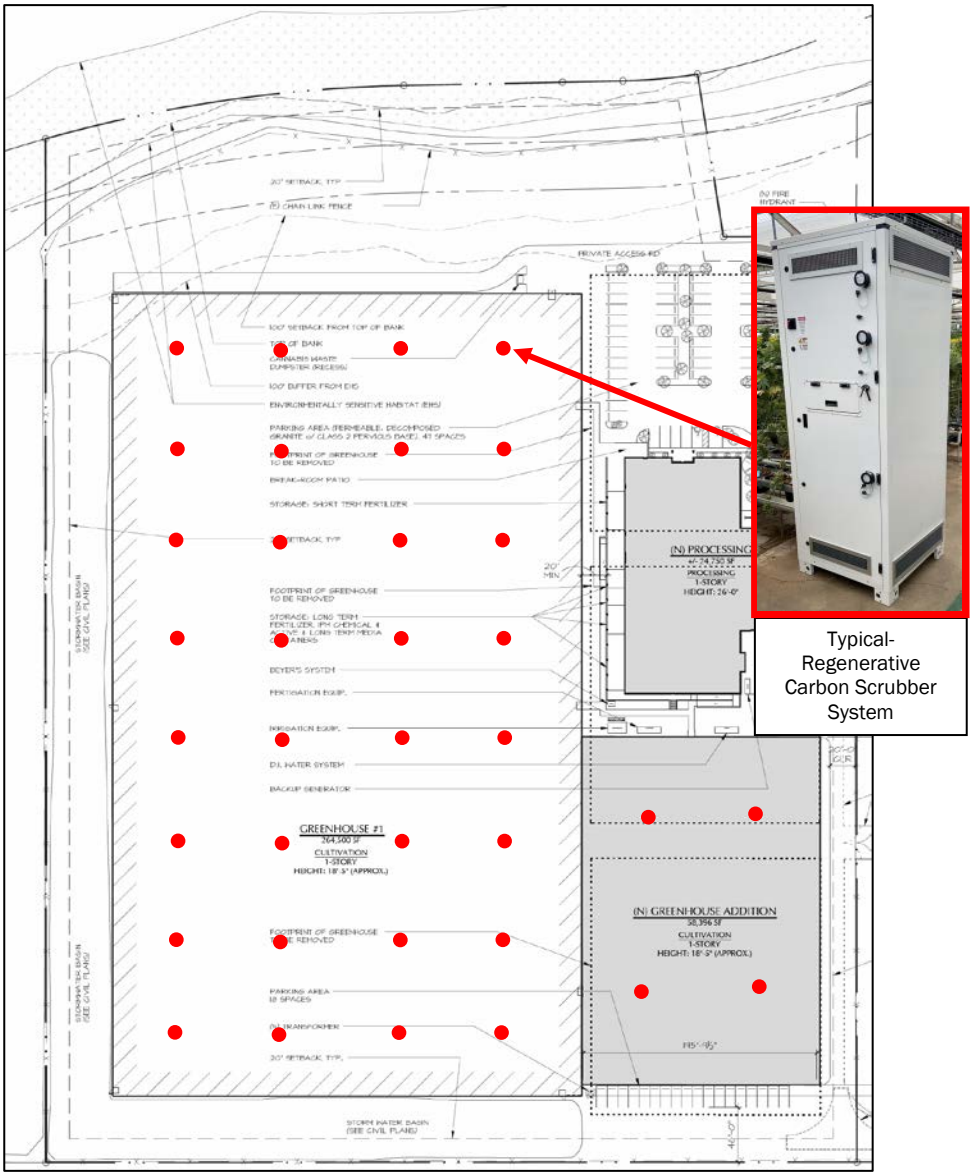
1.4.3 RCSS Use at the Cresco/SLO Cultivation Facility

Given the research and development state of ventilated greenhouses scrubbers, Cresco/SLO Cultivation commits to utilizing internal greenhouse odor scrubbers/filters such as the Regenerative Carbon Scrubbing System (RCSS) or equivalent internal greenhouse scrubbers/filters as the means of primary odor control technology as soon as commercially available and no later than twelve (12) months after the commencement of full-scale cultivation of cannabis at the facility. Consequently, upon installation and testing of the internal scrubber/filtration system, the facility operator shall also reduce or eliminate the use of vapor-phase neutralizing systems to the maximum extent feasible based upon the ability to prevent fugitive odors from reaching residentially zoned receptors. For the purposes of this requirement, the date of full-scale cultivation shall be interpreted as the receipt of Final Occupancy for the 322,896 square foot greenhouse AND issuance of the Business License necessary to allow the Project's maximum canopy cultivation.

The deployment of the RCSS odor control technology, or equivalent internal scrubbing system, would require the grid-like distribution of the scrubbers throughout the interior of the cultivation greenhouse. Assuming a similar size and density of scrubbers to the test case described above, the Cresco facility would be outfitted with approximately thirty-six (36) elevated scrubbing units similar to the conceptual layout provided in Figure 6 below. It is important to note that while helpful for the simplicity of this conceptual description, the ratio of scrubbers per acre will be highly variable based on facility specific design parameters including greenhouse volume, CFM rating for the scrubbers,

baseline odor concentration, etc. Therefore, the Project design will be based on final site specific engineering.

Figure 6- Conceptual Cresco RCSS



Estimating Odor Concentration Outside Vented-Greenhouses

As described in the sampling descriptions above, the verification sampling of the RCSS resulted in a measured average reduction in odor concentration of 81.0% in the circulated greenhouse air and 97.6% of the individual scrubber's direct exhaust/effluent stream. These estimated odor reduction levels were achieved inside the greenhouse. For the purposes of this pilot study, actual observed odor reductions outside the test greenhouse could not be measured accurately due to the fact that Envinity could only supply sufficient scrubbers to outfit half of the Project Facility. Therefore, remnant

fugitive odors from the other unscrubbed portion of the Project Facility would convolute the data. Additionally, the test facility was in close proximity to at least three (3) other active cannabis facilities within a 300-foot radius. All such surrounding facilities could have contributed fugitive cannabis odors and/or neutralizing vapor which would further degrade the quality of the data.

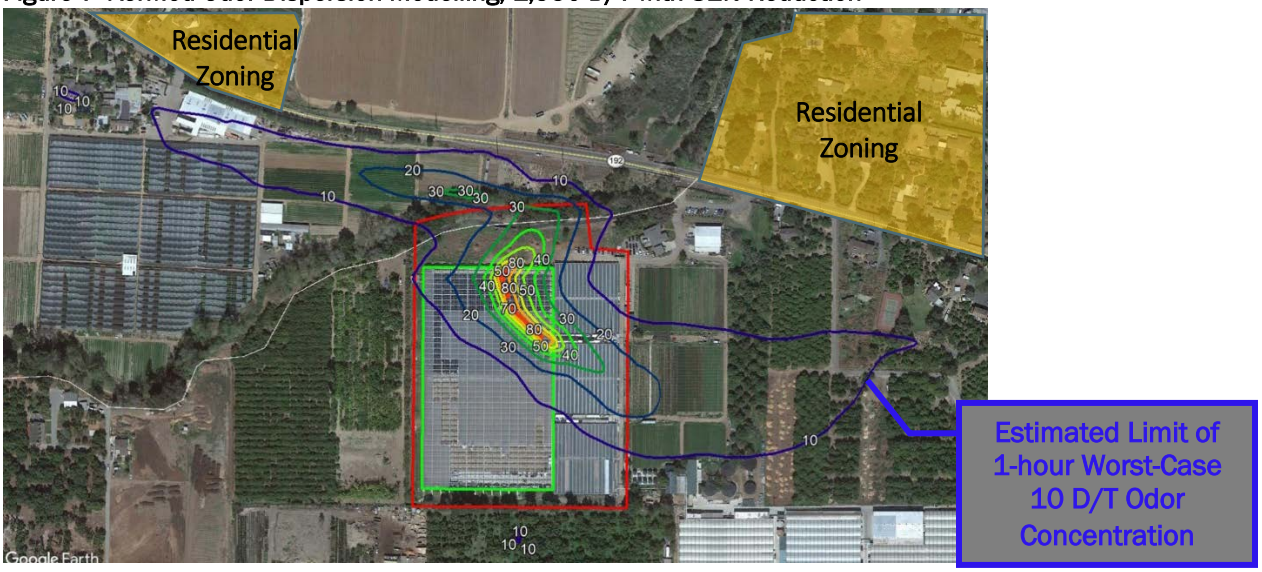
Therefore, for the conceptual design of the RCSS system for the Cresco Project Site, SCS utilized air dispersion modelling methods and scenarios, as described below, to estimate the combined odor reduction achieved through the use the interior scrubbers and the exterior dilution and dispersion of remaining odors which occurs once air is released from the greenhouse vents. Two (2) odor reduction rates were utilized for this exercise, the 81% average odor reduction proven to be achievable through the entire sampling set and an 87% odor reduction which is likely to be achievable through the incremental improvement of the scrubbers and/or the deployment of a higher density of scrubbers per acre. For modelling purposes, SCS assumed that the Cresco greenhouse would have an initial 1,950 D/T odor concentration; this estimate was derived by taking a series of five (5) baseline odor samples within Cresco's existing, non-conforming greenhouses (spread across multiple dates and times of day) and using the single highest odor concentration recorded. By using the single highest baseline odor, rather than an average, this should give the modelling a conservative, worst-case scenario approach. Most baseline odors samples taken from Cresco's greenhouse stayed within a much lower range of 117 to 521 D/T.

SCS completed an analysis of the Cresco property utilizing a sophisticated air dispersion model known as AERMOD Version 21112, which is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD has the capability of utilizing site specific meteorological and topographic data, thus making the model more accurate and capable of producing site specific isopleth maps to illustrate the dispersion of odor in proximity to the project site. This offers a reasonable prediction of the dispersion of the remaining odor from the Cresco facility after RCSS scrubbing has occurred.

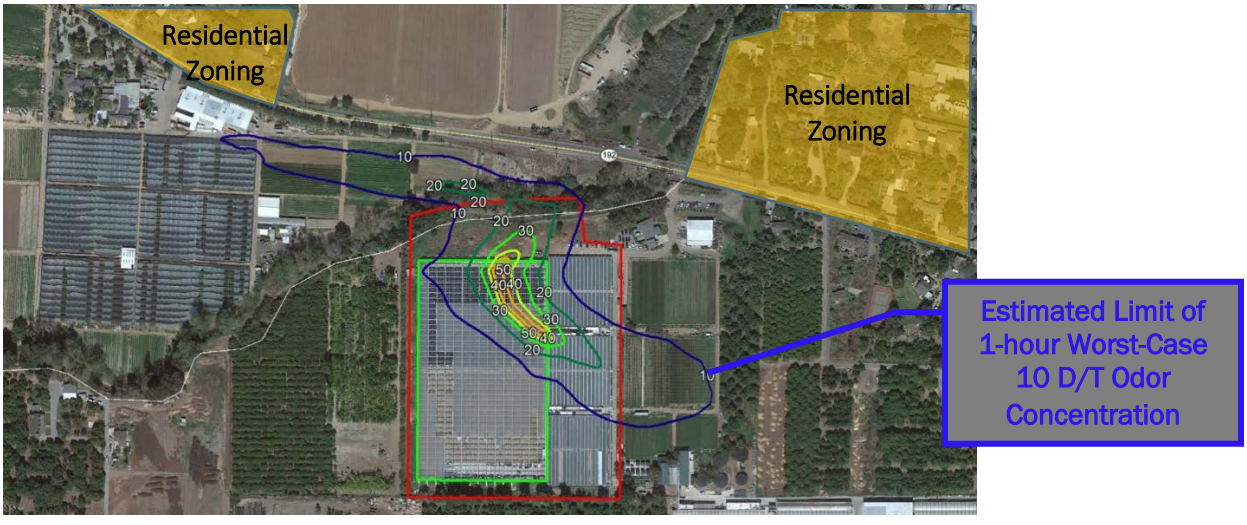
As shown in Figure 7 below, assuming Cresco has a starting odor concentration of 1,950 D/T and the scrubbers achieve an interior odor reduction of 81%, the remaining maximum odor expected to be released from the greenhouse vents is approximately 369 D/T. After that initial release, the air dispersion model predicts the fugitive odor distribution and dilution and creates isopleth contours which visually illustrate the location and diminishing concentration of the fugitive odor as it travels away from the greenhouse. It is extremely important to note that these isopleth contours predict a 1-hour worst-case scenario based upon five years of meteorological conditions. Therefore, the estimated odor contours do not constitute a persistent odor distribution that would be experienced by a single receptor on a daily basis. Odors of up to 10 D/T in concentration (generally considered the lower limit of a nuisance odor) spread off of the Project parcel along a generally east-west axis but stay predominantly south of Foothill Road and the residentially zoned receptors to the north. Remnant odors drifting

to the east or west have the estimated potential to be experienced by agricultural properties approximately 900-feet beyond the Project Site boundary during worst-case 1-hour conditions but contours do not directly intersect with any residential structures.

Figure 7- AerMod Odor Dispersion Modelling; 1,950 D/T with 81% Reduction



As shown in Figure 8 below, assuming Cresco has a starting odor concentration of 1,950 D/T and the scrubbers achieve an improved interior odor reduction of 87%, the remaining maximum odor expected to be released from the greenhouse vents is approximately 253 D/T. Odors of up to 10 D/T in concentration (generally considered the lower limit of a nuisance odor) are still predicted to spread off of the Project parcel along a generally east-west axis and stay south of Foothill Road and the residentially zoned receptors to the north. Remnant odors spreading to the east now take a more southerly direction and diminish faster; thus 10 D/T odors predominantly remain within Ocean Breeze's (same underlying land owner as the Project Site) cultivated lands approximately 600-feet southwest of the agriculturally zoned receptors along the southern side of Foothill Road.



1.4.4 RCSS Findings and Recommendations

Due to the emerging nature of this RCSS technology, and limited efficacy testing conducted to-date, SCS has made a series of recommendations needed to further refine data pertaining to the performance and deployment of the Regenerative Carbon Scrubbing Systems to CARP Growers and the manufacturer, Envinity.

However, the combination of air sampling and modelling conducted to-date indicate that the system is a potentially viable means of odor control for the Cresco facility, especially if:

1. The next iteration of the RCSS technology can improve its odor reduction efficacy to 87% or greater, or
2. The RCSS technology is supplemented by secondary odor mitigation such as, but not limited to, vapor-phase neutralizers.

If the Cresco facility is selected for early adoption of RCSS, or equivalent internal scrubber systems, to assist in the progression of cannabis odor control technology, SCS offers the following facility specific recommendations:

1. Deploy an initial set of RCSS, or equivalent, units to achieve a similar air exchange rate as was achieved in Envinity's/RCSS' prior testing regime. This should result in an odor concentration reduction of 81% or better. Given the intent to reduce or eliminate the use of vapor-phase neutralization systems, retain the Project Site's existing perimeter vapor-system and single Byer's blower unit.
2. Upon initial RCSS installation and functionality testing, commence RCSS operation and temporarily cease operation of the vapor-phase system. Conduct initial operational testing and observations.
    a. If the RCSS standalone system is sufficient to prevent offsite odor observations, continue to operate the system for a period of six (6) months to ensure the odor reduction efficacy can be maintained consistently without failure of the system filters, carbon saturation, etc. Should the system continue to perform at expected levels, proceed to permanent decommissioning of the vapor-phase system.
    b. If offsite odor observations occur, reactivate the vapor-phase system temporarily while RCSS improvements are completed. Improvements can include but are not limited to: manufacturer recommendations to improve individual scrubber performance, adjustment of scrubber location within the greenhouse, or installation of additional scrubber units.
3. If needed, implement improvements to the RCSS and resume standalone testing with vapor-phase system deactivated.
    a. If the RCSS standalone system is sufficient to prevent offsite odor observations, continue to operate the system for a period of six (6) months to ensure the odor reduction efficacy can be maintained consistently without failure of the system filters, carbon saturation, etc. Should the

system continue to perform at expected levels, proceed to permanent decommissioning of the vapor-phase system.

b. If offsite odor observations occur and no further RCSS performance improvements are viable.

   i. Begin testing the use of RCSS and vapor-phase in combination with an emphasis on the RCSS as the primary odor mitigation system and minimization of vapor-phase neutralizer. Effort should be made to utilize the minimum daily-volume release of neutralizer needed to achieve effective odor control including limited vapor-phase system operation to certain times of the day or operational activities where supplemental odor mitigation is warranted.

   ii. Or, conduct a new odor control BACT analysis to examine alternative odor mitigation technologies.

1.4.5 Vapor-Phase Neutralizer

As described above, Cresco/SLO Cultivation intends to utilize emerging RCSS or equivalent internal greenhouse scrubbing systems as the primary means of odor control for greenhouse cultivation. However, if needed to provide odor control until such time as the RCSS is commercially available, or as a supplement to the greenhouse scrubbing systems, the leading vapor-phase odor neutralizing technology developed and operated by Byers Scientific & Manufacturing would be available. Refer to Attachment 4 for more information regarding the Byers Odor System.

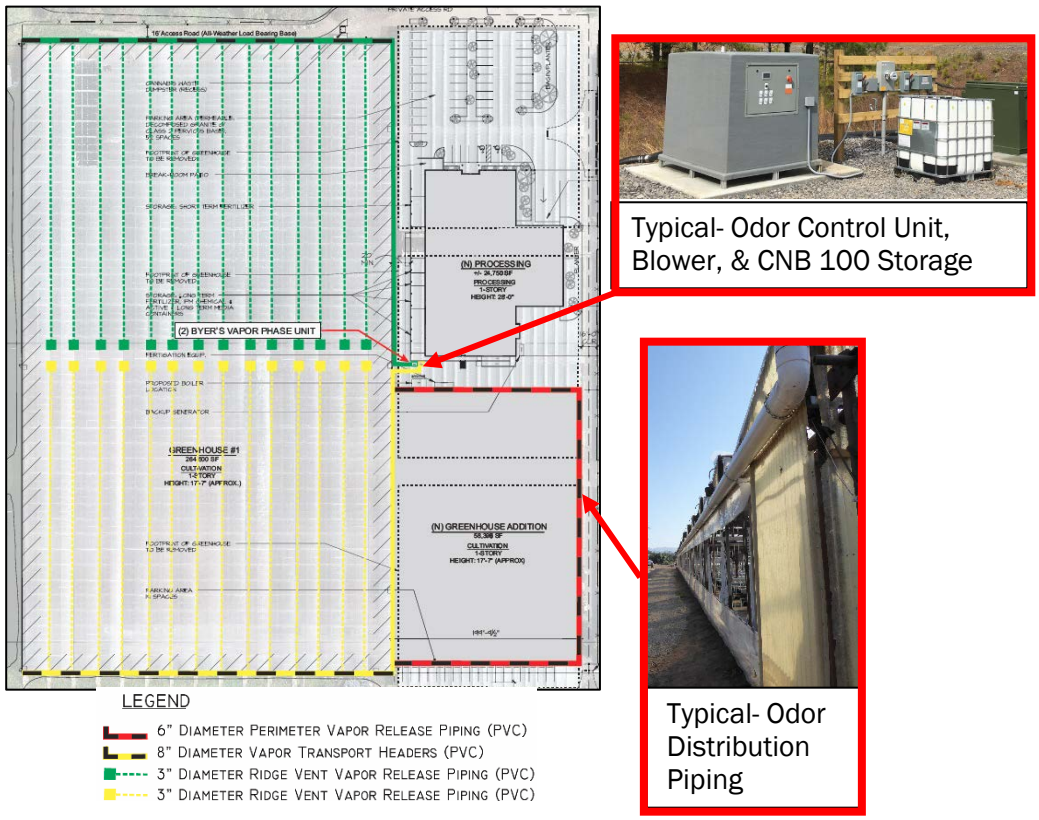
Byers Odor System consists of four (4) primary components.

6. A holding tank containing an odor neutralizing agent developed specifically to neutralize odors from cannabis. This odor neutralizing agent is known as Ecosorb CNB 100 (CNB 100) or CNB 107 and is manufactured by OMI Industries, a leader in odor neutralization materials. Refer to Attachment 5 for more details regarding CNB 100 and 107.
7. A high-flow, low pressure blower which takes the odor neutralizing agent and distributes it as a vapor into the perimeter pipeline system.
8. A PVC pipeline system erected around the perimeter of the nursery portion of GH1 (lower odor area) and along roof vent openings of the adult/mature flower cultivation portion of GH1 (higher odor area) which releases the odor neutralizing agent vapor. The Byers Odor System entrains vaporized odor neutralizers into moving air outside the cannabis cultivation facilities. Odorous molecules are then neutralized as they travel downwind with neutralizer traveling and mixing with this odorous air mass regardless of changing wind speeds, wind direction, or other weather factors.
9. A real-time computer monitoring system which allows the operator to remotely regulate the flow of the odor control system to ensure that the amount of odor neutralizing agent is adjusted to match current odor producing conditions,

seasonal weather patterns, and other fluctuating conditions. The system is also capable of notifying the operator if an equipment failure has occurred so that the system can be repaired and returned to service as soon as possible.

Refer to Figure 9 below for a graphical representation depicting how the Byers Odor System will be deployed for the Cresco/SLO Cultivation Carpinteria Project Site. Refer to Attachment 2 for a more detailed odor system design.

Figure 9- Byers Odor Control System Layout



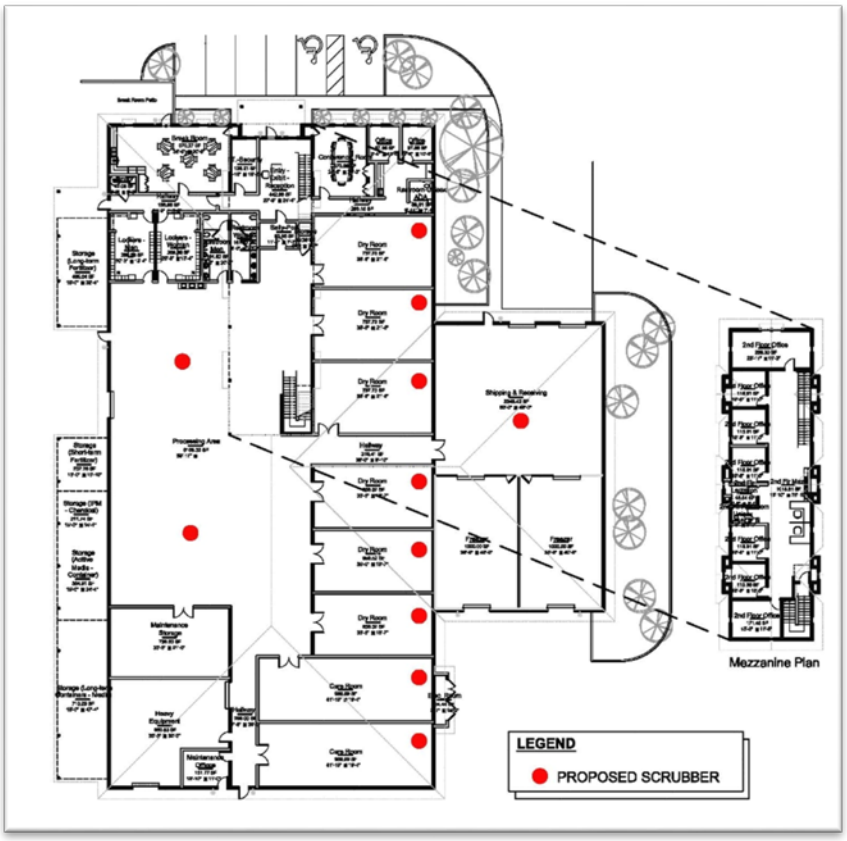
An employee will walk the perimeter of each greenhouse daily to inspect the structural integrity of the Byers system. The employee will also observe odors to ensure that no nuisance odors are breaching the property line.

1.4.6 Processing Building Carbon Scrubbers

The proposed 24,751 square foot pack house/processing building, where all cannabis processing and storage will occur, will be a purpose built metal building with vapor barriers and opening seals that will limit air (and odor) exfiltration at the exterior building envelope. The air handling system will maintain interior air quality for employees, maintain a slight negative pressure differential between the inside and outside air, and control odor exfiltration. HVAC exhaust ducts to the outside will be controlled with industrial grade carbon odor absorbers. The system will be designed by a professional mechanical engineer and maintained throughout the life of the Project. In particular, on-site personnel will be required to regularly check the carbon media for saturation

and degradation of the system's ability to mitigate odor, at that time the carbon media shall be replaced. As illustrated in Figure 10, carbon scrubbers will be distributed throughout each room which contains odiferous cannabis activities with the exception of the freezer rooms where all cannabis is vacuum sealed in thick plastic bags.

Figure 10 - Scrubber System Layout



Within this structure, 15,260 square feet will be utilized for odorous cannabis activities while the remaining 9,491 square feet will be used for non-odorous activities including freezers, maintenance storage, heavy equipment, offices, IT/Security, lockers, bathrooms, and breakroom. With an average ceiling height of 12'0" feet, the cannabis processing portion of the structure will be approximately 183,120 cubic feet. A minimum of eleven (11) Camfil 3,000 cubic feet per minute (cfm) scrubbers will be installed, with a combined capability of treating up to 33,000 cfm. If ran at maximum capacity the filters would be capable of completing a maximum of ten (10) air exchanges per hour which is sufficient to achieve proper odor control. Based on site specific testing it will be beneficial to slow the rate of air exchanges to two (2) to four (4) per hour to increase contact adsorption time with the carbon and/or extend the carbon filters' lifespan. Such adjustments should be made with initial testing after facility operation commences.

Figure 11- Typical Elements of a Carbon Filtration System

Compact Carbon Scrubber

Carbon Scrubber w/Blower & Pre-filter

In the unlikely event the facility experiences offsite odor observations, the design engineer shall be contacted to conduct follow-up investigations to ensure the active odor control systems are functioning properly, maintained in good working order, and elements of odor control such as frequency of carbon medium replacement or daily volumes of vapor neutralizer have been adjusted accordingly to operating conditions. If offsite odors persist, a combination of odor grab samples, terpene measurements, or comparable scientific technique shall be used to:

1. Ascertain if the source of odor is coming from the subject facility.
2. Verify which project activity/structure is the source of fugitive odors (i.e. greenhouse cultivation, processing, product loading).
3. Take corrective action to improve odor control methods through modified operational Best Management Practices and/or install improved mechanical systems.

Refer to Section 1.6.4 of the Plan for greater detail regarding odor observation response protocols.

1.5 ODOR CONTROL BEST MANAGEMENT PRACTICES

Once operational, the project staff will implement odor control Best Management Practices (BMPs) as outlined below:

Best Management Practice 1: Designate an onsite *Odor Management Specialist* at the facility. This employee will be given time, resources, training, and incentives to control odors as a first priority.

Best Management Practice 2: The onsite *Odor Management Specialist* should at a minimum walk the Site two (2) times per day to:

A. Ensure that all means of active odor control (neutralizing vapor and carbon filtration) are operational and in good working order.

B. Observe onsite personnel to ensure that odor control BMPs are implemented. BMPs include keeping doors closed whenever feasible, placing waste in sealed containers, limiting processing-related activities to the odor controlled building(s). If BMPs are not consistently implemented, the *Odor Management Specialist* shall report inconsistencies to appropriate management for corrective action. Maintenance of a daily odor inspection log and check-list shall be made a part of these BMPs.

C. *The Odor Management Specialist* shall be a point of contact to receive odor complaints from the regulatory agencies or the community. The specialist shall request as much detail as possible regarding the complaint, including:

   i. Location (be exact, narrow it down within 100-feet or less if possible).

   ii. Time (be exact, to the minute if possible).

   iii. Weather conditions (approximate temperature, wind speed, etc.).

   iv. Visual observations. Did the complainant see the cannabis facility/operations from which the odor may have come, or see any unusual activities in the observed area?

Best Management Practice 3: Build a company culture wherein all personnel understand the importance of odor control. Train each person in their individual odor control responsibilities at the facility. Training elements include:

A. Ensure all employees are aware of the *Facility Odor Control Plan* for the entire Site and the odor control BMPs that apply to their tasks within the workforce.

B. Incorporate the fundamentals of odor control in the training programs; provide this instruction in bi-lingual form as needed.

C. Consider incentives with offsetting disciplinary measures based on odor control implementation and success.

Best Management Practice 4: Secondary miscellaneous odor management BMPs should be implemented consistently as follows:

A. Facility doors should be kept closed whenever feasible. The opening of doors should occur only momentarily for entry and exit, especially in areas of cannabis processing. The installation of self-closing doors, heavy-duty plastic curtains, or other safe means of limiting fugitive odors should be considered.

B. Keep all processing activities within the perimeter of its odor control system. Have contingency methods in place so that variations in weather conditions (especially hot weather) do not necessitate the relocation of processing outside.

C. Acquire dumpsters with sealed lids for handling of cannabis waste. Keep lids closed whenever feasible.

D. Consider using plastic bags to line plastic totes to contain/seal cannabis between processing areas as well as during offsite transport. The build-up of cannabis particulate and oil on inside surfaces of totes is a source of fugitive odors.

E. Consider providing employees, particularly those that work in cannabis processing zones, with uniform garments and/or professional laundry services with encouragement or requirements to change clothes prior to leaving the facility.

F. Provide properly sealed vehicles for transportation of cannabis outside of facilities, both smaller golf cart type vehicles inside the project perimeter and larger export trucks used to transport products offsite for sale.

Best Management Practice 5: Active odor control should start with an examination of the pertinent structural envelope. With rare exceptions, such as open field neutralization, most active odor control mechanisms utilize a structure of some kind to initially contain and channel odors to a specific location for treatment. Indoor or mixed-light cultivation utilize buildings or greenhouses to contain cannabis odors and channel them to either a HVAC system or roof/wall vents. Processing activities should occur within wood-framed, metal fabricated, or concrete tilt-up structures. Evaluating, controlling, and/or minimizing the odor releases from these structural envelopes is paramount to the effectiveness of any active odor control system. Typical examples include: keeping large rolling greenhouse doors closed whenever feasible, replacing/repairing any significant glass/polycarbonate sheeting on greenhouse exteriors, placing neutralization release points close to all roof vents or side wall fans on greenhouses, sealing leak points on processing buildings with spray in insulation or equivalent, and keeping all man or vehicle doors on processing buildings closed whenever feasible. Being mindful of maintaining a proper envelope control of cannabis odors will significantly improve the efficacy and often reduce the operating costs of active odor control mechanisms.

Best Management Practice 6: For all active odor control systems, proper design, operation, and maintenance of these systems is critical to their effectiveness. Therefore, in relation to the vapor neutralizing and carbon filtration systems, the following parameters should be addressed:

A. The piping or equivalent means of vapor distribution should be installed such that it maximizes mixing of the neutralizer with cannabis odors released at all roof vents, active exhaust fans, and operable doors which are frequently opened. The piping must be tested for consistent pressure release over the whole length of the system and inspected regularly to ensure pipe joints have not decoupled.

B. The total linear length of piping, fan/mechanical sizing for the vapor generation/blower unit, and volume of neutralizer released per day should all be evaluated in comparison to the overall size of the site and its proximity to receptors.

C. Be aware that periods of downtime in vapor-phase system operation leaves portions of the facility with little to no odor mitigation of cannabis odors. Develop a maintenance plan and checklist to schedule and document maintenance activities, record replaced parts, and determine frequency of failures of the

vapor phase system with a goal of minimizing system downtime to the maximum extent feasible. If possible, plan maintenance related outages to occur in the afternoon, during steady wind conditions, such that natural dispersion and dilution help mitigate the odors which are no longer being neutralized.

D. Do not use carbon filtration systems unless they are designed by a qualified engineer/specialist and properly maintained. Using a poorly designed or maintained system is potentially worse than no system at all. Especially if the output of the system vents to atmosphere.

E. Ensure that the processing structure has a relatively sealed envelope and institute administrative protocols/training to ensure man and vehicle doors remain closed whenever feasible to preserve the negative pressure of the system.

F. Consider the use of structural upgrades such as mud-room style double-entry doors and the creation of substructures to contain drying or other high-intensity odors in a smaller volume of air space which needs treatment.

G. Due to the size and intensity of odors in some processing buildings, typical off-the-shelf carbon canisters may experience odor breakthrough in a far shorter time than expected. Make sure the project engineer is aware of this and accommodates accordingly in the design and/or operation.

1.6 ADAPTIVE MANAGEMENT STRATEGIES

1.6.1 Weather Monitoring

1. Operator shall install and maintain continuous weather monitoring equipment in accordance with direction of a meteorological monitoring network plan provided by a qualified third-party professional so as to continuously record and transmit weather data, including wind speed, direction (including low speed wind direction capabilities), temperature and barometric pressure for as long as it engages in cannabis cultivation at this Property.

2. This weather data will be maintained electronically and made available upon request (for at least one year) to the Department.

3. Operator will use weather data to identify the variables and conditions that can cause, contribute to and affect Odor Episodes (defined below) and to better understand the transport and fate of odor emissions from cannabis operations in Carpinteria.

4. In the event that a regional meteorological network is created by the Department or other entity, data from Operator's weather monitoring equipment shall be made available in real time to such network.

1.6.2 Odor Technology

The facility shall follow all methods for controlling and reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies (BACT) or methods as necessary to control odor at the facility, as determined by the Department. Any BACT to be employed by an Operator at a future date may require additional permits or changes to existing permits as determined by the Department.

1.6.3 Initial Audit & Continuing Monitoring

The Operator shall develop a testing program to deploy continuously over a 7-day period the best available proven odor monitoring device/method to measure cannabis odor causing emissions from the property during the first week of permitted operations, if other equivalent baseline odor testing has not already been conducted. The applicant shall maintain all odor monitoring data for 3 years and shall provide odor monitoring data to the Department upon request.

1.6.4 Community Participation and Outreach

Prior to the commencement of operations, the Operator shall provide to property owners and residents located within 1,000 feet of the Property the contact information for the Primary Odor Contact, who shall be available by telephone on a 24 hour/day basis to receive calls regarding any odor complaints (Santa Barbara County Article II Coastal Zoning Ordinance (CZO) §35-144U.C.6.f.1.). The Operator shall immediately notify the Department, property owners and residents located within 1,000 feet, and the COL of any changes to the local contact (CZO §35-144U.C.6.f.2.).

1.6.5 Odor Response Protocol

The Operator will continuously monitor odor complaints and will immediately route complaints to the Primary Odor Contact for a timely response. The Operator may utilize analytical tools and measurement systems to evaluate odor inquiries and assess odor conditions, as well as for routine monitoring of horticultural conditions, for the long-term goal of eliminating fugitive cannabis odors.

The Operator shall notify the Department of any complaints the Operator receives within 24 hours of receiving the complaint (CZO §35-144U.C.6.f.3). The Operator shall respond to an initial complaint within one hour and if needed, take corrective action to address any violation of CZO §35-144U.C.6 within two hours (CZO §35-144U.C.6.f.4). The Operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant (if the complainant is willing to provide), as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the

complaint tracking system records to the Department as part of any Departmental inspections of the cannabis activity, and upon the Department's request. The operator shall maintain the complaint tracking records for a minimum of five years (CZO §35-144U.C.6.f.5).

If the Department receives three verified complaints regarding odor events in any 365-day period, the Operator shall implement corrective actions to comply with the odor abatement requirements of County Code Section §35-144U.C.

Level 1 Response - Initial Assessment and Corrective Actions

For any instance in the Odor Response Protocol below where the Operator can determine that an odor complaint is "resolved" or "unresolved", the determination by the Operator does not preclude the Department from taking further actions, including enforcement actions pursuant to Section 35-185 (Enforcement and Penalties), of the Coastal Zoning Ordinance, which may include, but are not limited to, initiating proceedings to revoke the applicable cannabis land use entitlement(s) pursuant to Section 35-169.8 (Coastal Development Permits) of the Coastal Zoning Ordinance. .

Once an odor complaint is received by the Operator, the Operator shall, within one hour after the odor complaint is received, perform an onsite visual inspection to ensure the function and integrity of the following:

1. The odor abatement equipment is working as intended and that there are no visible breaks or blockages in any odor abatement equipment; and
2. If being used, all carbon scrubbers or other odor abatement equipment are working properly and filters are clear of any debris; and
3. All doors are closed, sealed and secured, including greenhouse entry and exit points, internal processing rooms and processing entry and exit points, pursuant to Operator's Standard Operating Procedures ("SOPs"); and
4. A walk of the perimeter of the cannabis facilities, inspecting the integrity of the walls and structure and examining if a physically apparent source of odor can be detected.

If a cause for the reported odor episode was discovered during the inspection, the Operator shall take corrective action to address any violation of CZO §35-144U.C.6 within two hours of the complaint.

After taking corrective action, the Operator shall complete a site inspection at the reported odor complaint location to determine whether the odor complaint has been abated. If odor is no longer detectable at the reporting location identified in the complaint or at locations in the direction where the Operator would expect odor to migrate based on the meteorological conditions present at the time of the odor complaint, then the odor complaint may be deemed resolved.

If no cause for the reported odor complaint was ascertained during the inspection and if the known reporting location is confirmed to be odor-free, the odor complaint is resolved.

Level 2 Response -- Diagnostic Assessment and Corrective Actions
If, after the Level 1 Response is complete, the Operator continues to observe fugitive odors, receives further odor complaints indicating that the odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall:

1. Conduct a weather assessment (wind speed, direction and any shifts, anecdotal weather information collected from interested parties, time and duration of odor complaint) of the conditions that were occurring at and in the two hours before the time of the odor complaint;
2. Perform a comprehensive diagnostic review of the odor abatement system;
3. Interview staff members that were on site during and in the two hours before the time of the odor complaint and determine if they performed or observed any actions or circumstances that may have caused or contributed to the reported odor complaint and evaluate if the operation adhered to the Operator's SOPs for odor abatement;
4. Repair or correct any conditions discovered that may cause or contribute to the odor complaint.

If a cause for the reported odor complaint is identified, the Operator shall take corrective actions, revise its SOPs, and/or adjust the odor control systems as necessary to address the condition(s) that resulted in the odor complaint. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 2 Response and submit it to the Department.

Level 3 Response -- Analytical Assessment and Corrective Actions
If, after the Level 2 Response is complete, the Operator continues to observe fugitive odors and/or receives further odor complaints during the following 8-24 hour period, or the reporting party responds that odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall implement further corrective actions as follows:

1. Commission a Professional Engineer (PE) or a Certified Industrial Hygienist (CIH) to perform an on-site evaluation of odor levels to analyze whether the Operator is

the source of the reported odor complaint. The Operator will use its meteorological data and knowledge of operational activities at the time specified in the odor complaint as feasible.

2. If no further conclusions are found from the analysis, and the Operator is unable to identify the potential cause of the odor complaint, the odor complaint is unresolved.
3. In the event that an odor complaint is unresolved and is recurring or continuing, as evidenced by repeated odor complaints from the property, the Operator shall:
    i. Commission a Professional Engineer or a Certified Industrial Hygienist to implement a testing protocol to measure odor or an odor-causing constituent using the best, currently available objective, odor measurement device, technology or methods.
    ii. Undertake corrective actions identified by the PE or a CIH including but not limited to:
        1. Revise its SOPs.
        2. Adjust or improve the function of the existing odor control systems (i.e. adjust dispersal of neutralizers, replace spent carbon media, install self-closing doors).
        3. Install supplemental or replacement odor control technologies, such as but not limited to internal greenhouse scrubbing systems. Such technology could potentially include installation of 5-15 Regenerative Carbon Scrubbing units per acre of adult-flowering cultivation (exact system design to be defined on a Project specific basis as determined by a qualified professional).

If a cause for the reported odor complaint is identified, the Operator shall take corrective actions as recommended by the PE or CIH as necessary to address the condition(s) that resulted in the odor complaint. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 3 Response and submit it to the Department.

If after the PE or CIH Analysis has been completed, the Operator believes it is not the sole or a contributing source of the reported odor complaint, the Operator shall notify the Department of its conclusion, within three (3) calendar days of reaching such conclusion. The Department will consider this information in determining whether corrective actions are necessary to comply with the odor abatement requirements of Section 35-144U.C,

but the Department is not bound by the Operator's conclusion. If the Department verifies that the Operator is not a contributing source of the reported odor complaint, the complaint shall be deemed resolved.

Level 4 Response -- Comprehensive BACT Analysis and Corrective Actions

If, after the Level 3 Response is complete, the Operator continues to observe fugitive odors and/or receives further odor complaints, or the reporting party responds that odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall implement further corrective actions as follows:

a. Commission a comprehensive Best Available Control Technology (BACT) analysis and submit to the Department a written report prepared by a Professional Engineer or a Certified Industrial Hygienist that includes:

    1. The likely or potential source of the odor complaint;
    2. Additional adaptive management techniques, including operational modifications and curtailment that are recommended to eliminate odor complaints;
    3. Recommendations for new or revised odor abatement technologies; and
    4. Installation of current best available analytical tools to monitor, identify and quantify the emissions causing or contributing to odor complaints.

If the BACT analysis concludes that a more effective odor control system is available that will resolve or materially reduce the severity the Odor Episodes, the Operator shall take all necessary steps to install the more effective odor control system as expeditiously as practicable. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic PE or CIH assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 4 Response and submit it to the Department.

If after the BACT Analysis, the Operator believes it is not the sole or a contributing source of the reported odor complaint, the Operator shall notify the Department of its conclusion, within three (3) calendar days of reaching such conclusion. The Department will consider this information in determining whether corrective actions are necessary to comply with the odor abatement requirements of Section 35-144U.C, but the Department is not bound by the Operator's conclusion. If the Department verifies that

the Operator is not a contributing source of the reported odor complaint, the complaint shall be deemed resolved.

For all Odor Episodes – Reporting and Corrective Actions:
The Operator shall make available to the Department and any reporting party, upon request, a report detailing all efforts taken to resolve odor complaints.

1.6.6 Emerging Odor Control Technologies

As with any environmental mitigation technology, it is anticipated that odor control systems for cannabis facilities will continue to evolve and improve over time. As of the date of certification of this Plan, vapor-phase neutralizer systems and negative pressure carbon scrubbers are the best proven odor control technologies appropriate for the greenhouse and processing building components of this Project respectively.

Current research and development in the field is focusing on the potential use of regenerative carbon scrubbers within greenhouses which are capable of treating significant volumes of odorous air without quickly degrading the carbon's odor adsorption efficacy. If further development of greenhouse scrubbing technology results in a system which exceeds the odor abatement efficacy and consistency of vapor neutralizing systems, Cresco/SLO Cultivation will commence site specific testing and design to either supplement or replace its vapor-phase neutralizer system with greenhouse scrubbers as needed to further abate any offsite Odor Observations from occurring in residential zones as a result of the facility's operations. Similar facility improvement actions will be taken in the future should Cresco/SLO Cultivation be responsible for Odor Observations at regulated offsite receptor points and the adoption of newer odor abatement technologies is reasonably believed to further abate the offsite transportation of odors.

1.7 ODOR SYSTEM CERTIFICATION

Cresco/SLO Cultivation is committed to operating its Project in a manner to avoid causing odor impacts to surrounding residences located in residential zones. Cresco/SLO Cultivation will apply its best efforts to contain and resolve any odor issues, as outlined in this OAP, and will sustain those efforts any time odor is reported offsite at surrounding residences and publicly accessible locations. Using Adaptive Management techniques as Corrective Actions to effectively address and resolve odors is expected to provide an iterative and successful strategy for SLO Cultivation to be a good neighbor and responsible member of the community.

SCS has conducted pilot testing of RCSS greenhouse scrubbing technology and completed site specific air dispersion modelling to confirm the likely effectiveness of internal greenhouse scrubbing systems. The Byers Odor Management System, and similar vapor-phase odor neutralization technology, has a proven record of substantially reducing nuisance odors including odors specifically related to cannabis.

For example, the Santa Barbara County Air Pollution Control District (SBC APCD) in a presentation dated May 15, 2018 indicated that there were approximately fourteen (14) cannabis operations utilizing vapor-phase odor neutralizing systems throughout the Carpinteria region. APCD staff observed one such system in operation in February of 2018 at the 650,000 ft^2 of cannabis cultivation operated by Ever-Bloom. APCD staff noted the odor control system was operating and working as advertised and noted that pungent odors from inside the greenhouse, "could not be detected directly outside the greenhouse or at the property line." Refer to Attachment 6 for further details regarding this APCD review.

Additionally, the Long Range Planning Division of Santa Barbara County recently prepared a Final Environmental Impact Report (FEIR) to amend its Land Use and Development Code to allow certain types of cannabis activities. Appendix F of the FEIR provides a research summary on odor control technology, specifically the vapor-phase system developed by Byers. The FEIR cites several locations where this technology is effectively in use by cannabis operations, including Carpinteria, CA and Pueblo, CO. Additionally, this same technology has been in use at the Miramar Landfill in San Diego, CA. Refer to FEIR State Clearinghouse Number 2017071016 for further information.

Furthermore, SCS conducted independent research regarding the efficacy of the Byers Odor Control System:

1. Contacted Byers Scientific and reviewed a list of existing facilities where the Byers Odor Control System is currently deployed and operational, including cannabis facilities located with similar climate zones, weather patterns, size of cultivation operations, and proximity to sensitive receptors as compared to the proposed SLO Cultivation Project.

2. Contacted one such facility operator to confirm the qualitative efficacy of the Byers Odor Control System in operation.

3. Contacted SBC APCD staff to verify their observations of the efficacy of vapor-phase systems.

4. Completed odor sampling and reduction testing at an active cannabis site with the Byers System (see Attachment 7).

Carbon filtration systems (when properly designed and maintained) offer the leading effective odor control for enclosed spaces such as the Project's processing structures. Other regulatory agencies involved with the emerging cannabis industry have recognized carbon filtration as a Best Available Control Technology (BACT) for odor, including the Puget Sound Clean Air Agency[1] in Washington state and the Denver

[1] Refer to: https://pscleanair.gov/DocumentCenter/View/3364/11237-wks

Department of Public Health & Environment[2] in Colorado. If properly designed and maintained, the carbon filtration system should be sufficient to control nuisance odors emanating from the Project's processing structures.

Based on the presumption that the odor control system is operated during all appropriate times that nuisance odors are present on the Project site, the system is kept in good working order, and operated in compliance with manufacturer requirements and guidelines, Ms. Tia Jeter, a professional licensed in the field of environmental engineering, with an MS in Environmental Engineering and BS in Chemical Engineering, hereby certifies that the Odor Management Plan as currently proposed for deployment at the SLO Cultivation Project Site in Carpinteria, California is consistent with equipment and methods to be used for reducing odors which are accepted and available as industry-specific best control technologies and methods designed to mitigate odor.

Tia Jeter

Signature, Tia M. Jeter

8/10/2021

Date

1.8 COMPLAINT CONTACT SYSTEM

In accordance with applicable local regulations, SLO Cultivation will have a local contact person which will be available on a 24-hour basis to respond to calls regarding nuisance odor complaints. The phone number and contact information for this contact person will be provided to the County and surrounding land owners, within 1,000 feet of the parcel on which the cannabis activity is conducted, as a component of the required noticing. SLO Cultivation will notify the County and applicable land owners should this local contact number ever change. SLO Cultivation will notify the County of any complaints the operator receives within twenty-four (24) hours of receiving the complaint. The local contact will respond to all calls received regarding odor complaints within a timely fashion. This timely fashion means that an initial complaint call will be responded to within an hour and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of the County ordinance. SLO Cultivation has prepared a complaint tracking system for

[2] Refer to: https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/MJ%20Sustainability/Cannabis_BestManagementPracticesGuide_FINAL.pdf

the local contact to use when receiving complaint phone calls. The system includes but is not limited to recording the following information:

1. Contact information of the complainant
2. Date and time that the operator received the complaint
3. Date and time that the nuisance odor observation occurred
4. Approximate location from which the complainant detected the odor
5. Description of the odor observation (i.e. pungent, short-term, long-term, etc.)
6. Description of any activities observed by the complainant at or near the Project Site during the odor observation (trucks entering or exiting the area, uncovered cannabis wastes near the property line, etc.)
7. Description of any specific weather patterns observed by the complainant at or near the Project Site during the odor observation (approximate temperature, calm or strong winds, heavy cloud layer, etc.)
8. Actions the operator implemented in orders to address the complaint.

SLO Cultivation will provide the complaint tracking system records to the County as part of any Planning and Development Departmental (Department) inspections of the cannabis activity, and/or upon the Department's request. SLO Cultivation shall maintain the complaint tracking records for a minimum of five (5) years.

In the event that the department receives three (3) or more verified complaints regarding odor events in a 365-day period, SLO Cultivation shall implement corrective actions to comply with the odor abatement requirements of County Ordinance Section-144U.C.7. Upon the Department's request, SLO Cultivation will submit a written statement that sets forth the corrective actions and timing of implementation of each corrective action, subject to the Department's review and approval. The Department may require the corrective actions to be re-certified by a Professional Engineer or Certified Industrial Hygienist.

1.9 DEPARTMENT ACCESS

SLO Cultivation will allow the department access to the facility at all times, without notice, for the purpose of inspecting odor mitigation practices, odor source(s), and complaint tracking system records.

Attachment 1
Project Vicinity Map

CRESCO
SCS ENGINEERS

North

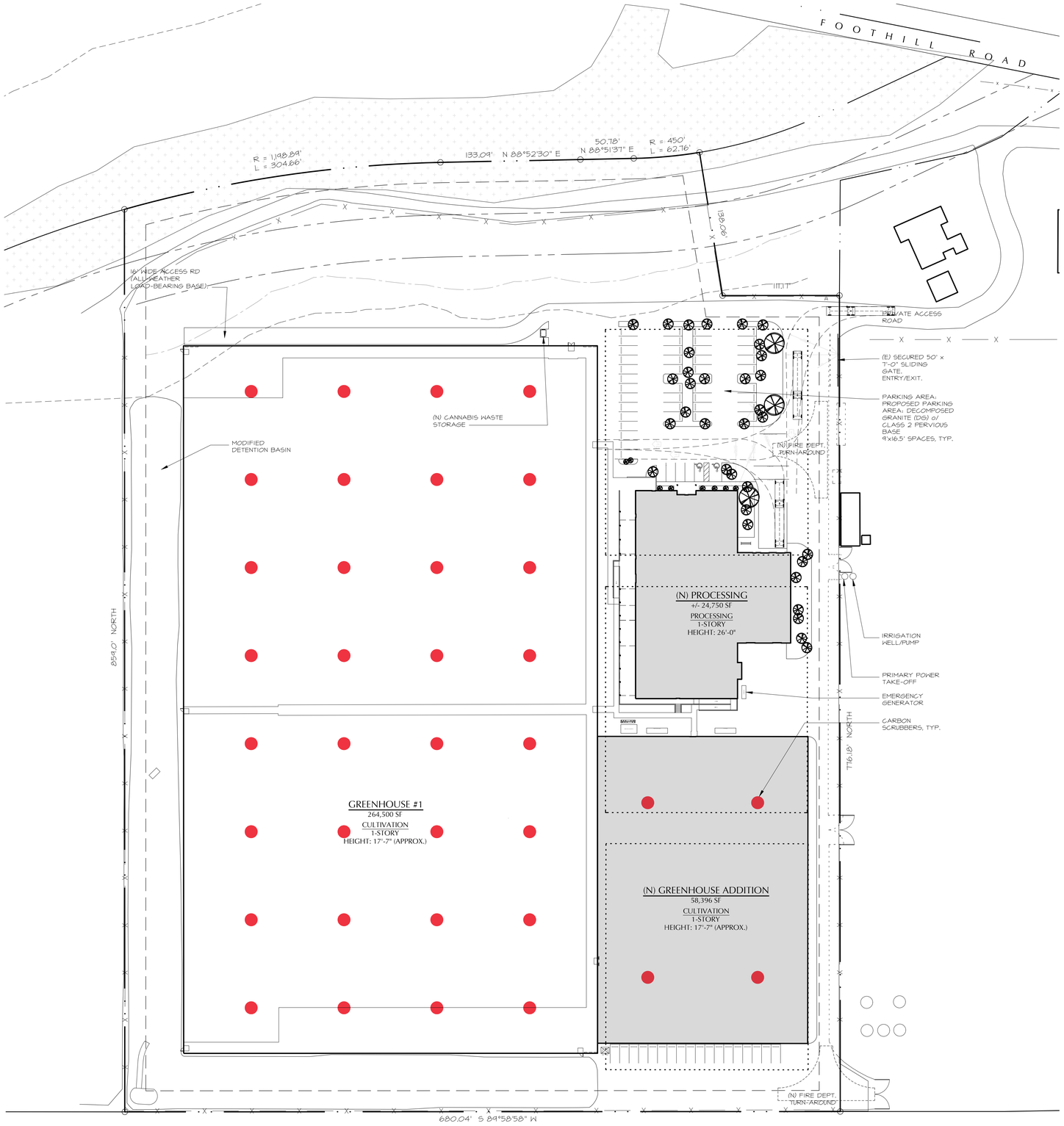
Scale
0 250 500 750 1,000 Feet

PREPARED BY SCS ENGINEERS
JANUARY 2021
GCS, NAD 83
SOURCE: ESRI

Cresco
3861 Foothill Rd
Carpinteria, CA 93103

Zoning Map

Attachment 2
Odor System Site Plans



ODOR CONTROL SITE PLAN

1"=50'

ODOR CONTROL NOTES:

1. Odor Abatement: Dry Vapor Odor Control System (by Byers, U.N.O.) on Concrete Pad. See Odor Abatement Plan by SCS Engineers for Additional Information.
2. Locate Neutralizing Agent and Blower per MFR.
3. Distribution Pipe to be PVC, U.N.O.

BBP

ARCHITECTURE

924 anacapa st
suite: 2-U
santa barbara, ca
93101
805.564.6074

SLO CULTIVATION
3861 Foothill Rd
Carpinteria, CA

--

LICENSED ARCHITECT
CRAIG A. BURNELL
NO. C-20626
REN. 05/21
STATE OF CALIFORNIA

sheet description

ODOR CONTROL PLAN

--

date:

8-7-2020
8-20-2020
8-28-2020
9-3-2020
9-9-2020
9-17-2020
12-9-2020
12-18-2020
12-29-2020
1-13-2021
2-3-2021
2-9-2021
2-10-2021
2-18-2021
4-27-2021
6-1-2021
7-6-2021
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--
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sheet no:

A-1.3

Preliminary: NOT FOR CONSTRUCTION

ESH BOUNDARY

20' SETBACK, TYP

(N) FIRE HYDRANT

PRIVATE ACCESS RD

(E) HOUSE

(E) GAR

(E) BARN

TYP

(E) SECURED 50' x 7'-0" SLIDING GATE. ENTRY/EXIT (GATE & FENCE RELOCATED TO PROPERTY LINE).

SHED TO BE REMOVED.

BICYCLE PARK'G

FIRE DEPT. HAMMERHEAD

LOADING DOCKS

54'-0"

BASIN/PLANTER

PLANTER

50' SETBACK FROM TOP OF BANK

TOP OF BANK

CANNABIS WASTE DUMPSTER (RECESS)

ESH 100 Foot BUFFER

PARKING AREA (PERMEABLE: DECOMPOSED GRANITE o/ CLASS 2 PERVIOUS BASE). 41 SPACES

FOOTPRINT OF GREENHOUSE TO BE REMOVED

BREAK-ROOM PATIO

STORAGE, SHORT TERM FERTILIZER

20' SETBACK, TYP

FOOTPRINT OF GREENHOUSE TO BE REMOVED

STORAGE, LONG TERM FERTILIZER, IPM CHEMICAL & ACTIVE & LONG TERM MEDIA CONTAINERS

20' MIN

(N) PROCESSING
+/- 24,750 SF
PROCESSING
1-STORY
HEIGHT: 26'-0"

86'-1"

198'-0"

52'-1"

36'-1"

(2) BYER'S VAPOR PHASE UNIT

BYER'S FERTIGATION EQUIP.

IRRIGATION EQUIP.

D.I. WATER SYSTEM

BACKUP GENERATOR

20'-0" CLR

RELOCATE FENCE & GATE TO PROPERTY LINE

GREENHOUSE #1
264,500 SF
CULTIVATION
1-STORY
HEIGHT: 18'-5" (APPROX.)

(N) GREENHOUSE ADDITION
58,396 SF
CULTIVATION
1-STORY
HEIGHT: 18'-5" (APPROX.)

242'-0"

20' SETBACK, TYP

FOOTPRINT OF GREENHOUSE TO BE REMOVED

PARKING AREA
15 SPACES

20' SETBACK, TYP.

195'-4½"

FIRE DEPT. HAMMERHEAD

9'-4"

46'-0"

STORM WATER BASIN (SEE CIVIL PLANS)

STORMWATER BASIN (SEE CIVIL PLANS)

STORMWATER BASIN (SEE CIVIL PLANS)

LEGEND

- 6" DIAMETER PERIMETER VAPOR RELEASE PIPING (PVC)
- 8" DIAMETER VAPOR TRANSPORT HEADERS (PVC)
- 8" DIAMETER VAPOR TRANSPORT HEADERS (PVC)
- 3" DIAMETER RIDGE VENT VAPOR RELEASE PIPING (PVC)
- 3" DIAMETER RIDGE VENT VAPOR RELEASE PIPING (PVC)

PREPARED BY SCS ENGINEERS
JULY 2021
MODIFIED FROM BBP ARCHITECTURE SITE PLAN
SCS ENGINEERS

N

scale
1"=50'
0 50 100 150 Feet

SLO CULTIVATION
3861 FOOTHILL ROAD
SANTA BARBARA COUNTY, CALIFORNIA

ODOR MANAGEMENT CONTROL - SITE PLAN

Attachment 3
Processing Building Floor Plan

Processing Floor Plan

3/32"=1'-0"

Mezzanine Plan

BBP
ARCHITECTURE
924 anacapa st
suite: 2-U
santa barbara, ca
93101
805.564.6074

SLO CULTIVATION
3861 Foothill Rd
Carpinteria, CA

LICENSED ARCHITECT
TRACY A. BURRELL
NO. C-20626
REN. 05/21
STATE OF CALIFORNIA

sheet description

PROCESSING BLDG
FLOOR PLANS

date:

8-7-2020
8-20-2020
8-28-2020
9-3-2020
9-9-2020
9-17-2020
12-9-2020
12-18-2020

sheet no:

A-2

Preliminary: NOT FOR CONSTRUCTION

Attachment 4
Byers Vapor Phase Odor Control System- Technical Brochure

Byers Scientific & Manufacturing
Industrial Odor Management

2332 W. Industrial Park Drive
Bloomington, IN 47404
Ph: (812) 269-6218

WATERLESS VAPOR-PHASE SYSTEM FOR ODOR CONTROL

KEY FEATURES:

- Patent-pending Uniform Vapor-Distribution Technology ensures that a consistent and controllable level of product is dispersed via the perimeter piping
- Remote monitoring 24/7 by Byers Scientific staff on status of all machine operating parameters
- Rugged weather resistant enclosure capable of withstanding prolonged exposure to wind, rain and other elements
- UL Listed control panel is designed for site specific electrical requirements (e.g. 480 VAC, 3 Phase)
- Air filter replacement can be done safely from outside, no need to open/unlock door
- Product reservoir tank provides up to three weeks of uninterrupted operation before needing refill
- Key personnel receive email/SMS text notifications alerting of machine needs such as low tank level or air filter replacement
- Operational data are logged to provide evidence of compliance to local/state/federal agencies
- Optional weather station fully integrated with SCADA system available
- Utilizes Ecosorb® 607, a proprietary blend from OMI Industries that is specifically formulated for use in BS&M equipment
- Each system is custom designed and engineered for a client's site-specific characteristics
- Interior access via lockable 120-degree angle, gas assisted door for general machine maintenance such as product tank filling

Attachment 5

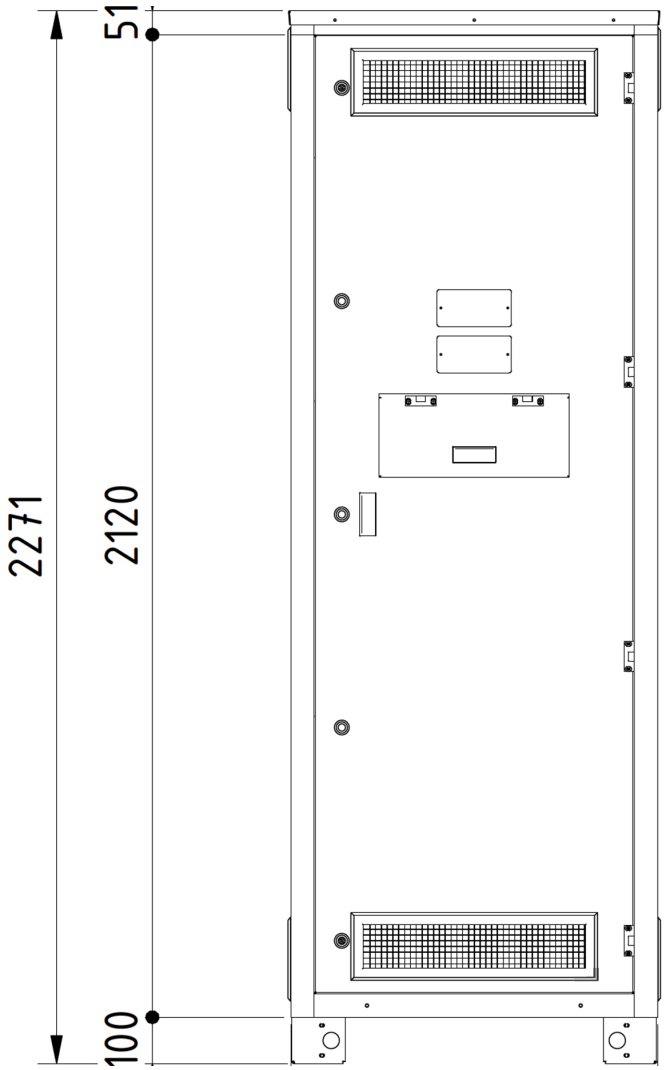
RCSS Scrubber and Ecosorb CNB100/107- Technical Brochures

Solution

Technical specifications

Product Name	CFS-3000
Start	Slow start
Capacity	3,000 m^3/h
Size	2,271 x 800 x 800 mm
Weight	350 KG
Materials	Powder coated steel
Power input	480 VAC - 3 Phase delta

1 kWatt (1 amp 480)



Byers Scientific & Manufacturing
Industrial Odor Management

2332 W. Industrial Park Drive
Bloomington, IN 47404
Ph: (812) 269-6218

ECOSORB® CNB 100 TECHNICAL DATA SHEET

Ecosorb® CNB 100 is an odor neutralizer designed specifically for the control of cannabis odors. It was designed to remove the odorous chemicals that are produced when growing cannabis. Ecosorb® CNB 100 is effective on the main groups of odor causing chemical compounds found in cannabis including but not limited to the cannabinoids, terpenes, and sesquiterpenes groups.

Ecosorb® CNB 100 can be diluted with water or used neat depending on the application and delivery equipment. Dilution with water ranges from roughly 1 part in 10 of water to 1 part in 100 of water, depending on the type of delivery system and odor intensity. This product is a blend of plant oils, food grade surfactant, and purified water.

Ecosorb® CNB 100 should never be applied in a manner that would allow it to come in direct contact with the cannabis plant, water or soil.

FEATURES

- True odor neutralized
- Biodegradable and non-toxic
- Environmentally friendly
- No measurable flash point
- Scientifically proven

ADVANTAGES

- No masking of odors
- Usually no permits required
- Safe for employees and neighbors
- Safe for all environments
- It performs as advertised

PHYSICAL PROPERTIES

pH:	~6.0
Specific Gravity:	~0.99
Boiling point:	~208° F
Appearance:	Milky White
Odor:	Slight Citrus

HMIS CLASSIFICATION

Health: 0 Flammability: 0 Reactivity: 0 Protective Equipment: B

Byers Scientific & Manufacturing
Industrial Odor Management

2332 W. Industrial Park Drive
Bloomington, IN 47404
Ph: (812) 269-6218

ECOSORB® CNB 100 TECHNICAL DATA SHEET

ECOSORB® Odor Control Solutions

ALL INGREDIENTS CAN BE FOUND LISTED ON THE FOLLOWING CHEMICAL SUBSTANCE INVENTORIES:

United States: TSCA
Canadian: DSL
European: EINECS
Australian: AICS
South Korea: ECL and KECI
China: IECSC
Japan: ENCS
New Zealand: NZIoC

REGULATORY

- Ecosorb® CNB 100 is non-hazardous by OSHA Hazard Communication Standard 29 CFR 1910.1200
- This product does NOT contain any substances known to the state of California to cause cancer, developmental and/or reproductive harm.
- Not subject to reporting requirements of the United States SARA Section 313.
- Uncontrolled product according to WHMIS classification criteria.

HANDLING AND PACKAGING

Ecosorb® CNB 100 is shipped in HDPE containers. It is recommended to store the product in the original container. The product should be stored in a well-ventilated place, in a cool area, out of direct sunlight, and tightly sealed. Store the product above 35°F and below 85°F. Allowing the product to freeze is especially damaging and will disrupt the emulsion. Extended exposure to higher temperatures may cause separation. Ecosorb® CNB 100 is incompatible with oxidizing agents and strong acids. This product does not burn. Always shake or mix before using.

DISPOSAL AND CLEANUP

Wash with water or soap and water. The product is not hazardous to humans, animals, or the environment. Dispose of in accordance with local, regional, and national and/or international regulations.

CONTAINERS

Ecosorb® CNB 100 is available in the following sizes:

5 Gallon Pails
55 Gallon Drums
275 Gallon Containers

DISTRIBUTOR OF

Ecosorb® ***Remarkably effective. Surprisingly simple.***

OMI INDUSTRIES

One Corporate Drive, Suite 100
Long Grove, IL 60047, USA
Phone: 800.662.6367 Fax: 847.304.0989
www.omi-industries.com

Attachment 6
Santa Barbara APCD- Cannabis Odor Control Presentation

Cannabis Odor Control Solutions

CAPCOA SPRING MEMBERSHIP MEETING

Santa Barbara County
Air Pollution Control District

Our Mission: To protect the people and the environment of Santa Barbara County from the effects of air pollution.

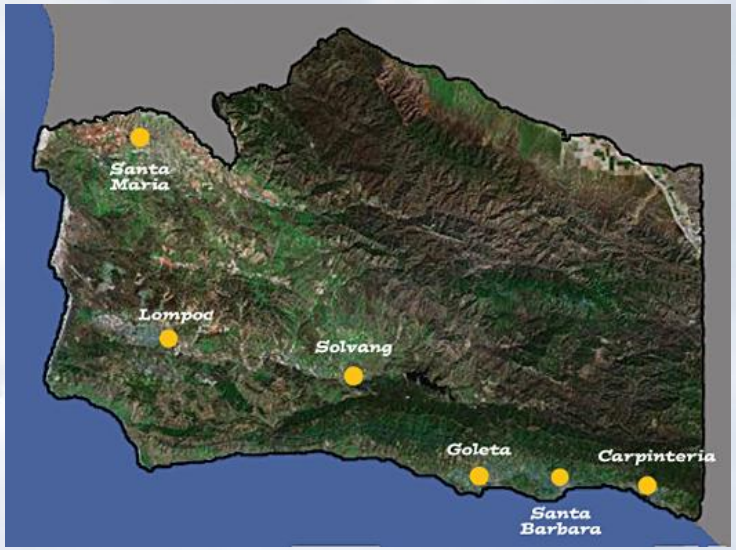
Aeron Arlin Genet
Director / APCO

May 15, 2018

Santa Barbara County
Air Pollution Control District

Cannabis in Santa Barbara County

- Santa Barbara County currently has the most temporary cannabis cultivation licenses in California[1,2]
- 52 cannabis cultivators in Carpinteria alone[3]
- Odor generated from cannabis cultivation is a significant nuisance issue for residents



Santa Barbara County Air Pollution Control District

1. https://www.independent.com/news/2018/mar/01/santa-barbara-cannabis-growers-hold-most-temporary/
2. Final Environmental Impact Report (EIR) for the Cannabis Land Use Ordinance and Licensing Program – Santa Barbara County
3. https://www.independent.com/news/2018/mar/23/santa-barbara-county-sets-cannabis-grow-cap/

Odors From Cultivation

- Odors produced during cannabis flowering stage
- For large-scale operations, significant portion of plants will be flowering at any given time
- Cannabinoids, Terpenes, Sesquiterpenes

Santa Barbara County
Air Pollution Control District

Odor Neutralizers

- Process works like this: chemical reaction occurs between the odors and compounds in the neutralizer to scrub the smell

- Neutralizer is converted into a vapor that gets dispersed
  - Odors “surf” the airstream
  - Odors & neutralizer more likely to meet if in the airstream together

- One example shown here: Ecosorb CNB 100 odor neutralizer

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Air Pollution Control District

Vapor-Phase Odor Control Technology

- Vapors go through PVC piping around perimeter of greenhouse
- PVC piping contains holes for release of odor neutralizer
- Size and number of holes unique to each installation but designed to minimize pressure drop

http://byers-scientific.com/assets/bsm-vapor-system-v01.pdf

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Air Pollution Control District

Odor Control System Process Flow

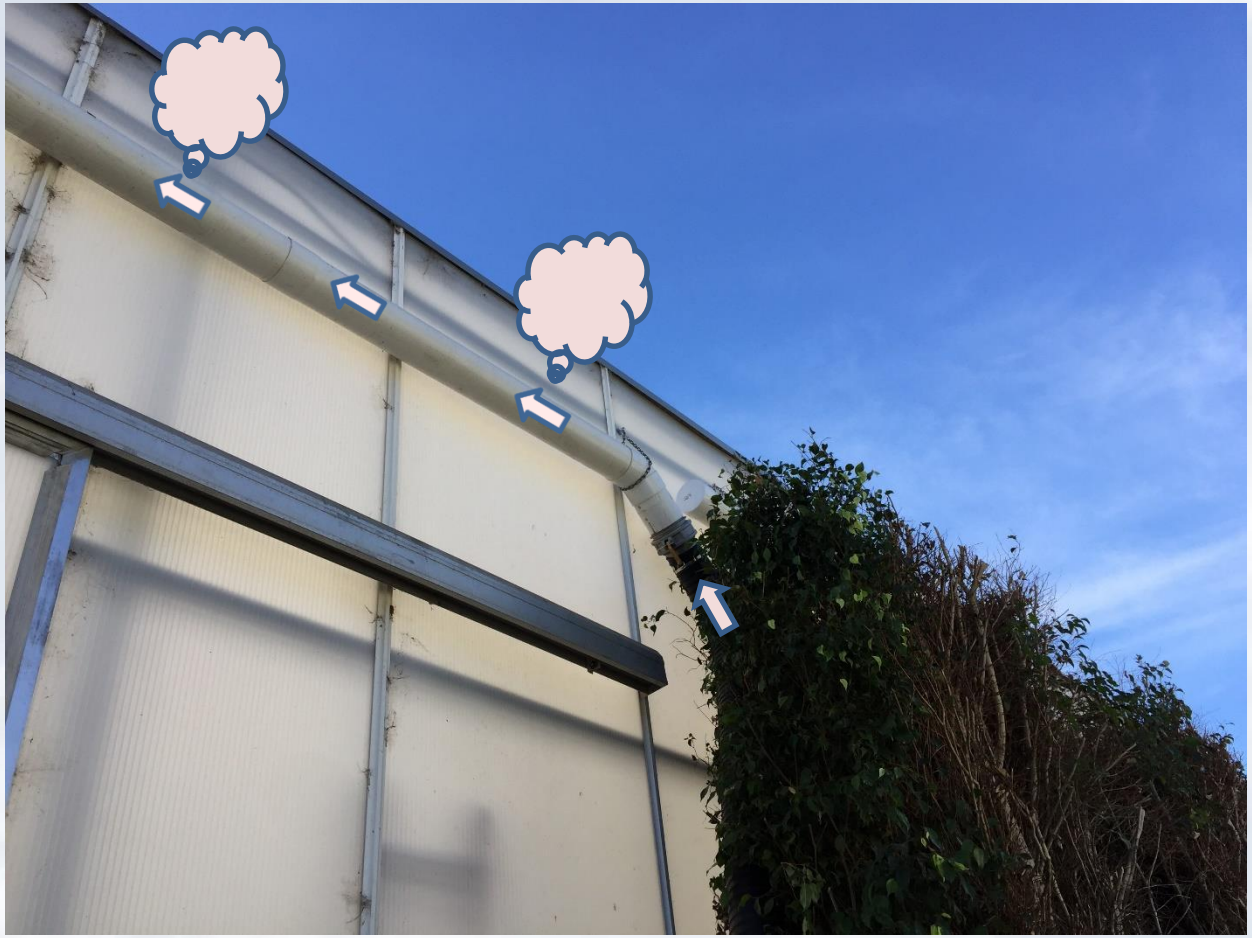
Holding Tank
(Ecosorb CNB 100)

High pressure, low volume blower

Evaporation Tank
(confidential)

Santa Barbara County
Air Pollution Control District

Odor Control System Process Flow Cont.



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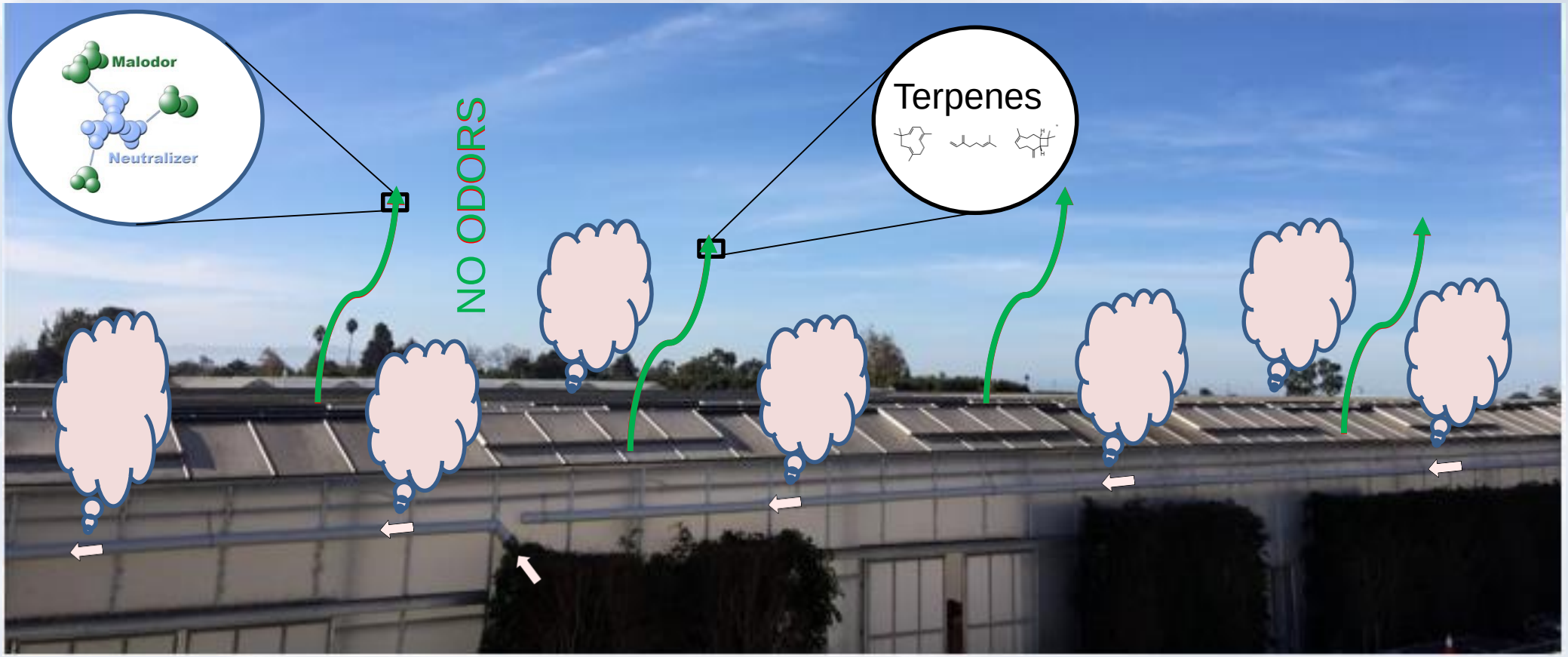
Air Pollution Control District

Odor Control System Process Flow Cont.



Watch smoke test https://youtu.be/sNEBCpQCgZY

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Air Pollution Control District

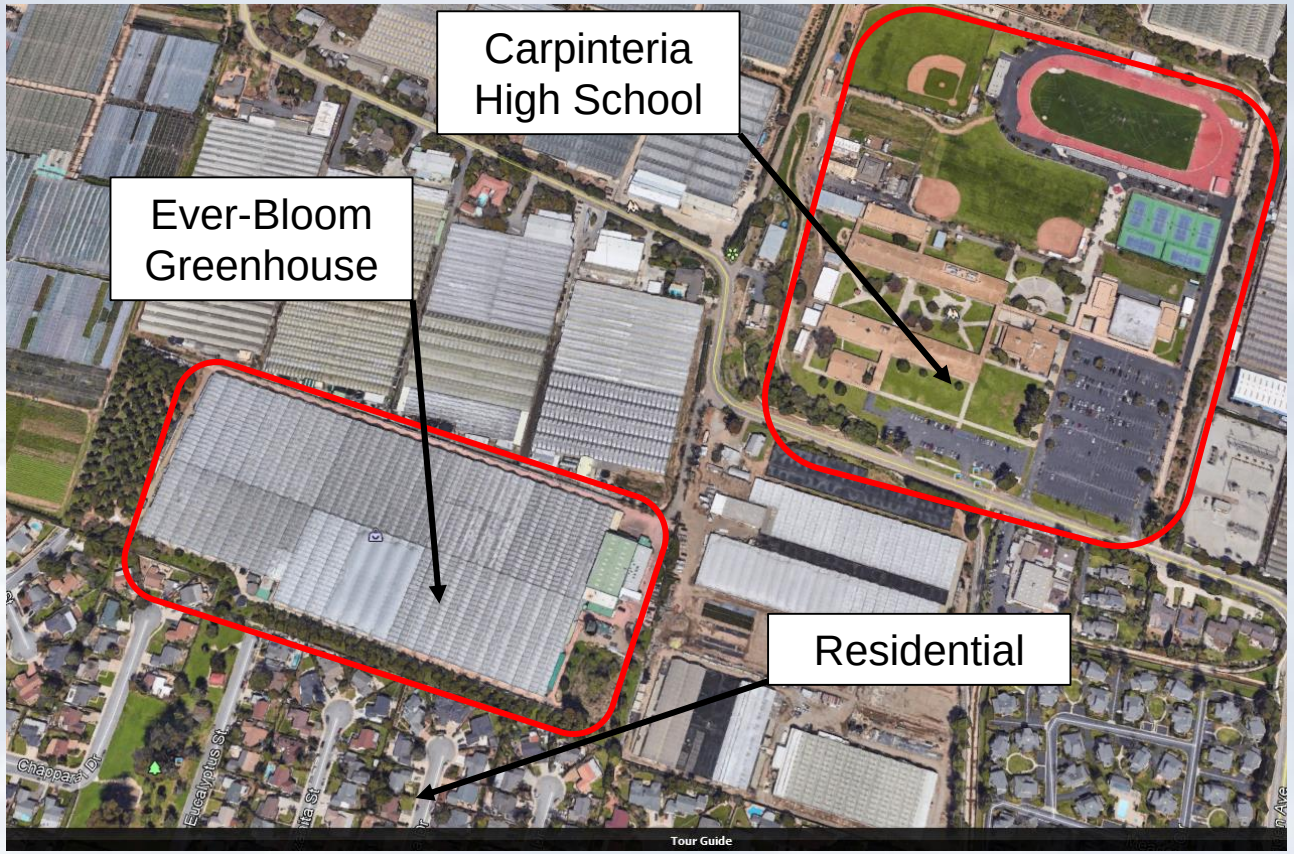
Considerations

- Ecosorb CNB 100 example:
  - Throughput ~ 3.5 gallons per day
  - A pine/citrus scent from overproduction of neutralizer vapor
  - Approximate capital cost $38,000 - $53,000, including installation
  - Annual operating cost (based on typical large-scale greenhouse operations) is $45,000 – $50,000 per year

Santa Barbara County
Air Pollution Control District

Ever-Bloom Test Case

- 15-acre greenhouse located near sensitive receptors
- 650,000 sq. ft cannabis growing operation, previously grew flowers
- Installed a Byers-Scientific & Manufacturing vapor-phase odor control system in November 2017



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Ever-Bloom Test Case Cont.

- Ever-Bloom invited District staff to inspect odor-control system in February 2018
- District staff toured the greenhouse and odor-control system
- Odor-control system was operating during the visit and appeared to be working as advertised
- Pungent odors from inside the greenhouse could not be detected directly outside the greenhouse or at the property line

Santa Barbara County
Air Pollution Control District

Other Applications

- System currently installed at 14 cannabis operations in Carpinteria

- System can be used to control odors from:
  - Solid Waste (landfills, waste transfer stations, compost, pulp & paper)
  - Wastewater Treatment
  - Commercial (food waste, trash compactors, food processing)
  - Agricultural (dairy, poultry and hog farming)

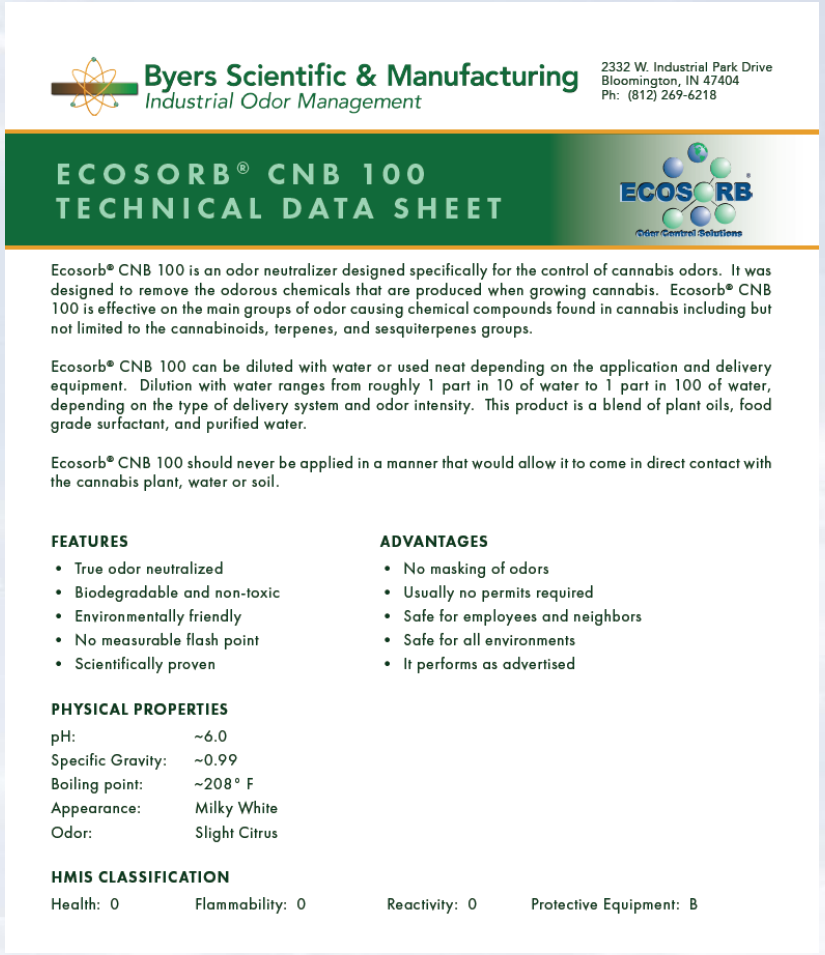
- Also operational at Miramar Landfill in San Diego as well as composting and landfill operations throughout the US

Santa Barbara County
Air Pollution Control District

Questions

Santa Barbara County
Air Pollution Control District

Ecosorb CNB 100 Data Sheet



Byers Scientific & Manufacturing
Industrial Odor Management

2332 W. Industrial Park Drive
Bloomington, IN 47404
Ph: (812) 269-6218

ECOSORB® CNB 100 TECHNICAL DATA SHEET

Ecosorb® CNB 100 is an odor neutralizer designed specifically for the control of cannabis odors. It was designed to remove the odorous chemicals that are produced when growing cannabis. Ecosorb® CNB 100 is effective on the main groups of odor causing chemical compounds found in cannabis including but not limited to the cannabinoids, terpenes, and sesquiterpenes groups.

Ecosorb® CNB 100 can be diluted with water or used neat depending on the application and delivery equipment. Dilution with water ranges from roughly 1 part in 10 of water to 1 part in 100 of water, depending on the type of delivery system and odor intensity. This product is a blend of plant oils, food grade surfactant, and purified water.

Ecosorb® CNB 100 should never be applied in a manner that would allow it to come in direct contact with the cannabis plant, water or soil.

FEATURES

- True odor neutralized
- Biodegradable and non-toxic
- Environmentally friendly
- No measurable flash point
- Scientifically proven

ADVANTAGES

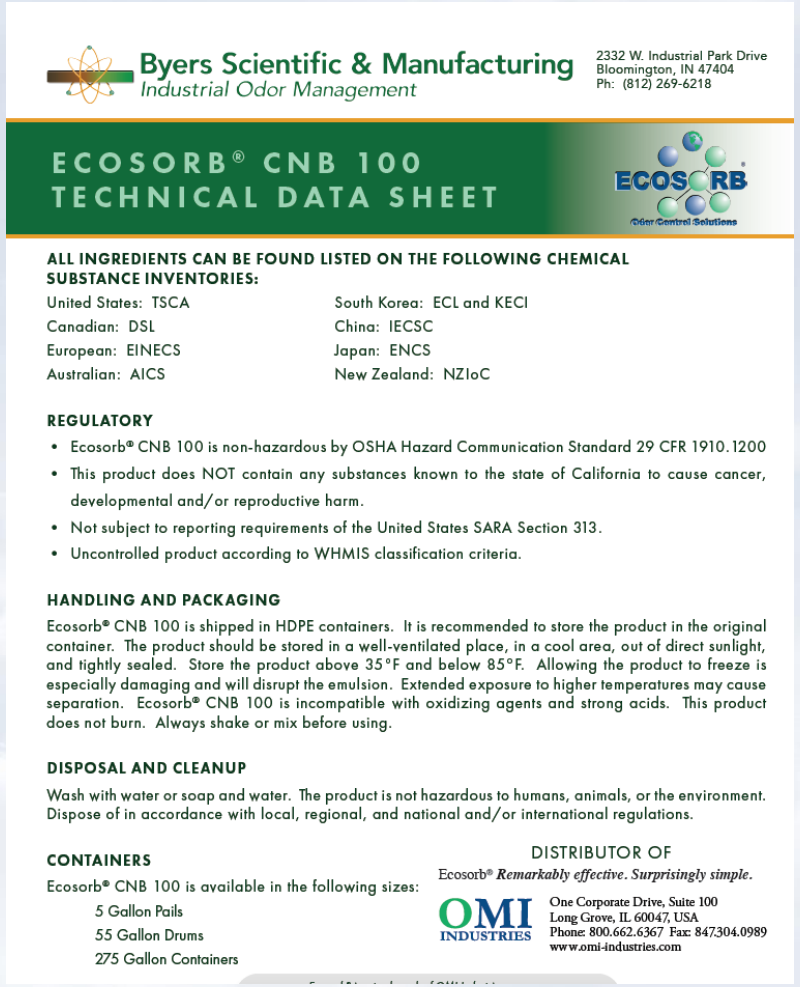
- No masking of odors
- Usually no permits required
- Safe for employees and neighbors
- Safe for all environments
- It performs as advertised

PHYSICAL PROPERTIES

pH:	~6.0
Specific Gravity:	~0.99
Boiling point:	~208° F
Appearance:	Milky White
Odor:	Slight Citrus

HMIS CLASSIFICATION

Health: 0 Flammability: 0 Reactivity: 0 Protective Equipment: B



Byers Scientific & Manufacturing
Industrial Odor Management

2332 W. Industrial Park Drive
Bloomington, IN 47404
Ph: (812) 269-6218

ECOSORB® CNB 100 TECHNICAL DATA SHEET

ALL INGREDIENTS CAN BE FOUND LISTED ON THE FOLLOWING CHEMICAL SUBSTANCE INVENTORIES:

United States: TSCA	South Korea: ECL and KECI
Canadian: DSL	China: IECSC
European: EINECS	Japan: ENCS
Australian: AICS	New Zealand: NZIoC

REGULATORY

- Ecosorb® CNB 100 is non-hazardous by OSHA Hazard Communication Standard 29 CFR 1910.1200
- This product does NOT contain any substances known to the state of California to cause cancer, developmental and/or reproductive harm.
- Not subject to reporting requirements of the United States SARA Section 313.
- Uncontrolled product according to WHMIS classification criteria.

HANDLING AND PACKAGING

Ecosorb® CNB 100 is shipped in HDPE containers. It is recommended to store the product in the original container. The product should be stored in a well-ventilated place, in a cool area, out of direct sunlight, and tightly sealed. Store the product above 35°F and below 85°F. Allowing the product to freeze is especially damaging and will disrupt the emulsion. Extended exposure to higher temperatures may cause separation. Ecosorb® CNB 100 is incompatible with oxidizing agents and strong acids. This product does not burn. Always shake or mix before using.

DISPOSAL AND CLEANUP

Wash with water or soap and water. The product is not hazardous to humans, animals, or the environment. Dispose of in accordance with local, regional, and national and/or international regulations.

CONTAINERS

Ecosorb® CNB 100 is available in the following sizes:

5 Gallon Pails
55 Gallon Drums
275 Gallon Containers

DISTRIBUTOR OF
Ecosorb® *Remarkably effective. Surprisingly simple.*

OMI INDUSTRIES
One Corporate Drive, Suite 100
Long Grove, IL 60047, USA
Phone: 800.662.6367 Fax: 847.304.0989
www.omi-industries.com

Santa Barbara County
Air Pollution Control District

Attachment 7
SCS Odor Control Site Testing

Environmental Consultants
and Contractors

2370 Skyway Drive
Suite 101
Santa Maria, CA 93455

805-346-6591

www.scsengineers.com

SCS ENGINEERS

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

September 30, 2019

Santa Barbara County Planning Commission
Planning & Development Department
123 East Anapamu Street
Santa Barbara, CA 93013

Subject: CARP Case Study- Cannabis Odor Management

To Commissioners:

SCS Engineers (SCS) would like to note that due to our firm's broad background in environmental engineering, and odor management specifically, we have been retained by the Carpinteria Association of Responsible Producers (CARP) for the purposes of analyzing and addressing cannabis odors related to client facilities in the region. SCS is an industry leader in the assessment of odor emissions and mitigation methods across North America. SCS has provided environmental solutions for various land uses including but not limited to landfills, wastewater treatment plants, and agricultural & food processing facilities for over forty (40) years.

We recently completely a site specific analysis of an active cannabis facility located at 5138 Foothill Road in Carpinteria (Project Site/Facility). SCS field staff confirmed that the Project Facility was similar to proposed cannabis greenhouses throughout the region with adult-flowering cannabis, ancillary cannabis processing, operable roof vents, and an active odor neutralizing vapor system. SCS collected a suite of fourteen (14) total odor samples at strategically appropriate times and locations in an effort to capture potential maximum odors during calm winds (morning samples), steady winds (afternoons), with the Project Facilities' roof vents open, and with active cannabis processing occurring. These sample collections included upwind locations to determine an odor baseline for the region without cannabis, samples taken inside the greenhouse to reflect unmitigated odor released from cannabis cultivation or processing, and samples taken outside the greenhouse, downwind to capture odor conditions after the application of the odor neutralizing vapor.

These samples were then shipped to an independent third-party laboratory (Odor Science and Engineering, Incorporated in Bloomfield, Connecticut) for analysis. The OS&E laboratory has an expert odor panel which conducts blind evaluations of the odor samples (the panel is not informed of the potential type or source of the samples). The odor panel provides both a character (i.e. sour, skunk, exhaust, garbage) and an intensity for each odor sample. The intensity of odor is quantified as a dilution to threshold ratio (D/T) with higher numbers reflecting stronger odors. For example, the baseline odors present in most communities range from 8-12 D/T. Eight (8) D/T represents eight (8) parts of clean, purified air for each unit of odor sample. The specially trained and qualified odor panelists can often detect a net increase of 3-5 D/T over this baseline condition. Members of the general public can typically detect a net increase of 5-10 D/T. As a result, SCS typically considers a persistent net increase of odor intensity of seven (7) D/T or greater above baseline to be a nuisance odor detectable by the public.

Results from the case study indicated that the upwind/baseline odor present in Carpinteria had an intensity of twelve (12) D/T with a character commonly including odor descriptors such as: sour, stale, sulfur, and exhaust. Samples of unmitigated cannabis odors within the Project Site's greenhouse ranged from a net increase in odor intensity of 151 D/T (adult-flowering plants) to 238 D/T (adult-flowering plants plus processing) with a character commonly including odor descriptors such as: skunk, mercaptan, and marijuana/pot. Samples taken outside the Project Site's greenhouse with odor mitigation from the neutralizing vapor had a maximum net increase in odor intensity of three (3) D/T with eight (8) out of ten (10) samples showing no net increase in odor intensity. Because all mitigated odor samples remained significantly below a net increase of seven (7) D/T in intensity, no nuisance level odors are anticipated from the Project Facility. Typical malodor characters observed in these mitigated samples returned to sour, exhaust, and garbage similar to the background sample. Malodors character such as skunk or mercaptan were only observed in two (2) out

of the ten (10) mitigated samples which had net odor intensities of negative one (-1) and three (3) D/T respectively. With D/T of less than seven (7) these odors are unlikely to be detected by the surrounding public. It also important to note that the downwind odor sample locations were taken at a range of 30-165 feet from the exterior walls of the greenhouse, far closer than the 600 foot distance to the nearest sensitive receptor. Natural dispersion and dilution would continue to reduce remnant odors.

Based upon this initial case study, SCS' findings conclude that the odor neutralizing vapor system was:

- Successfully eliminating 98.7% or more of cannabis odors in distances as little as thirty (30) feet.
- Performing on par with other leading odor control technologies including carbon filtration.
- The system was successfully mitigating odors even with roof vents open and higher intensity odor activities such as cannabis processing occurring during the odor sampling events.

SCS will continue to work with the cannabis industry to implement environmental solutions, including evolving odor management technology. Our staff are available as a resource should the Commission have additional questions and concerns regarding odor management in the region. We have appended a complimentary slide deck to this memorandum for a graphical illustration of this case study analysis.

Sincerely,

Nathan Eady
Land Use Planner/Project Director

Paul Schafer
Air Quality Specialist/Project Director

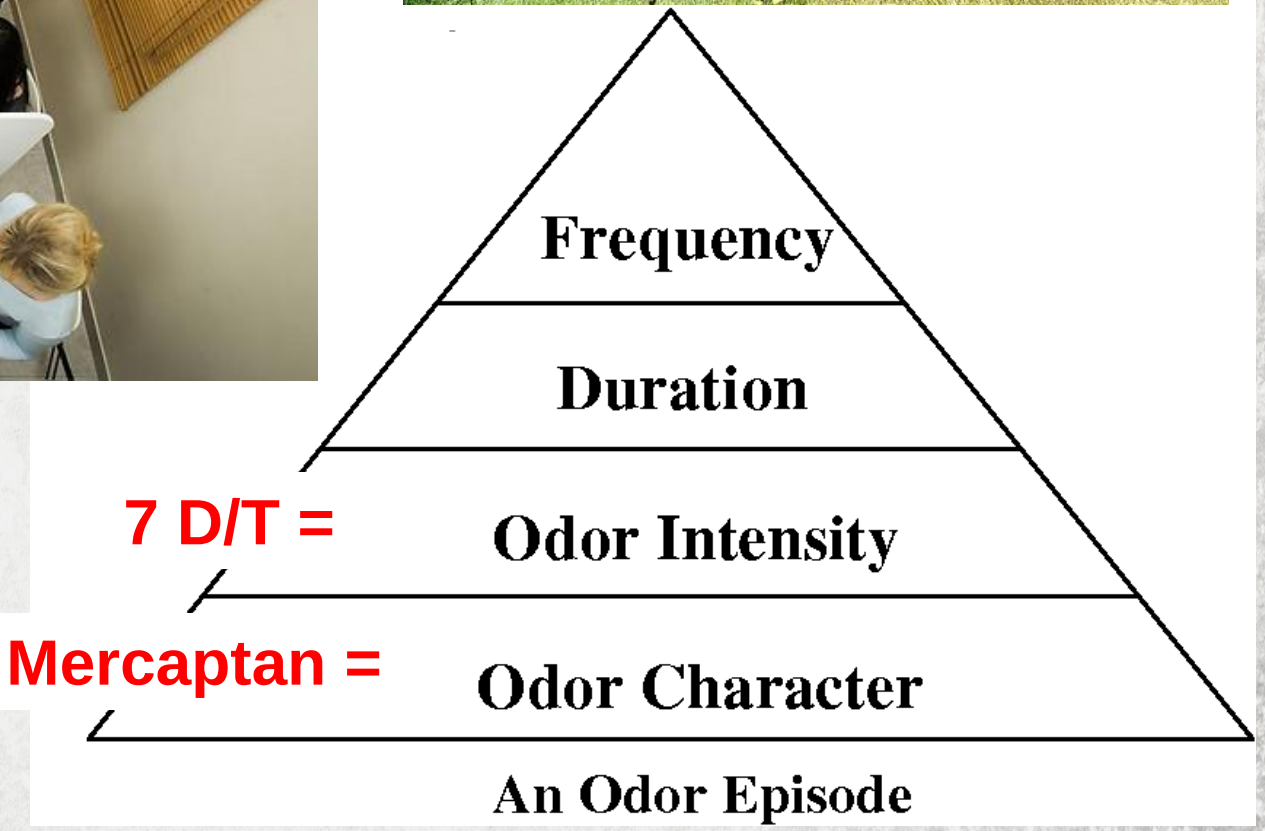
CARPINTERIA AIR QUALITY SAMPLING
CASE STUDY RESULTS & CONCLUSIONS

SCS ENGINEERS
www.scsengineers.com
August 2019

CASE STUDY FINDINGS
CARPINTERIA, CALIFORNIA

- Vapor Odor Neutralizing System reduced odors by 98.7% or better; measured at distances as little as 30 feet from greenhouse.
- Vapor phase performed as good as carbon filtration and is more effective for large volume air spaces such as greenhouses; vapor can also abate odors that escape the primary structure.
- Structure makes a difference, the system performed efficiently with open roof vents.
- Vapor phase system effectively abated odor during harvesting/processing phase, the most odor intensive stage of cannabis cultivation observed.
- Iterations in the technology & application have improved the efficacy of odor neutralizing systems.

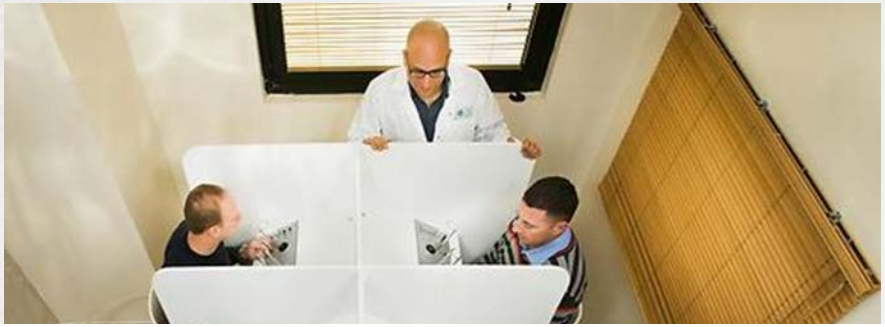
METHODOLOGY
ODOR SAMPLE ANALYSIS



7 D/T =

Skunk or Mercaptan =

METHODOLOGY
ODOR SAMPLE ANALYSIS



Odor Science & Engineering, Inc.
105 Filley Street, Bloomfield, CT 06002
(860) 243-9380 Fax: (860) 243-9431
www.odorscience.com

August 13, 2019

Paul Schafer
SCS Engineers
5963 LaPlace Court
Suite 207
Carlsbad, CA 92008

PSchafer@scsengineers.com

RE: Odor Panel Analysis – August 8, 2019
OS&E Project No. 2151-M-00
SCS Sampling Site: CARP

Dear Paul:

This letter presents the results of the recent odor panel analyses conducted by Odor Science & Engineering, Inc. (OS&E) for SCS Engineers. A total of fourteen (14) odor emission samples were collected on August 7th, 2019 by on-site SCS personnel. The odor samples were collected into Tedlar gas sampling bags provided by OS&E. Following sample collection, the sample bags were shipped via UPS Overnight to OS&E's Olfactory Laboratory in Bloomfield, CT for sensory analysis the next day. The samples arrived intact with a chain of custody requesting sensory analysis attached.

Upon arrival the samples were analyzed by dynamic dilution olfactometry using a trained and screened odor panel of 8 members. The odor panelists were chosen from OS&E's pool of panelists from the Greater Hartford area who actively participate in ongoing olfactory research and represent an average to above average sensitivity when compared to a large population. The samples were quantified in terms of dilution-to-threshold (D/T) ratio and odor intensity in accordance with ASTM Methods E-679-04 and E-544-10, respectively. The odor panelists were also asked to describe the odor character of the samples at varying dilution levels. The odor panel methodology is further described in Attachment A.

The results of the odor panel tests are presented in the attached Table.

We appreciate the opportunity to be of continued service to SCS Engineers. Please feel free to call Martha O'Brien or me if you have any questions concerning these results.

Sincerely,
ODOR SCIENCE & ENGINEERING, INC.

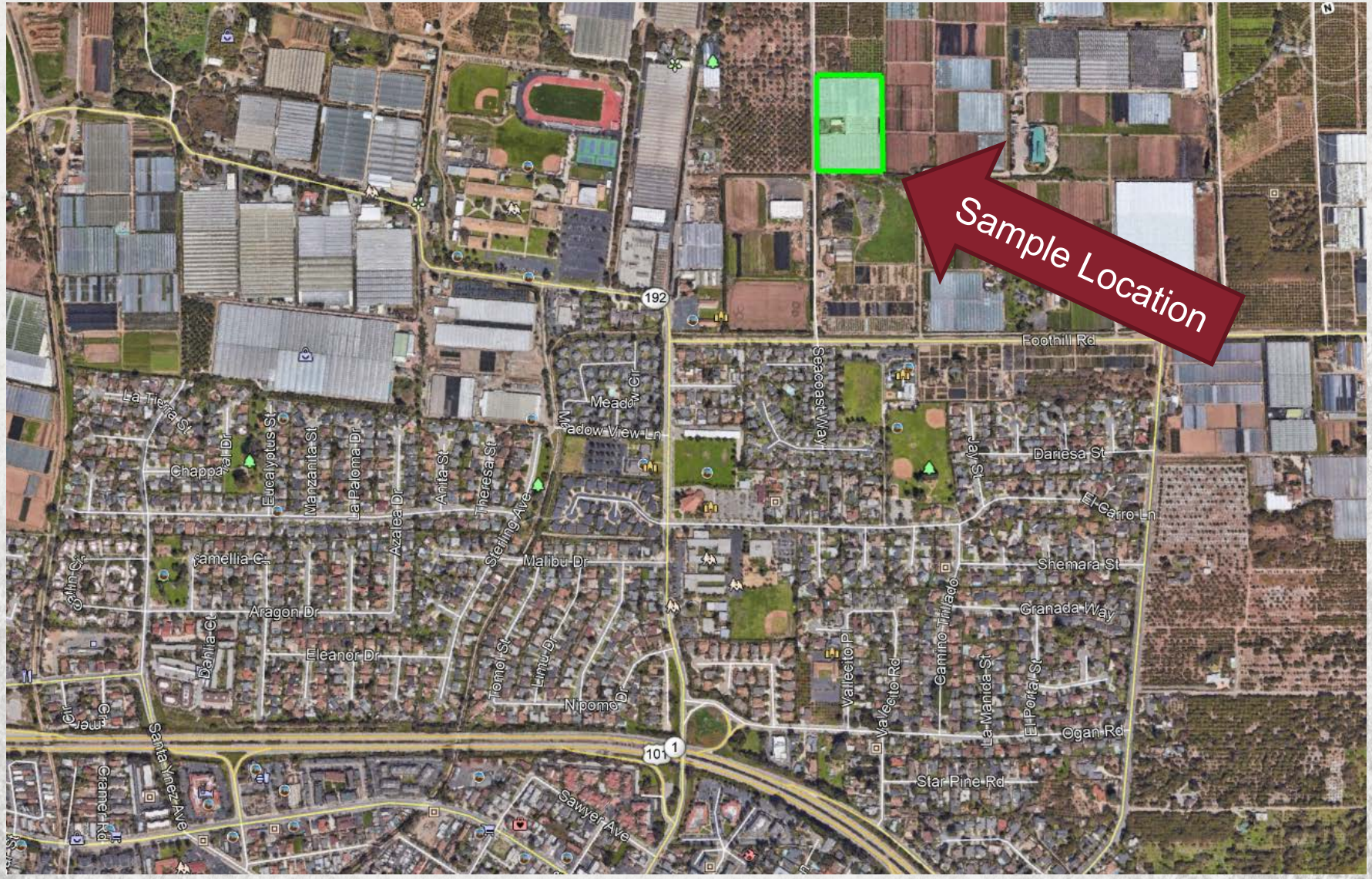
Gary K. Grumley
Associate Scientist

Table 1. Results of dynamic dilution olfactome
SCS Engineers – Sampling S
OS&E Project No. 2151

Date	Time	Sample ID	Odor Conc. D/T[1]	Stevens' Law Constants[2] a	b	
8/07/2019	07:12	AM-S1	9	--	--	sour, rubber, burn
8/07/2019	07:17	AM-S2	11	--	--	stale, musty, onio
8/07/2019	07:21	AM-S3	12	--	--	sour, sweet, rubber, garbage, exhaust, rubber, plastic, exhaust
8/07/2019	07:29	AM-E	9	--	--	sour, rubber, garbage, sewage, plastic, burnt, exhaust
8/07/2019	06:52	AM-UP	12	--	--	sour, stale, sulfur, H_2S, rubber, exhaust
8/07/2019	07:11	AM-W	9	--	--	sour, plastic, swampy, sulfur, exhaust
8/07/2019	07:23	AM-GH	163	.44	.76	skunk, rotten, mercaptan, burnt sulfur
8/07/2019	13:48	PM-GH	250	.53	.89	skunk, dead skunk, marijuana/"pot"
8/07/2019	13:36	PM-N1	13	--	--	sour, rubber, glue, paste, putty, plastic, exhaust
8/07/2019	13:33	PM-L1	11	--	--	sour, sweet, rubber, garbage, exhaust, rubber, floor chemical, plastic, exhaust
8/07/2019	13:25	PM-M2	12	--	--	sour, burnt, rubber, sewage, garbage, exhaust, plastic, exhaust
8/07/2019	13:30	PM-L2	9	--	--	sour, sweet, rubber, musty, vegetation, chemical, plastic, exhaust
8/07/2019	13:21	PM-M1	15	--	--	rotten, skunk, mercaptan, garlic, sulfur, sewage, plastic, exhaust
8/07/2019	13:20	PM-UP	12	--	--	sour, sulfur, sewage, H_2S, stale, plastic, exhaust

METHODOLOGY

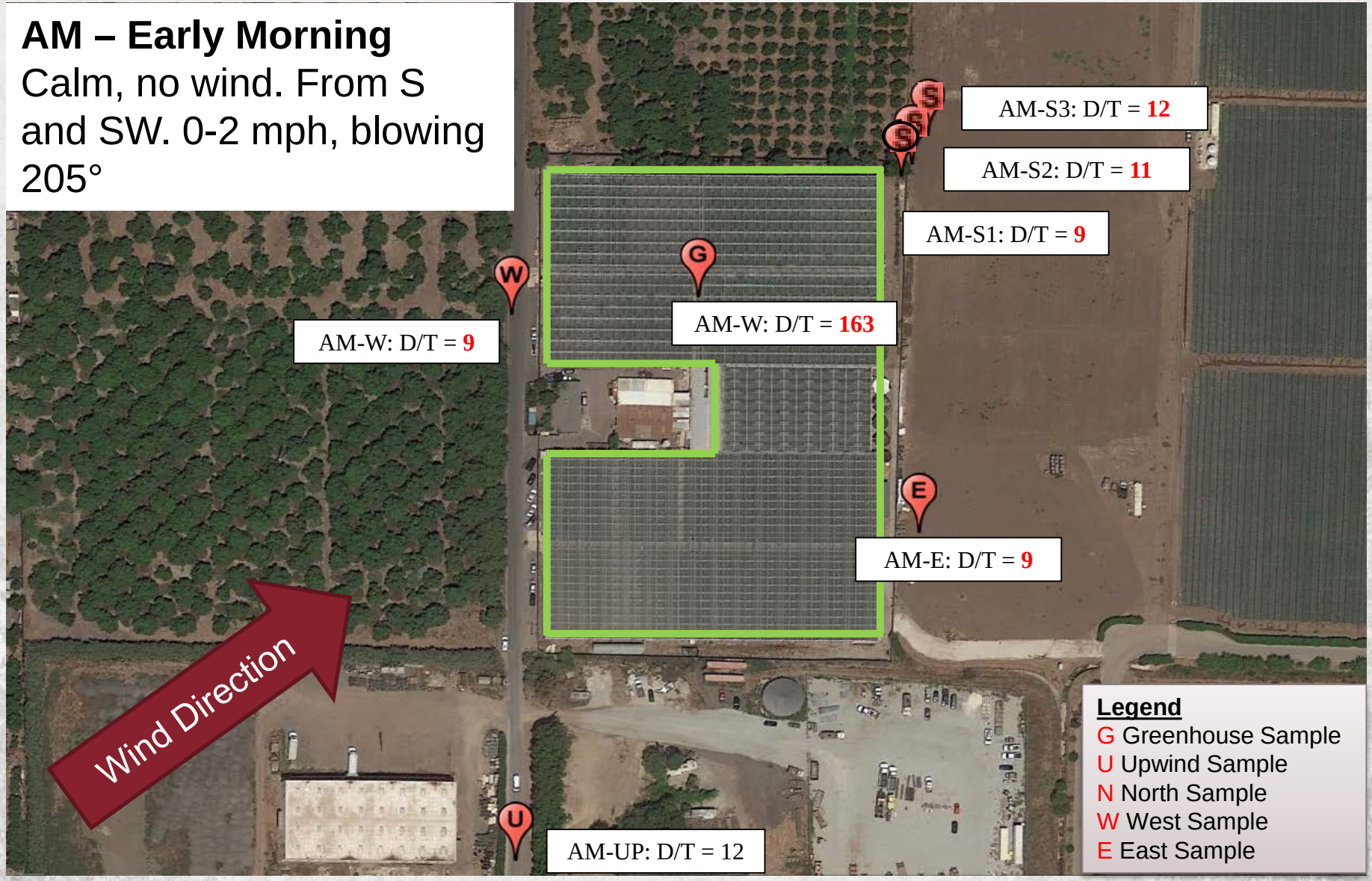
ODOR SAMPLE ANALYSIS



AIR SAMPLING RESULTS (WITH BASELINE)

ODOR INTENSITY AND CHARACTER

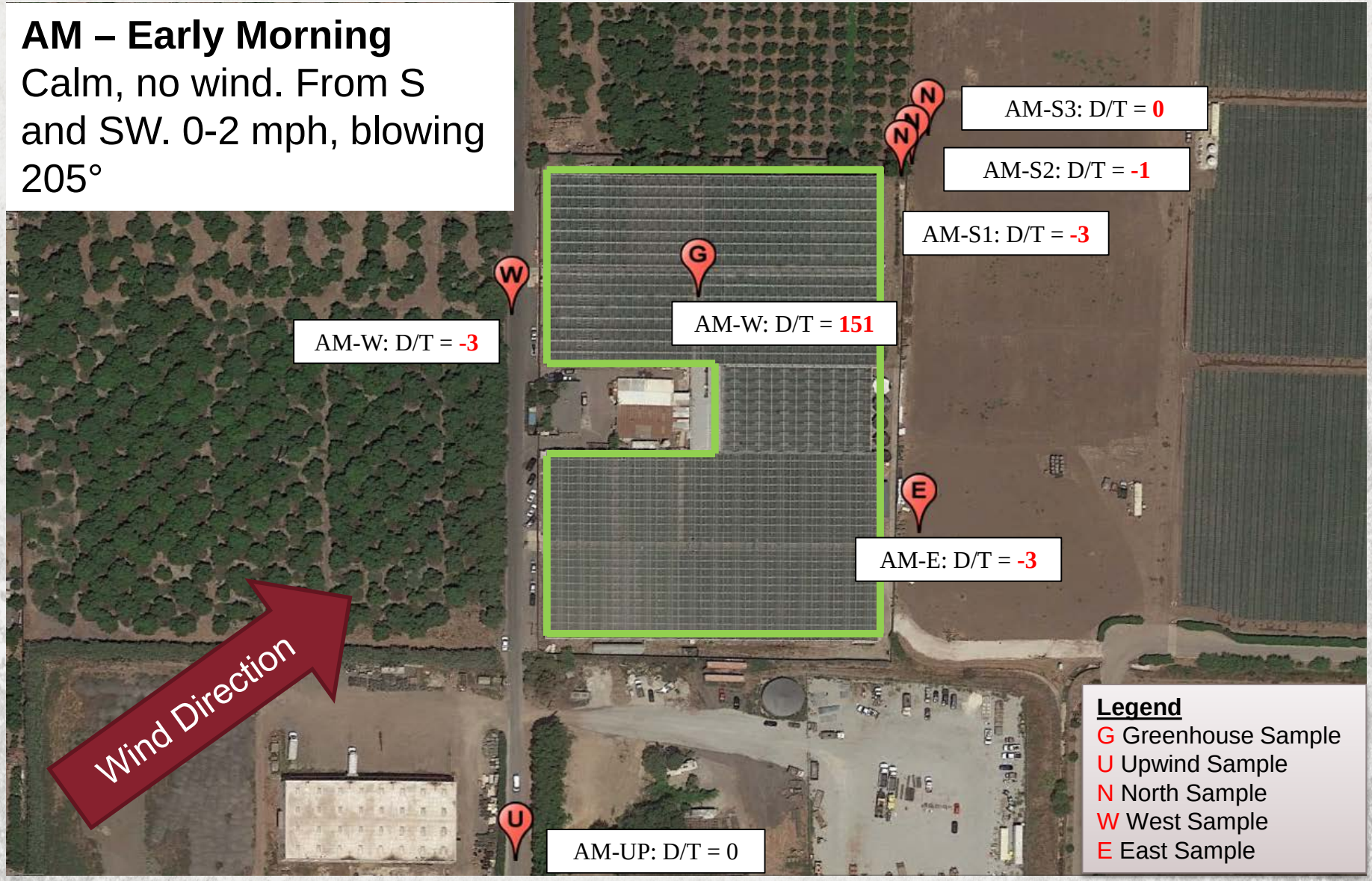
AM – Early Morning
Calm, no wind. From S and SW. 0-2 mph, blowing 205°



AIR SAMPLING RESULTS (NET INCREASE)

ODOR INTENSITY AND CHARACTER

AM – Early Morning
Calm, no wind. From S and SW. 0-2 mph, blowing 205°



AIR SAMPLING RESULTS

ODOR INTENSITY AND CHARACTER

AM – Early Morning
Calm, no wind. From S and SW. 0-2 mph, blowing 205°

ODOR INTENSITY WITH BASELINE

Baseline/Upwind Intensity & Character	In Greenhouse Gross Intensity Increase & Character	Short-Range (0-30 feet) Gross Intensity Increase & Character	Medium-Range (Approx. 31-60 feet) Gross Intensity Increase & Character	Long-Range (Approx. more than 60 feet) Gross Intensity Increase & Character
12 sour, stale, sulfur, H_2S, rubber, exhaust	**163** skunk, rotten, mercaptan, burnt sulfur	**9** sour, rubber, burning, plastic, musty, moldy, light sewage, exhaust	**11** stale, musty, oniony, mercaptan, sewage, H_2S, plastic, wet cardboard, exhaust	**12** sour, sweet, rubber, garbage, exhaust, rubber, plastic, exhaust
			9 sour, rubber, garbage, sewage, plastic, burnt, exhaust	
			9 sour, plastic, swampy, sulfur, exhaust	

AIR SAMPLING RESULTS

ODOR INTENSITY AND CHARACTER

AM – Early Morning
Calm, no wind. From S and SW. 0-2 mph, blowing 205°

NET INCREASE ODOR INTENSITY

Baseline/Upwind Intensity & Character	In Greenhouse Net Intensity Increase & Character	Short-Range (0-30 feet) Net Intensity Increase & Character	Medium-Range (Approx. 31-60 feet) Net Intensity Increase & Character	Long-Range (Approx. more than 60 feet) Net Intensity Increase & Character
0 sour, stale, sulfur, H2S, rubber, exhaust	**151** skunk, rotten, mercaptan, burnt sulfur	**-3** sour, rubber, burning, plastic, musty, moldy, light sewage, exhaust	**-1** stale, musty, oniony, mercaptan, sewage, H2S, plastic, wet cardboard, exhaust **-3** sour, rubber, garbage, sewage, plastic, burnt, exhaust **-3** sour, plastic, swampy, sulfur, exhaust	**0** sour, sweet, rubber, garbage, exhaust, rubber, plastic, exhaust

AIR SAMPLING RESULTS (WITH BASELINE)

ODOR INTENSITY AND CHARACTER

PM-Early Afternoon
Steady breeze from SW. 6 mph, blowing 225°

Legend
G Greenhouse Sample
U Upwind Sample
S Short Distance
M Medium Distance
L Long Distance

AIR SAMPLING RESULTS (NET INCREASE)

ODOR INTENSITY AND CHARACTER

PM-Early Afternoon
Steady breeze from SW. 6 mph, blowing 225°

Legend
G Greenhouse Sample
U Upwind Sample
N North Sample
W West Sample
E East Sample

AIR SAMPLING RESULTS
ODOR INTENSITY AND CHARACTER

PM-Early Afternoon
Steady breeze from SW. 6 mph, blowing 225°

ODOR INTENSITY WITH BASELINE

Baseline/Upwind Intensity & Character	In Greenhouse Gross Intensity Increase & Character	Short-Range (50 feet) Gross Intensity Increase & Character	Medium-Range (Approx. 75 feet) Gross Intensity Increase & Character	Long-Range (Approx. 165 feet) Gross Intensity Increase & Character
12 sour, sulfur, sewage, H_2S, stale, plastic, exhaust	**250** skunk, dead skunk, marijuana/"pot"	**13** sour, rubber, glue, paste, putty, plastic, exhaust	**12** sour, burnt, rubber, sewage, garbage, exhaust, plastic, exhaust	**9** sour, sweet, rubber, musty, vegetation, chemical, plastic, exhaust
			15 rotten, skunk, mercaptan, garlic, sulfur, sewage, plastic, exhaust	**11** sour, sweet, rubber, garbage, exhaust, rubber, floor chemical, plastic, exhaust

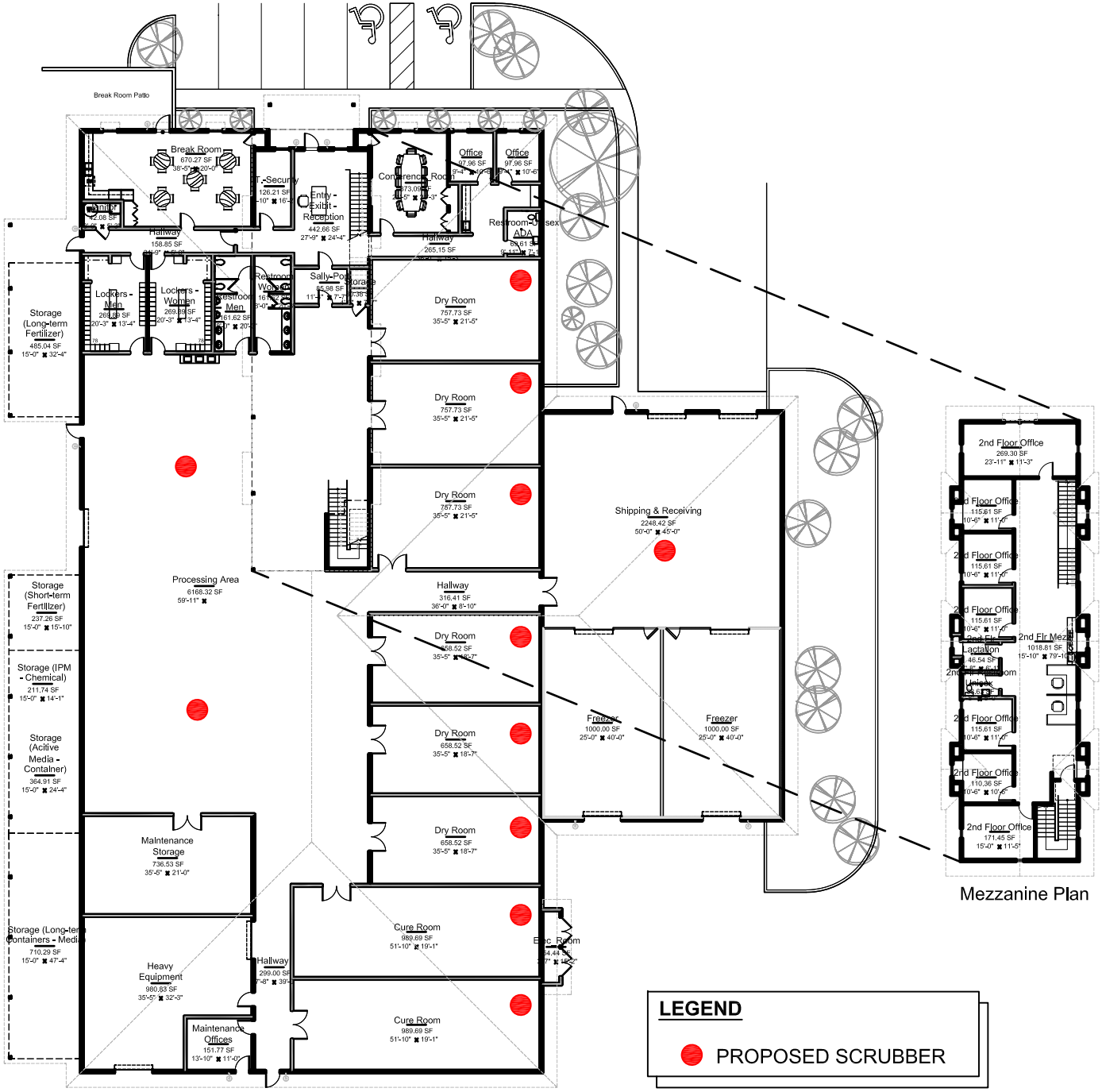
AIR SAMPLING RESULTS
ODOR INTENSITY AND CHARACTER

PM-Early Afternoon
Steady breeze from SW. 6 mph, blowing 225°

NET INCREASE ODOR INTENSITY

Baseline/Upwind Intensity & Character	In Greenhouse Net Intensity Increase & Character	Short-Range (50 feet) Net Intensity Increase & Character	Medium-Range (Approx. 75 feet) Net Intensity Increase & Character	Long-Range (Approx. 165 feet) Net Intensity Increase & Character
0 sour, sulfur, sewage, H2S, stale, plastic, exhaust	**238** skunk, dead skunk, marijuana/"pot"	**1** sour, rubber, glue, paste, putty, plastic, exhaust	**0** sour, burnt, rubber, sewage, garbage, exhaust, plastic, exhaust	**-3** sour, sweet, rubber, musty, vegetation, chemical, plastic, exhaust
			3 rotten, skunk, mercaptan, garlic, sulfur, sewage, plastic, exhaust	**-1** sour, sweet, rubber, garbage, exhaust, rubber, floor chemical, plastic, exhaust

Attachment 8
Processing Building- Odor Scrubber Location Plan



Mezzanine Plan

ATTACHMENT B: REDLINED ODOR ABATEMENT PLAN, DATED AUGUST 10, 2021

Cresco/SLO Cultivation- Carpinteria Odor Management Plan

Prepared for:

SLO Cultivation
3861 Foothill Road
Carpinteria, CA 93103

Prepared by:

SCS ENGINEERS

2370 Skyway Drive Suite #101
Santa Maria, CA 93455
805-346-6591

August 102, 2021

Table of Contents

Section Page

Attachments

1.0 ODOR MANAGEMENT PLAN

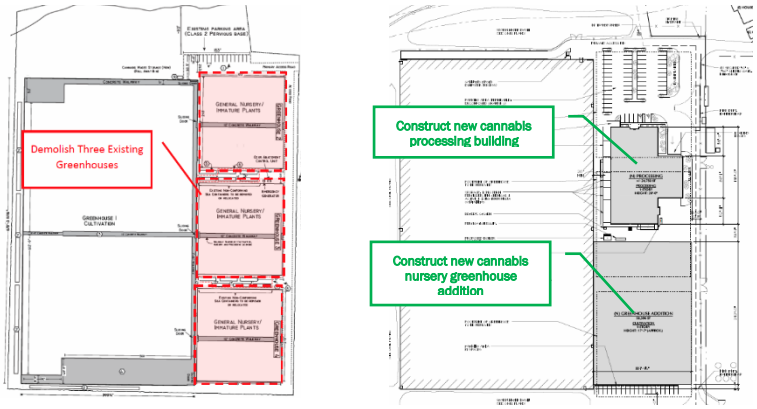
This Odor Management Plan (Plan) has been prepared in compliance with applicable local and State regulations for the purposes of minimizing nuisance odors related to the cultivation of cannabis associated with the operations of Cresco/SLO Cultivation (Operator) in Carpinteria, California. The Project Site (Site) is located at 3861 Foothill Road also identified as APN 005-310-024. The Site is approximately 13.66 acres in size and currently contains four (4) existing greenhouse structures and twelve (12) pre-fabricated supporting structures (freezers, equipment & material storage, etc.), totaling approximately 389,800 square feet of development. As described in further detail below, the Site will be redeveloped to retain the largest existing greenhouse, demolish three (3) existing greenhouses, develop a new greenhouse addition for nursery space, and develop a new cannabis processing support building. Surrounding land uses include agriculture (predominantly greenhouses and orchard) to the North, South, East, and West. Low density residential development is located approximately 400 feet to the Northeast. The Site is also bordered by an ephemeral drainage along the Northern extent of the subject property. Refer to Attachments 1 and 2 for further site development and use details.

1.1 PROJECT DESCRIPTION

As it pertains to odor emitting activities, the proposed Project would allow for:

1. Utilization of existing **Greenhouse 1 (GH1),** approximately 264,500 square feet in size, for mature mixed-light cannabis cultivation.
2. Demolition of three (3) existing greenhouses, known as **Greenhouse 2 (GH2)**, **Greenhouse (GH3**), and **Greenhouse 4 (GH4),** which are approximately 40,700 square foot each. Remove twelve (12) pre-fabricated containers.
3. Development and operation of a 58,396 square foot addition to **GH1** for nursery/juvenile mixed-light cannabis cultivation.
4. Development of a new 24,751 square foot pack house which will be utilized for cannabis processing (bucking, drying, and packaging).

Figure 1- Before & After Site Comparison



1.2 ODOR EMITTING ACTIVITIES

Figure 2- Existing Greenhouse 1 Exterior

GH1 will contain a mature/adult-flower cultivation area of approximately 264,500 sq. ft. (California Type 3B, Tier 2, Cultivation License)(sometimes referred to herein as the "Indoor Cultivation"). The proposed 58,396 square foot addition to GH1 will contain Indoor Cannabis Nursery (California Type 4 License)(sometimes referred to herein as the "Indoor Nursery" or "Propagation").

Within the proposed 24,751 pack house/processing building, mature cannabis flower will be harvested, wet-bucked, and weighed. The flower product will then be handled in one of two ways. Approximately 40% (subject to change based on market conditions) of the daily flower production will be placed within vacuum bags and frozen in the processing building's proposed freezers. This "fresh-frozen" material would then be loaded into specially equipped freezer trucks and exported for further processing off-premises. The remaining 60% of the daily flower production would be dried, cured, bucked, and then packaged into consumer goods (such as jars or pre-rolls). The existing twelve (12) pre-fabricated containers currently existing on the Project Site and utilized for cannabis processing, will be removed.

The strongest occurrences of cannabis odor will be associated with Indoor Cultivation mature/adult-flower cultivation within GH1 and the proposed processing building. Nuisance odors from the nursery portion of GH1 are possible, although immature plants do not reach the state of maturity associated with cannabis' most pungent odors.

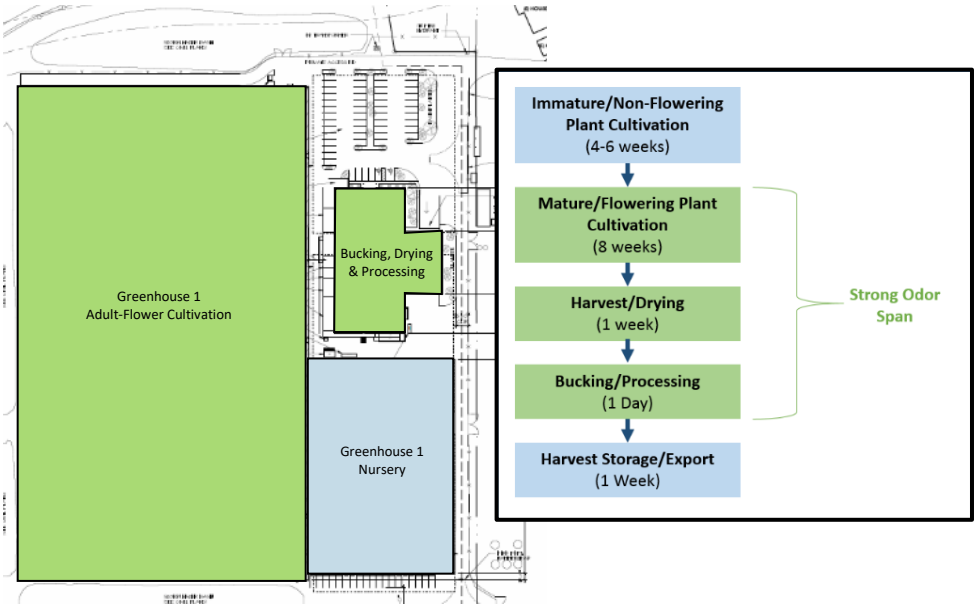
1.3 PHASES OF ODOR EMITTING ACTIVITIES

The phases of growing and processing cannabis proposed by Cresco/SLO Cultivation have two main stages that emit odors. These odor emitting phases are mature/flowering plant cultivation and bucking/processing. During an initial period of four (4) to six (6) weeks immature/non-flowering plant cultivation occurs during which minimal odors are expected. Once the juvenile plants become mature and begin to flower they enter the mature plant cultivation phase where they emit stronger odors; this phase spans approximately eight (8) weeks. Once the cannabis plants have matured plants are harvested and either:

1. Wet-bucked (bucking is the process of mechanically stripping cannabis flowers from the stem and leaf matter), weighed, and placed into bulk plastic bags which are vacuum sealed prior to freezing.
2. Placed in totes with sealed lids and transported to drying & curing rooms. After the plants are dried and cured, they are dry-bucked, and the flowers are packaged into consumer goods (such as jars or pre-rolls).

These cannabis containers will then be loaded into trucks for export. These phases of cannabis cultivation and processing are illustrated in Figure 3 below and each phase can be seen in the location that it occurs. It is important to note that due to the rotational crop management, the Site is expected to have approximately 30% of the total cannabis crop in a mature, strong odor emitting phase at any given time.

Figure 3- Cannabis Odor Distribution



1.4 ACTIVE ODOR CONTROL SYSTEMS- GREENHOUSES

~~GH1, portions of which will be utilized for juvenile and mature cannabis cultivation, will be constructed of materials which do not create an air tight seal and environmental temperatures necessary for healthy plant cultivation are achieved by venting warm air through mechanical vents located on the roof. As a consequence of this traditional method of temperature control, the use of carbon canister filtration is not feasible because a reasonable pressure vacuum cannot be achieved given the nature of the greenhouse structures. Therefore, there is a potential for cannabis odors to exit the greenhouses via the various temperature vents with the strongest odors expected to emanate from the mature/adult-flowering portion of GH1.~~

1.4.1 Operation of Vented Greenhouses

Existing greenhouses throughout the Carpinteria region, including the Project's existing Greenhouse 1 and proposed nursery additional, are not air tight. Temperatures and humidity necessary for healthy plant cultivation are presently achieved by venting warm air moisture through mechanical vents on the roof. This passive method of ventilation allows greenhouses to leverage Carpinteria' s temperate climate conditions and operate with substantially reduced energy consumption in comparison with sealed greenhouses or indoor cultivation facilities which must utilize:

Figure ~~41~~- Existing Greenhouse 1

- Additional gas combustion powered boiler to supplement greenhouse heat.
- Electrically driven compressors and/or fans to air condition.
- Electrically driven fans to drive air exchanges and reduce humidity build-up.
- Inject carbon dioxide to promote plant growth and overall health.

1.4.2 Scrubber Development for Vented Greenhouses

As a consequence of these passive ventilation operations, traditional carbon filtration of odors from vented air via negative pressure is not feasible. A partial vacuum cannot be practically achieved within the existing greenhouses to route air and avoid venting and constant recirculation of fresh air exchanges for such large volume quickly exhausts conventional carbon systems absorption capacity.

Accordingly, Cresco/SLO Cultivation proposes installing a recently developed odor control technology, or equivalent internal scrubber/filter system, known as a Regenerative Carbon Scrubber System (developed by Envinity Group).

This Regenerative Carbon Scrubber System consists of five (5) primary components.

1. An initial, cleanable, pre-filter to remove large particles from the influent stream of ambient air.
2. A high-flow ionization stage to apply a charge to the remaining particles after the pre-filter.
3. A second-stage, cleanable, filter to capture the remaining particles in the air stream.
4. A catalytic carbon filtration stage that utilizes the "traditional" carbon filter to retain any odor gasses long enough for Ultra-Violet (UV) light to oxidize and reduce the odor-causing gases to smaller, odorless gases.
5. A final stage with a specially-impregnated filter to capture any remaining fugitive gases that remain after the catalytic carbon stage.

The prototype system consists of a series of ground-mounted scrubber towers spread evenly throughout the interior of the greenhouse in a grid-like pattern (see Figure 5). Future production models will likely be offered in both ground-mounted and framing mounted variants (such that they can be elevated above benched growing space).

Figure 52- Prototype Regenerative

Due to the fact that the Regenerative Carbon Scrubbing Systems (RCSS) are an emerging technology for the purposes of treating greenhouse odors, per the request of CARP Growers, SCS recently completely a site specific analysis of the prototype system's efficacy at an active cannabis facility located at 3508 Via Real in Carpinteria (Project Site/Facility). SCS field staff confirmed that the Project Facility was similar to proposed cannabis greenhouses throughout the region with adult-flowering cannabis and operable roof vents. The RCSS is innovative technology intended to sustain a substantial reduction in detectable cannabis odors within greenhouses prior to the fresh air exchange which occurs when greenhouses are deliberately roof-vented, when air escapes during opening and closing of access doors, or fugitive air emissions which occur even when the greenhouse is predominantly sealed (roof vents closed and black-out curtains drawn). Traditional carbon scrubber systems have failed in this greenhouse function due to the significant volume of moisture laden air constantly needed for recirculation. The carbon pore space becomes saturated in a matter of days or weeks, after which the efficacy of the odor reduction drops precipitously. In contrast, the combination of Envinity's electrostatic air purifiers combined with the regenerative carbon scrubber does not utilize the carbon bed as the primary means for odor molecule elimination. Instead the combination of titanium oxide impregnated carbon and ultra-violet light utilizes both adsorption and chemisorption to actively treat the odiferous chemicals within the filters. The systems pre-filters also prevent ultra-fine and larger diameter particulate matter from reaching and compromising the scrubbing media's pore space. The ionization process used to drive the chemisorption reaction takes place only inside the scrubber and no charged particles, radicals, or ozone are emitted by the system.

Carpinteria Case Study

To conduct the case study, SCS completed two (2) rounds of odor and air quality testing at the Project Facility. The overall test conditions included an approximate 2.6-acre greenhouse with cannabis cultivation in various stages of adult-flower throughout the structure. A total of fourteen (14) CFS-3000 scrubbers were deployed with each scrubber operating at an air circulation rate of approximately 2,950 cubic feet per minute (CFM). See Attachment 1 for the CFS-3000 product specification sheet.

Odor Testing Event 1 focused on the overall odor reduction within the circulated greenhouse air while *Odor Testing Event 2* focused on the net odor reduction in the influent and effluent streams of an individual scrubber. It is important to note that after the conclusion of the first testing event, the scrubber manufacturer (Envinity) was provided valuable feedback which was subsequently used to adjust the function of the scrubbers and further improve their odor reduction efficacy prior to the second testing event. The primary cannabis odor samples for both testing events were taken within the greenhouse structure interior.

Odor Testing Event 1: Pre-scrubber Adjustment, Circulated Greenhouse Air

In February 2021, SCS collected a suite of twelve (12) total odor samples at strategically appropriate times to capture potential maximum odors in the greenhouse's circulated interior air mass to determine odor destruction efficacy of the Regenerative Carbon Scrubber System. The testing event included the collection of six (6) odor samples prior to scrubber activation (i.e. unscrubbed air within the greenhouse) and six (6) odor samples after the scrubbers had operated for approximately forty-eight (48) hours. Each before and after sampling event included four (4) samples (two during AM hours and two during PM hours) taken inside various locations of the greenhouse intended to capture the average odor level in the continuously circulated greenhouse environment. The other two (2) samples were taken outside the greenhouse to establish an exterior baseline. SCS strategically sampled at times and locations within the greenhouse which represent worst-case odor saturation, thus odor levels were often at orders of magnitude higher than average greenhouse conditions observed during earlier sampling events in Carpinteria.

These samples were then shipped to an independent third-party laboratory (Odor Science and Engineering, Incorporated in Bloomfield, Connecticut) for analysis. The OS&E laboratory has an expert odor panel which conducts blind evaluations of the odor samples (the panel is not informed of the potential type or source of the samples). The odor panel provides both a character (i.e. sour, skunk, exhaust, garbage) and an concentration for each odor sample. The concentration of odor is quantified as a dilution to threshold ratio (D/T) with higher numbers reflecting stronger odors. For example, the baseline odors present in most communities range from 8-12 D/T. Eight (8) D/T represents eight (8) parts of clean, purified air for each unit of odor sample. The specially trained and qualified odor panelists can often detect a net increase of 3-5 D/T over this baseline condition. Members of the general public can typically detect a net increase of 5-10 D/T. Most municipal jurisdictions with an adopted odor nuisance ordinance/policy therefore adopt a threshold of 10 D/T or higher.

Odor levels prior to scrubbing ranged from 7,599 D/T to 8,989 D/T with an average D/T of 8,296. Odor levels after the scrubbers operated for forty-eight (48) hours ranged from 1,067 to 2,606 with an average D/T of 1,537. This equates to an overall average of an 81.0% reduction in odor concentration in the continuously circulated greenhouse interior air. All interior samples were identified as having a character commonly including odor descriptors such as: cannabis, pot, weed, marijuana, and skunk. It is important to note that the averaged 81.0% odor reduction efficiency is the result of a

relatively small data set which is hampered by one sample which registered at 65.7% reduction in odor. The remaining three (3) samples all registered odor reduction rates of 84% or higher with two (2) of the samples indicating that an approximate 87% reduction of odor is feasible. It is likely that increasing the density of scrubbers per acre and improving their even distribution throughout the greenhouse structure could improve the overall consistent performance of the system to achieve an odor reduction rate approaching or exceeding 87%.

Table 1- Odor Sampling Results from Circulated Interior Greenhouse Air

Sample ID	Odor D/T Prior to Scrubbing	Odor D/T After Scrubbing	% Reduction in Odor Concentration
AM Sample Point #1	8,989	1,166	87.03%
AM Sample Point #2	8,282	1,310	84.18%
PM Sample Point #1	8,313	1,067	87.16%
PM Sample Point #2	7,599	2,606	65.71%
		Average Total	81.02%

Odor Testing Event 2: Post-scrubber Adjustment, Scrubber Influent and Effluent

SCS collected a suite of five (5) total odor samples at strategically appropriate times to capture potential maximum odors in the ambient greenhouse environment to determine odor destruction efficacy of the individual Regenerative Carbon Scrubber System units. These five (5) sample collections included two (2) scrubber influent, two (2) scrubber effluent, and one (1) ambient location within a second, untreated, greenhouse. These samples were then shipped to an independent third-party laboratory (Odor Science and Engineering, Incorporated in Bloomfield, Connecticut) for analysis.

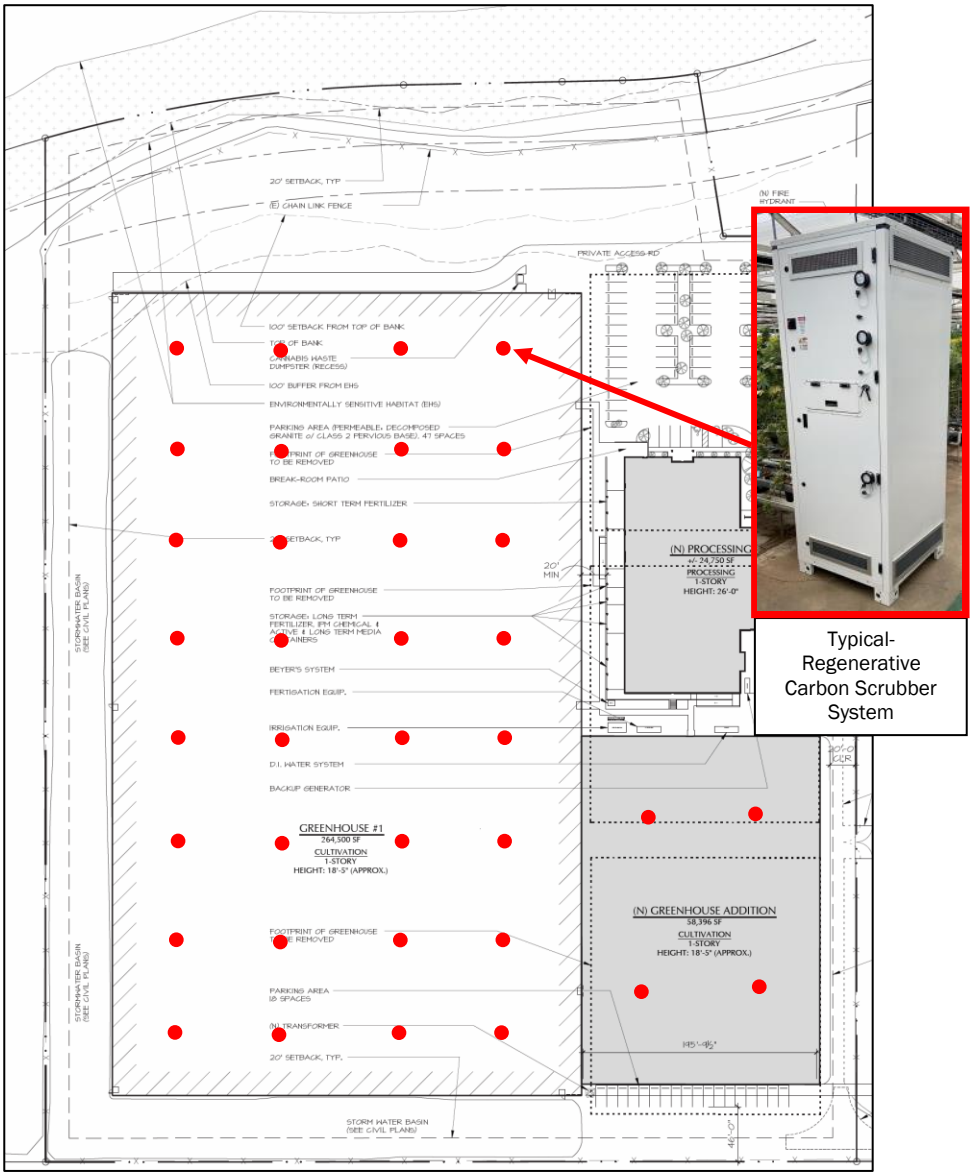
The odor samples relative to the influent of the Regenerative Carbon Scrubber System within the Project Site's greenhouse resulted in odor concentrations of 1,793 D/T (daytime) and 1,793 D/T (night-time) respectively with a character commonly including odor descriptors such as: cannabis, pot, weed, marijuana, and skunk. Samples taken of the effluent from Project Site's regenerative carbon scrubber system resulted in odor concentrations of 63 D/T (daytime) and 25 D/T (night-time). This data indicates an average of a 97.6% reduction of cannabis odor concentration from the influent of the scrubber compared to the effluent into the greenhouse. This 97.6% odor reduction limit should be considered the theoretical maximum odor reduction rate achievable in close proximity to each individual scrubber, however odor reduction for a greenhouse as an entire circulated air mass is unlikely to ever achieve this upper limit.

1.4.3 RCSS Use at the Cresco/SLO Cultivation Facility

Given the research and development state of ventilated greenhouses scrubbers, Cresco/SLO Cultivation commits to utilizing internal greenhouse odor scrubbers/filters such as the Regenerative Carbon Scrubbing System (RCSS) or equivalent internal greenhouse scrubbers/filters as the means of primary odor control technology as soon as commercially available and no later than twelve (12) months after the commencement of full-scale cultivation of cannabis at the facility. Consequently, upon installation and testing of the internal scrubber/filtration system, the facility operator shall also reduce or eliminate the use of vapor-phase neutralizing systems to the maximum extent feasible based upon the ability to prevent fugitive odors from reaching residentially zoned receptors. For the purposes of this requirement, the date of full-scale cultivation shall be interpreted as the receipt of Final Occupancy for the 322,896 square foot greenhouse AND issuance of the Business License necessary to allow the Project's maximum canopy cultivation.

The deployment of the RCSS odor control technology, or equivalent internal scrubbing system, would require the grid-like distribution of the scrubbers throughout the interior of the cultivation greenhouse. Assuming a similar size and density of scrubbers to the test case described above, the Cresco facility would be outfitted with approximately thirty-six (36) elevated scrubbing units similar to the conceptual layout provided in Figure 6 below. It is important to note that while helpful for the simplicity of this conceptual description, the ratio of scrubbers per acre will be highly variable based on facility specific design parameters including greenhouse volume, CFM rating for the scrubbers, baseline odor concentration, etc. Therefore, the Project design will be based on final site specific engineering.

Figure 63- Conceptual Cresco RCSS



Estimating Odor Concentration Outside Vented-Greenhouses

As described in the sampling descriptions above, the verification sampling of the RCSS resulted in a measured average reduction in odor concentration of 81.0% in the circulated greenhouse air and 97.6% of the individual scrubber's direct exhaust/effluent stream. These estimated odor reduction levels were achieved inside the greenhouse. For the purposes of this pilot study, actual observed odor reductions outside the test greenhouse could not be measured accurately due to the fact that Envinity could only supply sufficient scrubbers to outfit half of the Project Facility. Therefore, remnant fugitive odors from the other unscrubbed portion of the Project Facility would convolute the data. Additionally, the test facility was in close proximity to at least three (3) other active cannabis facilities within a 300-foot radius. All such surrounding facilities could

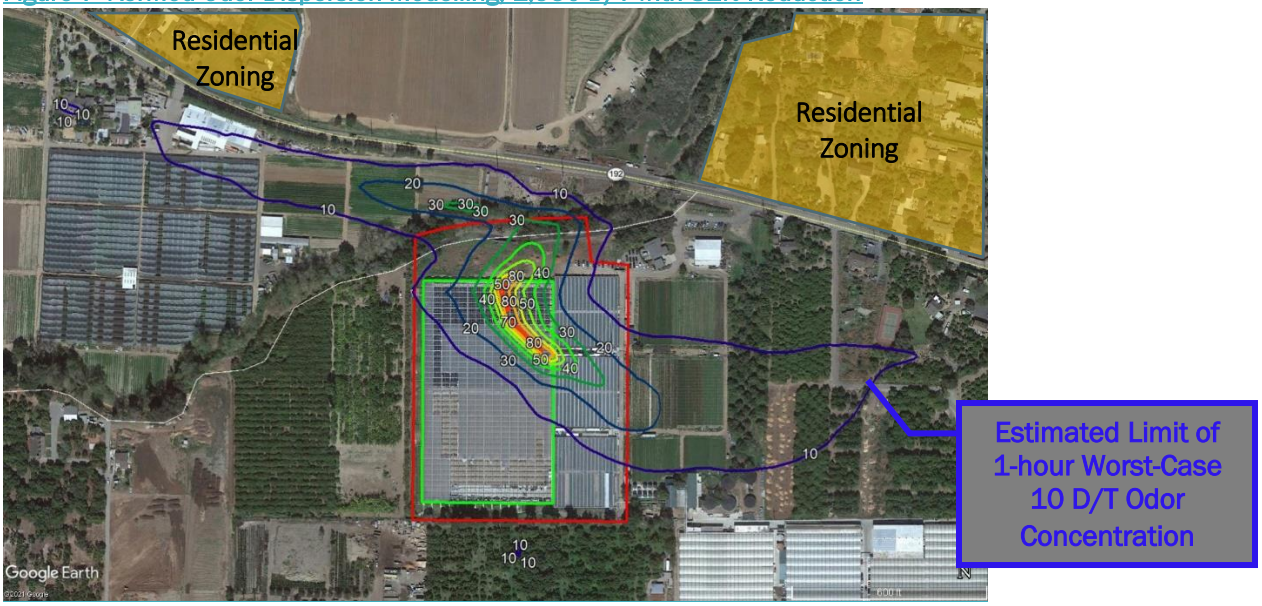
have contributed fugitive cannabis odors and/or neutralizing vapor which would further degrade the quality of the data.

Therefore, for the conceptual design of the RCSS system for the Cresco Project Site, SCS utilized air dispersion modelling methods and scenarios, as described below, to estimate the combined odor reduction achieved through the use the interior scrubbers and the exterior dilution and dispersion of remaining odors which occurs once air is released from the greenhouse vents. Two (2) odor reduction rates were utilized for this exercise, the 81% average odor reduction proven to be achievable through the entire sampling set and an 87% odor reduction which is likely to be achievable through the incremental improvement of the scrubbers and/or the deployment of a higher density of scrubbers per acre. For modelling purposes, SCS assumed that the Cresco greenhouse would have an initial 1,950 D/T odor concentration; this estimate was derived by taking a series of five (5) baseline odor samples within Cresco's existing, non-conforming greenhouses (spread across multiple dates and times of day) and using the single highest odor concentration recorded. By using the single highest baseline odor, rather than an average, this should give the modelling a conservative, worst-case scenario approach. Most baseline odors samples taken from Cresco's greenhouse staying within a much lower range of 117 to 521 D/T.

SCS completed an analysis of the Cresco property utilizing sophisticated air dispersion model known as AERMOD Version 21112, which is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. AERMOD has the capability of utilizing site specific meteorological and topographic data, thus making the model more accurate and capable of producing site specific isopleth maps to illustrate the dispersion of odor in proximity to the project site. This offers a reasonable prediction of the dispersion of the remaining odor from the Cresco facility after RCSS scrubbing has occurred.

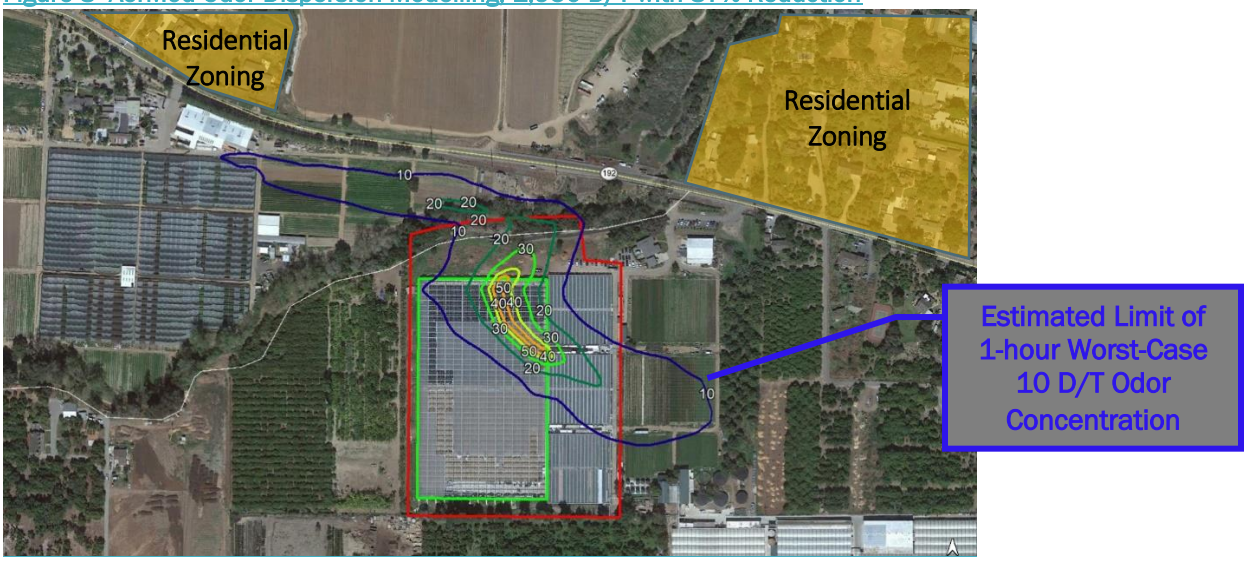
As shown in Figure 7 below, assuming Cresco has a starting odor concentration of 1,950 D/T and the scrubbers achieve an interior odor reduction of 81%, the remaining maximum odor expected to be released from the greenhouse vents is approximately 369 D/T. After that initial release, the air dispersion model predicts the fugitive odor distribution and dilution and creates isopleth contours which visually illustrate the location and diminishing concentration of the fugitive odor as it travels away from the greenhouse. It is extremely important to note that these isopleth contours predict a 1-hour worst-case scenario based upon five years of meteorological conditions. Therefore, the estimated odor contours do not constitute a persistent odor distribution that would be experienced by a single receptor on a daily basis. Odors of up to 10 D/T in concentration (generally considered the lower limit of a nuisance odor) spread off of the Project parcel along a generally east-west axis but stay predominantly south of Foothill Road and the residentially zoned receptors to the north. Remnant odors drifting to the east or west have the estimated potential to be experienced by agricultural properties approximately 900-feet beyond the Project Site boundary during worst-case 1-hour conditions but contours do not directly intersect with any residential structures.

Figure 7- AerMod Odor Dispersion Modelling: 1,950 D/T with 81% Reduction



As shown in Figure 8 below, assuming Cresco has a starting odor concentration of 1,950 D/T and the scrubbers achieve an improved interior odor reduction of 87%, the remaining maximum odor expected to be released from the greenhouse vents is approximately 253 D/T. Odors of up to 10 D/T in concentration (generally considered the lower limit of a nuisance odor) are still predicted to spread off of the Project parcel along a generally east-west axis and stay south of Foothill Road and the residentially zoned receptors to the north. Remnant odors spreading to the east now take a more southerly direction and diminish faster; thus 10 D/T odors predominantly remain within Ocean Breeze's cultivated lands approximately 600-feet southwest of the agriculturally zoned receptors along the southern side of Foothill Road.

Figure 8- AerMod Odor Dispersion Modelling: 1,950 D/T with 87% Reduction



1.4.4 RCSS Findings and Recommendations

Due to the emerging nature of this RCSS technology, and limited efficacy testing conducted to-date, SCS has made a series of recommendations needed to further refine data pertaining to the performance and deployment of the Regenerative Carbon Scrubbing Systems to CARP Growers and the manufacturer, Envinity.

However, the combination of air sampling and modelling conducted to-date indicate that the system is a potentially viable means of odor control for the Cresco facility, especially if:

1. The next iteration of the RCSS technology can improve its odor reduction efficacy to 87% or greater, or
2. The RCSS technology is supplemented by secondary odor mitigation such as but not limited to vapor-phase neutralizers.

If the Cresco facility is selected for early adoption of RCSS, or equivalent internal scrubber systems, to assist in the progression of cannabis odor control technology, SCS offers the following facility specific recommendations:

1. Deploy an initial set of RCSS, or equivalent, units to achieve a similar air exchange rate as was achieved in Envinity's/RCSS' prior testing regime. This should result in an odor concentration reduction of 81% or better. Given the intent to reduce or eliminate the use of vapor-phase neutralization systems, retain the Project Site's existing perimeter vapor-system and single Byer's blower unit.
2. Upon initial RCSS installation and functionality testing, commence RCSS operation and temporarily cease operation of the vapor-phase system. Conduct initial operational testing and observations.
    a. If the RCSS standalone system is sufficient to prevent offsite odor observations, continue to operate the system for a period of six (6) months to ensure the odor reduction efficacy can be maintained consistently without failure of the system filters, carbon saturation, etc. Should the system continue to perform at expected levels, proceed to permanent decommissioning of the vapor-phase system.
    b. If offsite odor observations occur, reactivate the vapor-phase system temporarily while RCSS improvements are completed. Improvements can include but are not limited to: manufacturer recommendations to improve individual scrubber performance, adjustment of scrubber location within the greenhouse, or installation of additional scrubber units.
3. If needed, implement improvements to the RCSS and resume standalone testing with vapor-phase system deactivated.
    a. If the RCSS standalone system is sufficient to prevent offsite odor observations, continue to operate the system for a period of six (6) months to ensure the odor reduction efficacy can be maintained consistently without failure of the system filters, carbon saturation, etc. Should the

system continue to perform at expected levels, proceed to permanent decommissioning of the vapor-phase system.

b. If offsite odor observations occur and no further RCSS performance improvements are viable.

i. Begin testing the use of RCSS and vapor-phase in combination with an emphasis on the RCSS as the primary odor mitigation system and minimization of vapor-phase neutralizer. Effort should be made to utilize the minimum daily-volume release of neutralizer needed to achieve effective odor control including limited vapor-phase system operation to certain times of the day or operational activities where supplement odor mitigation is warranted.

ii. Or, conduct a new odor control BACT analysis to examine alternative odor mitigation technologies.

1.4.5 Vapor-Phase Neutralizer

As described above, Cresco/SLO Cultivation intends to utilize emerging RCSS or equivalent internal greenhouse scrubbing systems as the primary means of odor control for greenhouse cultivation. However, if needed to provide odor control until such time as the RCSS is commercially available, or as a supplement to the greenhouse scrubbing systems, the leading vapor-phase odor neutralizing technology ~~currently available to prevent these cannabis nuisance odors from drifting off-Site. This is a dry-vapor phase system (aka Byers Odor System)~~ developed and operated by Byers Scientific & Manufacturing would be available. Refer to Attachment 4 for more information regarding the Byers Odor System.

Byers Odor System consists of four (4) primary components.

~~1.~~6. A holding tank containing an odor neutralizing agent developed specifically to neutralize odors from cannabis. This odor neutralizing agent is known as Ecosorb CNB 100 (CNB 100) or CNB 107 and is manufactured by OMI Industries, a leader in odor neutralization materials. Refer to Attachment 5 for more details regarding CNB 100 and 107.

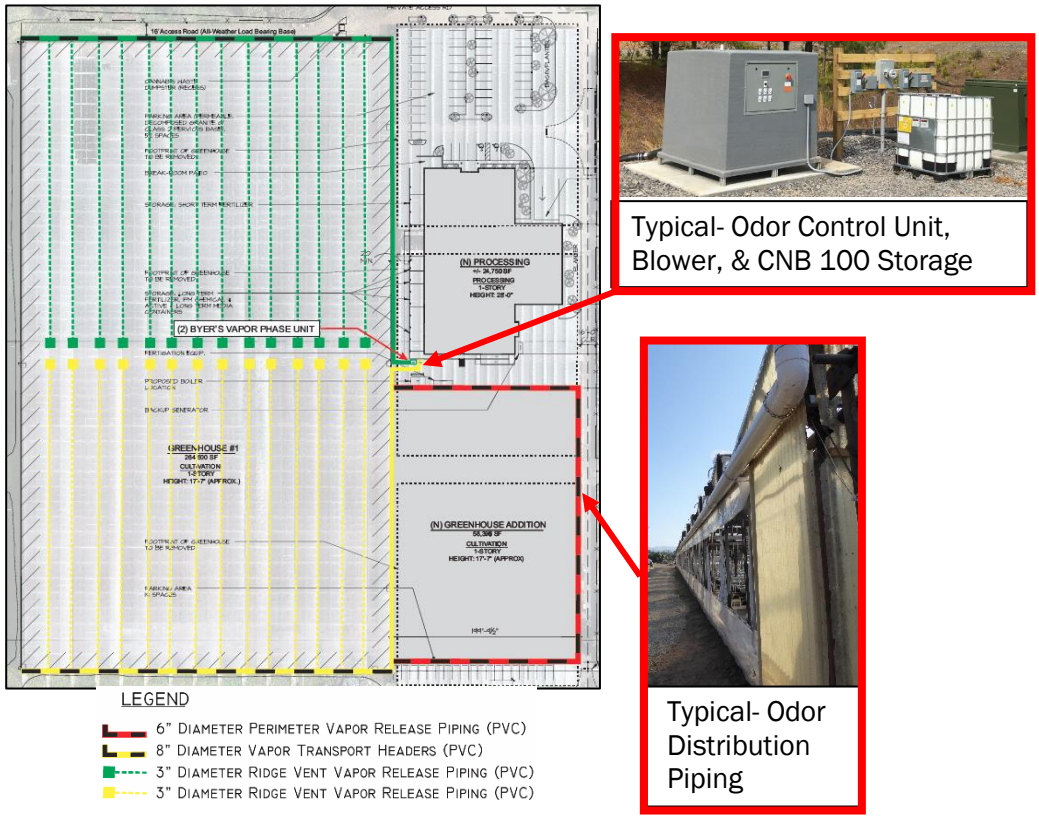
~~2.~~7. A high-flow, low pressure blower which takes the odor neutralizing agent and distributes it as a vapor into the perimeter pipeline system.

~~3.~~8. A PVC pipeline system erected around the perimeter of the nursery portion of GH1 (lower odor area) and along roof vent openings of the adult/mature flower cultivation portion of GH1 (higher odor area) which releases the odor neutralizing agent vapor. The Byers Odor System entrains vaporized odor neutralizers into moving air outside the cannabis cultivation facilities. Odorous molecules are then neutralized as they travel downwind with neutralizer traveling and mixing with this odorous air mass regardless of changing wind speeds, wind direction, or other weather factors.

4.9. A real-time computer monitoring system which allows the operator to remotely regulate the flow of the odor control system to ensure that the amount of odor neutralizing agent is adjusted to match current odor producing conditions, seasonal weather patterns, and other fluctuating conditions. The system is also capable of notifying the operator if an equipment failure has occurred so that the system can be repaired and returned to service as soon as possible.

Refer to Figure 93 below for a graphical representation depicting how the Byers Odor System will be deployed for the Cresco/SLO Cultivation Carpinteria Project Site. Refer to Attachment 2 for a more detailed odor system design.

Figure 94- Byers Odor Control System



Typical- Odor Control Unit, Blower, & CNB 100 Storage

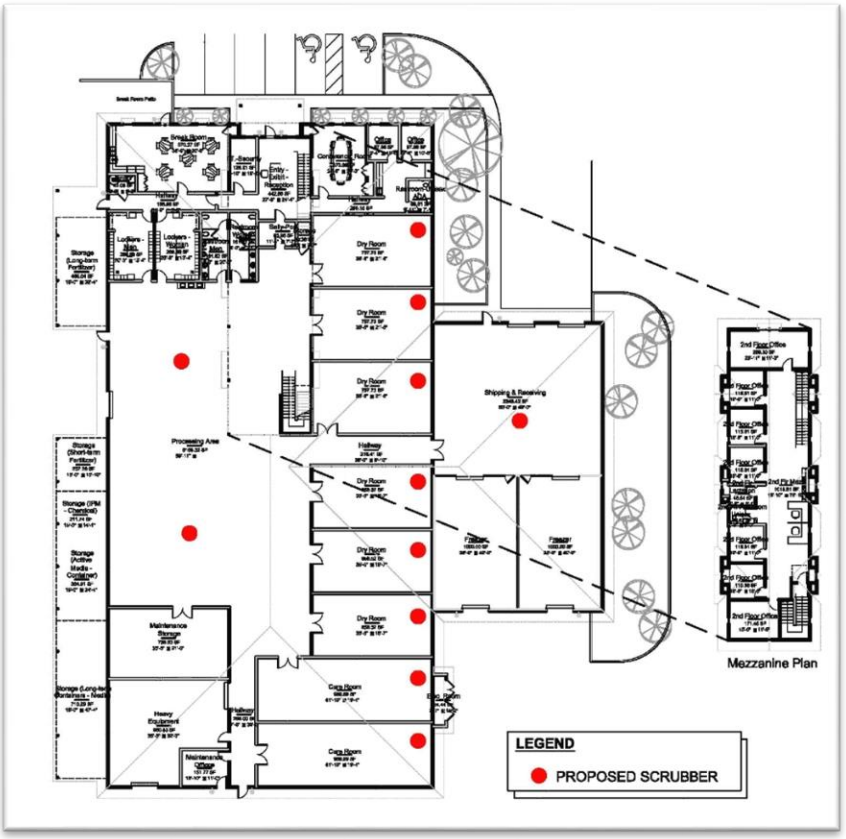
Typical- Odor Distribution Piping

An employee will walk the perimeter of each greenhouse daily to inspect the structural integrity of the Byers system. The employee will also observe odors to ensure that no nuisance odors are breaching the property line.

~~1.4.1~~1.4.6Processing Building Carbon Scrubbers

The proposed 24,751 square foot pack house/processing building, where all cannabis processing and storage will occur, will be a purpose built metal building with vapor barriers and opening seals that will limit air (and odor) exfiltration at the exterior building envelope. The air handling system will maintain interior air quality for employees, maintain a slight negative pressure differential between the inside and outside air, and control odor exfiltration. HVAC exhaust ducts to the outside will be controlled with industrial grade carbon odor absorbers. The system will be designed by a professional mechanical engineer and maintained throughout the life of the Project. In particular, on-site personnel will be required to regularly check the carbon media for saturation and degradation of the system's ability to mitigate odor, at that time the carbon media shall be replaced. As illustrated in Figure 10~~5~~, carbon scrubbers will be distributed throughout each room which contains odiferous cannabis activities with the exception of the freezer rooms where all cannabis is vacuum sealed in thick plastic bags.

Figure 10~~5~~ - Scrubber System Layout



Within this structure, 15,260 square feet will be utilized for odorous cannabis activities while the remaining 9,491 square feet will be used for non-odorous activities including freezers, maintenance storage, heavy equipment, offices, IT/Security, lockers, bathrooms, and breakroom. With an average ceiling height of 12'0" feet, the cannabis

processing portion of the structure will be approximately 183,120 cubic feet. A minimum of eleven (11) Camfil 3,000 cubic feet per minute (cfm) scrubbers will be installed, with a combined capability of treating up to 33,000 cfm. If ran at maximum capacity the filters would be capable of completing a maximum of ten (10) air exchanges per hour which is sufficient to achieve proper odor control. Based on site specific testing it will be beneficial to slow the rate of air exchanges to two (2) to four (4) per hour to increase contact adsorption time with the carbon and/or extend the carbon filters' lifespan. Such adjustments should be made with initial testing after facility operation commences.

Figure 116- Typical Elements of a Carbon Filtration System

Compact Carbon Scrubber

Carbon Scrubber w/Blower & Pre-filter

In the unlikely event the facility experiences offsite odor observations, the design engineer shall be contacted to conduct follow-up investigations to ensure the active odor control systems are functioning properly, maintained in good working order, and elements of odor control such as frequency of carbon medium replacement or daily volumes of vapor neutralizer have been adjusted accordingly to operating conditions. If offsite odors persist, a combination of odor grab samples, terpene measurements, or comparable scientific technique shall be used to:

1. Ascertain if the source of odor is coming from the subject facility.
2. Verify which project activity/structure is the source of fugitive odors (i.e. greenhouse cultivation, processing, product loading).
3. Take corrective action to improve odor control methods through modified operational Best Management Practices and/or install improved mechanical systems.

Refer to Section 1.6.4 of the Plan for greater detail regarding odor observation response protocols.

1.5 ODOR CONTROL BEST MANAGEMENT PRACTICES

Once operational, the project staff will implement odor control Best Management Practices (BMPs) as outlined below:

Best Management Practice 1: Designate an onsite *Odor Management Specialist* at the facility. This employee will be given time, resources, training, and incentives to control odors as a first priority.

Best Management Practice 2: The onsite *Odor Management Specialist* should at a minimum walk the Site two (2) times per day to:

A. Ensure that all means of active odor control (neutralizing vapor and carbon filtration) are operational and in good working order.

B. Observe onsite personnel to ensure that odor control BMPs are implemented. BMPs include keeping doors closed whenever feasible, placing waste in sealed containers, limiting processing-related activities to the odor controlled building(s). If BMPs are not consistently implemented, the *Odor Management Specialist* shall report inconsistencies to appropriate management for corrective action. Maintenance of a daily odor inspection log and check-list shall be made a part of these BMPs.

C. *The Odor Management Specialist* shall be a point of contact to receive odor complaints from the regulatory agencies or the community. The specialist shall request as much detail as possible regarding the complaint, including:

   i. Location (be exact, narrow it down within 100-feet or less if possible).

   ii. Time (be exact, to the minute if possible).

   iii. Weather conditions (approximate temperature, wind speed, etc.).

   iv. Visual observations. Did the complainant see the cannabis facility/operations from which the odor may have come, or see any unusual activities in the observed area?

Best Management Practice 3: Build a company culture wherein all personnel understand the importance of odor control. Train each person in their individual odor control responsibilities at the facility. Training elements include:

A. Ensure all employees are aware of the *Facility Odor Control Plan* for the entire Site and the odor control BMPs that apply to their tasks within the workforce.

B. Incorporate the fundamentals of odor control in the training programs; provide this instruction in bi-lingual form as needed.

C. Consider incentives with offsetting disciplinary measures based on odor control implementation and success.

Best Management Practice 4: Secondary miscellaneous odor management BMPs should be implemented consistently as follows:

A. Facility doors should be kept closed whenever feasible. The opening of doors should occur only momentarily for entry and exit, especially in areas of cannabis processing. The installation of self-closing doors, heavy-duty plastic curtains, or other safe means of limiting fugitive odors should be considered.

B. Keep all processing activities within the perimeter of its odor control system. Have contingency methods in place so that variations in weather conditions (especially hot weather) do not necessitate the relocation of processing outside.

C. Acquire dumpsters with sealed lids for handling of cannabis waste. Keep lids closed whenever feasible.

D. Consider using plastic bags to line plastic totes to contain/seal cannabis between processing areas as well as during offsite transport. The build-up of cannabis particulate and oil on inside surfaces of totes is a source of fugitive odors.

E. Consider providing employees, particularly those that work in cannabis processing zones, with uniform garments and/or professional laundry services with encouragement or requirements to change clothes prior to leaving the facility.

F. Provide properly sealed vehicles for transportation of cannabis outside of facilities, both smaller golf cart type vehicles inside the project perimeter and larger export trucks used to transport products offsite for sale.

Best Management Practice 5: Active odor control should start with an examination of the pertinent structural envelope. With rare exceptions, such as open field neutralization, most active odor control mechanisms utilize a structure of some kind to initially contain and channel odors to a specific location for treatment. Indoor or mixed-light cultivation utilize buildings or greenhouses to contain cannabis odors and channel them to either a HVAC system or roof/wall vents. Processing activities should occur within wood-framed, metal fabricated, or concrete tilt-up structures. Evaluating, controlling, and/or minimizing the odor releases from these structural envelopes is paramount to the effectiveness of any active odor control system. Typical examples include: keeping large rolling greenhouse doors closed whenever feasible, replacing/repairing any significant glass/polycarbonate sheeting on greenhouse exteriors, placing neutralization release points close to all roof vents or side wall fans on greenhouses, sealing leak points on processing buildings with spray in insulation or equivalent, and keeping all man or vehicle doors on processing buildings closed whenever feasible. Being mindful of maintaining a proper envelope control of cannabis odors will significantly improve the efficacy and often reduce the operating costs of active odor control mechanisms.

Best Management Practice 6: For all active odor control systems, proper design, operation, and maintenance of these systems is critical to their effectiveness. Therefore, in relation to the vapor neutralizing and carbon filtration systems, the following parameters should be addressed:

A. The piping or equivalent means of vapor distribution should be installed such that it maximizes mixing of the neutralizer with cannabis odors released at all roof vents, active exhaust fans, and operable doors which are frequently opened. The piping must be tested for consistent pressure release over the whole length of the system and inspected regularly to ensure pipe joints have not decoupled.

B. The total linear length of piping, fan/mechanical sizing for the vapor generation/blower unit, and volume of neutralizer released per day should all be evaluated in comparison to the overall size of the site and its proximity to receptors.

C. Be aware that periods of downtime in vapor-phase system operation leaves portions of the facility with little to no odor mitigation of cannabis odors. Develop a maintenance plan and checklist to schedule and document maintenance activities, record replaced parts, and determine frequency of failures of the vapor phase system with a goal of minimizing system downtime to the maximum extent feasible. If possible, plan maintenance related outages to occur in the afternoon, during steady wind conditions, such that natural dispersion and dilution help mitigate the odors which are no longer being neutralized.

D. Do not use carbon filtration systems unless they are designed by a qualified engineer/specialist and properly maintained. Using a poorly designed or maintained system is potentially worse than no system at all. Especially if the output of the system vents to atmosphere.

E. Ensure that the processing structure has a relatively sealed envelope and institute administrative protocols/training to ensure man and vehicle doors remain closed whenever feasible to preserve the negative pressure of the system.

F. Consider the use of structural upgrades such as mud-room style double-entry doors and the creation of substructures to contain drying or other high-intensity odors in a smaller volume of air space which needs treatment.

G. Due to the size and intensity of odors in some processing buildings, typical off-the-shelf carbon canisters may experience odor breakthrough in a far shorter time than expected. Make sure the project engineer is aware of this and accommodates accordingly in the design and/or operation.

1.6 ADAPTIVE MANAGEMENT STRATEGIES

1.6.1 Weather Monitoring

1. Operator shall install and maintain continuous weather monitoring equipment in accordance with direction of a meteorological monitoring network plan provided by a qualified third-party professional so as to continuously record and transmit weather data, including wind speed, direction (including low speed wind direction capabilities), temperature and barometric pressure for as long as it engages in cannabis cultivation at this Property.

2. This weather data will be maintained electronically and made available upon request (for at least one year) to the Department.

3. Operator will use weather data to identify the variables and conditions that can cause, contribute to and affect Odor Episodes (defined below) and to better understand the transport and fate of odor emissions from cannabis operations in Carpinteria.

4. In the event that a regional meteorological network is created by the Department or other entity, data from Operator's weather monitoring equipment shall be made available in real time to such network.

1.6.2 Odor Technology

The facility shall follow all methods for controlling and reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies (BACT) or methods as necessary to control odor at the facility, as determined by the Department. Any BACT to be employed by an Operator at a future date may require additional permits or changes to existing permits as determined by the Department.

1.6.3 Initial Audit & Continuing Monitoring

The Operator shall develop a testing program to deploy continuously over a 7-day period the best available proven odor monitoring device/method to measure cannabis odor causing emissions from the property during the first week of permitted operations, if other equivalent baseline odor testing has not already been conducted. The applicant shall maintain all odor monitoring data for 3 years and shall provide odor monitoring data to the Department upon request.

1.6.4 Community Participation and Outreach

Prior to the commencement of operations, the Operator shall provide to property owners and residents located within 1,000 feet of the Property the contact information for the Primary Odor Contact, who shall be available by telephone on a 24 hour/day basis to receive calls regarding any odor complaints (Santa Barbara County Article II Coastal Zoning Ordinance (CZO) §35-144U.C.6.f.1.). The Operator shall immediately notify the Department, property owners and residents located within 1,000 feet, and the COL of any changes to the local contact (CZO §35-144U.C.6.f.2.).

1.6.5 Odor Response Protocol

The Operator will continuously monitor odor complaints and will immediately route complaints to the Primary Odor Contact for a timely response. The Operator may utilize analytical tools and measurement systems to evaluate odor inquiries and assess odor conditions, as well as for routine monitoring of horticultural conditions, for the long-term goal of eliminating fugitive cannabis odors.

The Operator shall notify the Department of any complaints the Operator receives within 24 hours of receiving the complaint (CZO §35-144U.C.6.f.3). The Operator shall respond to an initial complaint within one hour and if needed, take corrective action to address any violation of CZO §35-144U.C.6 within two hours (CZO §35-144U.C.6.f.4). The Operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant (if the complainant is willing to provide), as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the complaint tracking system records to the Department as part of any Departmental inspections of the cannabis activity, and upon the Department's request. The operator shall maintain the complaint tracking records for a minimum of five years (CZO §35-144U.C.6.f.5).

If the Department receives three verified complaints regarding odor events in any 365-day period, the Operator shall implement corrective actions to comply with the odor abatement requirements of County Code Section §35-144U.C.

Level 1 Response - Initial Assessment and Corrective Actions

For any instance in the Odor Response Protocol below where the Operator can determine that an odor complaint is "resolved" or "unresolved", the determination by the Operator does not preclude the Department from taking further actions, including enforcement actions pursuant to Section 35-185 (Enforcement and Penalties), of the Coastal Zoning Ordinance, which may include, but are not limited to, initiating proceedings to revoke the applicable cannabis land use entitlement(s) pursuant to Section 35-169.8 (Coastal Development Permits) of the Coastal Zoning Ordinance. .

Once an odor complaint is received by the Operator, the Operator shall, within one hour after the odor complaint is received, perform an onsite visual inspection to ensure the function and integrity of the following:

1. The odor abatement equipment is working as intended and that there are no visible breaks or blockages in any odor abatement equipment; and
2. If being used, all carbon scrubbers or other odor abatement equipment are working properly and filters are clear of any debris; and
3. All doors are closed, sealed and secured, including greenhouse entry and exit points, internal processing rooms and processing entry and exit points, pursuant to Operator's Standard Operating Procedures ("SOPs"); and
4. A walk of the perimeter of the cannabis facilities, inspecting the integrity of the walls and structure and examining if a physically apparent source of odor can be detected.

If a cause for the reported odor episode was discovered during the inspection, the Operator shall take corrective action to address any violation of CZO §35-144U.C.6 within two hours of the complaint.

After taking corrective action, the Operator shall complete a site inspection at the reported odor complaint location to determine whether the odor complaint has been abated. If odor is no longer detectable at the reporting location identified in the complaint or at locations in the direction where the Operator would expect odor to migrate based on the meteorological conditions present at the time of the odor complaint, then the odor complaint may be deemed resolved.

If no cause for the reported odor complaint was ascertained during the inspection and if the known reporting location is confirmed to be odor-free, the odor complaint is resolved.

Level 2 Response -- Diagnostic Assessment and Corrective Actions

If, after the Level 1 Response is complete, the Operator continues to observe fugitive odors, receives further odor complaints indicating that the odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall:

1. Conduct a weather assessment (wind speed, direction and any shifts, anecdotal weather information collected from interested parties, time and duration of odor complaint) of the conditions that were occurring at and in the two hours before the time of the odor complaint;
2. Perform a comprehensive diagnostic review of the odor abatement system;
3. Interview staff members that were on site during and in the two hours before the time of the odor complaint and determine if they performed or observed any actions or circumstances that may have caused or contributed to the reported odor complaint and evaluate if the operation adhered to the Operator's SOPs for odor abatement;

4. Repair or correct any conditions discovered that may cause or contribute to the odor complaint.

If a cause for the reported odor complaint is identified, the Operator shall take corrective actions, revise its SOPs, and/or adjust the odor control systems as necessary to address the condition(s) that resulted in the odor complaint. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 2 Response and submit it to the Department.

Level 3 Response -- Analytical Assessment and Corrective Actions
If, after the Level 2 Response is complete, the Operator continues to observe fugitive odors and/or receives further odor complaints during the following 8-24 hour period, or the reporting party responds that odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall implement further corrective actions as follows:

1. Commission a Professional Engineer (PE) or a Certified Industrial Hygienist (CIH) to perform an on-site evaluation of odor levels to analyze whether the Operator is the source of the reported odor complaint. The Operator will use its meteorological data and knowledge of operational activities at the time specified in the odor complaint as feasible.
2. If no further conclusions are found from the analysis, and the Operator is unable to identify the potential cause of the odor complaint, the odor complaint is unresolved.
3. In the event that an odor complaint is unresolved and is recurring or continuing, as evidenced by repeated odor complaints from the property, the Operator shall:
    i. Commission a Professional Engineer or a Certified Industrial Hygienist to implement a testing protocol to measure odor or an odor-causing constituent using the best, currently available objective, odor measurement device, technology or methods.
    ii. Undertake corrective actions identified by the PE or a CIH including but not limited to:
        1. Revise its SOPs.

2. Adjust or improve the function of the existing odor control systems (i.e. adjust dispersal of neutralizers, replace spent carbon media, install self-closing doors).
3. Install supplemental or replacement odor control technologies, such as but not limited to internal greenhouse scrubbing systems. Such technology could potentially include installation of 5-15 Regenerative Carbon Scrubbing units per acre of adult-flowering cultivation (exact system design to be defined on a Project specific basis as determined by a qualified professional).

If a cause for the reported odor complaint is identified, the Operator shall take corrective actions as recommended by the PE or CIH as necessary to address the condition(s) that resulted in the odor complaint. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 3 Response and submit it to the Department.

If after the PE or CIH Analysis has been completed, the Operator believes it is not the sole or a contributing source of the reported odor complaint, the Operator shall notify the Department of its conclusion, within three (3) calendar days of reaching such conclusion. The Department will consider this information in determining whether corrective actions are necessary to comply with the odor abatement requirements of Section 35-144U.C, but the Department is not bound by the Operator's conclusion. If the Department verifies that the Operator is not a contributing source of the reported odor complaint, the complaint shall be deemed resolved.

Level 4 Response -- Comprehensive BACT Analysis and Corrective Actions

If, after the Level 3 Response is complete, the Operator continues to observe fugitive odors and/or receives further odor complaints, or the reporting party responds that odor is persisting or recurring periodically during the following 8-24 hour period, the Operator shall implement further corrective actions as follows:

a. Commission a comprehensive Best Available Control Technology (BACT) analysis and submit to the Department a written report prepared by a Professional Engineer or a Certified Industrial Hygienist that includes:
    1. The likely or potential source of the odor complaint;

2. Additional adaptive management techniques, including operational modifications and curtailment that are recommended to eliminate odor complaints;
3. Recommendations for new or revised odor abatement technologies; and
4. Installation of current best available analytical tools to monitor, identify and quantify the emissions causing or contributing to odor complaints.

If the BACT analysis concludes that a more effective odor control system is available that will resolve or materially reduce the severity the Odor Episodes, the Operator shall take all necessary steps to install the more effective odor control system as expeditiously as practicable. The Operator shall obtain any applicable permits related to project changes resulting from corrective actions before implementing any new odor abatement equipment that is not identified in the OAP. The Operator shall report the conclusions of its investigations (excluding any bona-fide proprietary or trade secret information) to the Department. Once these steps are completed, and the odor is not detectable at the reporting location, the odor complaint shall be deemed resolved.

If no cause for the reported odor complaint was ascertained during diagnostic PE or CIH assessment, and if the known reporting location is confirmed to be odor-free, the Operator shall prepare a written report (excluding any bona-fide proprietary or trade secret information) summarizing the Level 4 Response and submit it to the Department.

If after the BACT Analysis, the Operator believes it is not the sole or a contributing source of the reported odor complaint, the Operator shall notify the Department of its conclusion, within three (3) calendar days of reaching such conclusion. The Department will consider this information in determining whether corrective actions are necessary to comply with the odor abatement requirements of Section 35-144U.C, but the Department is not bound by the Operator's conclusion. If the Department verifies that the Operator is not a contributing source of the reported odor complaint, the complaint shall be deemed resolved.

For all Odor Episodes – Reporting and Corrective Actions:
The Operator shall make available to the Department and any reporting party, upon request, a report detailing all efforts taken to resolve odor complaints.

1.6.6 Emerging Odor Control Technologies

As with any environmental mitigation technology, it is anticipated that odor control systems for cannabis facilities will continue to evolve and improve over time. As of the date of certification of this Plan, vapor-phase neutralizer systems and negative pressure carbon scrubbers are the best proven odor control technologies appropriate for the greenhouse and processing building components of this Project respectively.

Current research and development in the field is focusing on the potential use of regenerative carbon scrubbers within greenhouses which are capable of treating significant volumes of odorous air without quickly degrading the carbon's odor adsorption efficacy. If further development of greenhouse scrubbing technology results in a system which exceeds the odor abatement efficacy and consistency of vapor neutralizing systems, Cresco/SLO Cultivation will commence site specific testing and design to either supplement or replace its vapor-phase neutralizer system with greenhouse scrubbers as needed to further abate any offsite Odor Observations from occurring in residential zones as a result of the facility's operations. Similar facility improvement actions will be taken in the future should Cresco/SLO Cultivation be responsible for Odor Observations at regulated offsite receptor points and the adoption of newer odor abatement technologies is reasonably believed to further abate the offsite transportation of odors.

1.7 ODOR SYSTEM CERTIFICATION

Cresco/SLO Cultivation is committed to operating its Project in a manner to avoid causing odor impacts to surrounding residences located in residential zones. Cresco/SLO Cultivation will apply its best efforts to contain and resolve any odor issues, as outlined in this OAP, and will sustain those efforts any time odor is reported offsite at surrounding residences and publicly accessible locations. Using Adaptive Management techniques as Corrective Actions to effectively address and resolve odors is expected to provide an iterative and successful strategy for SLO Cultivation to be a good neighbor and responsible member of the community.

SCS has conducted pilot testing of RCSS greenhouse scrubbing technology and completed site specific air dispersion modelling to confirm the likely effectiveness of internal greenhouse scrubbing systems. The Byers Odor Management System, and similar vapor-phase odor neutralization technology, has a proven record of substantially reducing nuisance odors including odors specifically related to cannabis.

For example, the Santa Barbara County Air Pollution Control District (SBC APCD) in a presentation dated May 15, 2018 indicated that there were approximately fourteen (14) cannabis operations utilizing vapor-phase odor neutralizing systems throughout the Carpinteria region. APCD staff observed one such system in operation in February of 2018 at the 650,000 ft^2 of cannabis cultivation operated by Ever-Bloom. APCD staff noted the odor control system was operating and working as advertised and noted that pungent odors from inside the greenhouse, "could not be detected directly outside the greenhouse or at the property line." Refer to Attachment 6 for further details regarding this APCD review.

Additionally, the Long Range Planning Division of Santa Barbara County recently prepared a Final Environmental Impact Report (FEIR) to amend its Land Use and Development Code to allow certain types of cannabis activities. Appendix F of the FEIR provides a research summary on odor control technology, specifically the vapor-phase system developed by Byers. The FEIR cites several locations where this technology is

effectively in use by cannabis operations, including Carpinteria, CA and Pueblo, CO. Additionally, this same technology has been in use at the Miramar Landfill in San Diego, CA. Refer to FEIR State Clearinghouse Number 2017071016 for further information.

Furthermore, SCS conducted independent research regarding the efficacy of the Byers Odor Control System:

1. Contacted Byers Scientific and reviewed a list of existing facilities where the Byers Odor Control System is currently deployed and operational, including cannabis facilities located with similar climate zones, weather patterns, size of cultivation operations, and proximity to sensitive receptors as compared to the proposed SLO Cultivation Project.

2. Contacted one such facility operator to confirm the qualitative efficacy of the Byers Odor Control System in operation.

3. Contacted SBC APCD staff to verify their observations of the efficacy of vapor-phase systems.

4. Completed odor sampling and reduction testing at an active cannabis site with the Byers System (see Attachment 7).

Carbon filtration systems (when properly designed and maintained) offer the leading effective odor control for enclosed spaces such as the Project's processing structures. Other regulatory agencies involved with the emerging cannabis industry have recognized carbon filtration as a Best Available Control Technology (BACT) for odor, including the Puget Sound Clean Air Agency[1] in Washington state and the Denver Department of Public Health & Environment[2] in Colorado. If properly designed and maintained, the carbon filtration system should be sufficient to control nuisance odors emanating from the Project's processing structures.

Based on the presumption that the odor control system is operated during all appropriate times that nuisance odors are present on the Project site, the system is kept in good working order, and operated in compliance with manufacturer requirements and guidelines, Ms. Tia Jeter, a professional licensed in the field of environmental engineering, with an MS in Environmental Engineering and BS in Chemical Engineering, hereby certifies that the Odor Management Plan as currently proposed for deployment at the SLO Cultivation Project Site in Carpinteria, California is consistent with equipment and methods to be used for reducing odors which are accepted and available as industry-specific best control technologies and methods designed to mitigate odor.

[1] Refer to: https://pscleanair.gov/DocumentCenter/View/3364/11237-wks
[2] Refer to: https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/MJ%20Sustainability/Cannabis_BestManagementPracticesGuide_FINAL.pdf

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Signature, Tia M. Jeter Date

1.8 COMPLAINT CONTACT SYSTEM

In accordance with applicable local regulations, SLO Cultivation will have a local contact person which will be available on a 24-hour basis to respond to calls regarding nuisance odor complaints. The phone number and contact information for this contact person will be provided to the County and surrounding land owners, within 1,000 feet of the parcel on which the cannabis activity is conducted, as a component of the required noticing. SLO Cultivation will notify the County and applicable land owners should this local contact number ever change. SLO Cultivation will notify the County of any complaints the operator receives within twenty-four (24) hours of receiving the complaint. The local contact will respond to all calls received regarding odor complaints within a timely fashion. This timely fashion means that an initial complaint call will be responded to within an hour and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of the County ordinance. SLO Cultivation has prepared a complaint tracking system for the local contact to use when receiving complaint phone calls. The system includes but is not limited to recording the following information:

1. Contact information of the complainant
2. Date and time that the operator received the complaint
3. Date and time that the nuisance odor observation occurred
4. Approximate location from which the complainant detected the odor
5. Description of the odor observation (i.e. pungent, short-term, long-term, etc.)
6. Description of any activities observed by the complainant at or near the Project Site during the odor observation (trucks entering or exiting the area, uncovered cannabis wastes near the property line, etc.)
7. Description of any specific weather patterns observed by the complainant at or near the Project Site during the odor observation (approximate temperature, calm or strong winds, heavy cloud layer, etc.)
8. Actions the operator implemented in orders to address the complaint.

SLO Cultivation will provide the complaint tracking system records to the County as part of any Planning and Development Departmental (Department) inspections of the cannabis activity, and/or upon the Department's request. SLO Cultivation shall maintain the complaint tracking records for a minimum of five (5) years.

In the event that the department receives three (3) or more verified complaints regarding odor events in a 365-day period, SLO Cultivation shall implement corrective actions to comply with the odor abatement requirements of County Ordinance Section-144U.C.7. Upon the Department's request, SLO Cultivation will submit a written statement that sets forth the corrective actions and timing of implementation of each corrective action, subject to the Department's review and approval. The Department may require the corrective actions to be re-certified by a Professional Engineer or Certified Industrial Hygienist.

1.9 DEPARTMENT ACCESS

SLO Cultivation will allow the department access to the facility at all times, without notice, for the purpose of inspecting odor mitigation practices, odor source(s), and complaint tracking system records.

Attachment 1
Project Vicinity Map

Attachment 2
Odor System Site Plans

Attachment 3
Processing Building Floor Plan

Attachment 4

Byers Vapor Phase Odor Control System- Technical Brochure

Attachment 5
Ecosorb CNB100/107- Technical Brochure

Attachment 6
Santa Barbara APCD- Cannabis Odor Control Presentation

Attachment 7
SCS Odor Control Site Testing

Attachment 8
Processing Building- Odor Scrubber Location Plan

ATTACHMENT C: FINDINGS

1.0 CEQA FINDINGS

SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 AND 15168:

1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM

The County Planning Commission (Planning Commission) considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment D to the staff report, dated August 3, 2021, and incorporated herein by reference), along with the Proposed Project which is an activity within the scope of the PEIR. Staff prepared a written checklist in compliance with State CEQA Guidelines § 15168(c)(4) to document the evaluation of the site and the activity to determine that the environmental effects of the operation are covered in the PEIR (Attachment C to the staff report, dated August 3, 2021, and incorporated herein by reference). As shown in the written checklist, the Proposed Project is within the scope of the PEIR and the effects of the Proposed Project were examined in the PEIR. Therefore, on the basis of the whole record, including the written checklist, the previously certified PEIR, and any public comments received, the Planning Commission finds that the Proposed Project will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, and there is no new information of substantial importance under State CEQA Guidelines Section 15162 warranting the preparation of a new environmental document for the Proposed Project.

1.2 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

2.0 ADMINISTRATIVE FINDINGS

2.1 COASTAL DEVELOPMENT PERMIT FINDINGS

A. ***FINDINGS REQUIRED FOR ALL COASTAL DEVELOPMENT PERMITS. IN COMPLIANCE WITH SECTION 35-60.5 OF THE ARTICLE II COASTAL ZONING ORDINANCE, PRIOR TO ISSUANCE OF A COASTAL DEVELOPMENT PERMIT, THE COUNTY SHALL MAKE THE FINDING, BASED ON INFORMATION PROVIDED BY ENVIRONMENTAL DOCUMENTS, STAFF ANALYSIS, AND/OR THE APPLICANT, THAT ADEQUATE PUBLIC OR PRIVATE***

SERVICES AND RESOURCES (I.E., WATER, SEWER, ROADS, ETC.) ARE AVAILABLE TO SERVE THE PROPOSED DEVELOPMENT.

The Planning Commission finds that the Proposed Project is adequately served by public or private services and resources. As discussed in the staff report, dated August 3, 2021 and incorporated herein by reference, adequate services are available to serve the cannabis operation and expanded storm water detention basins. Water for the site will be provided by the Carpinteria Valley Water District. Wastewater treatment will be provided by a new wastewater treatment system. The Carpinteria-Summerland Fire Protection District and Santa Barbara County Sheriff's Department will continue to serve the parcel. Access will be provided by existing driveways off Foothill Road and Via Real. Storm water detention will be provided by the existing basins to be expanded as well as the new detention basin north of the greenhouses.

B. ***Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission. In compliance with Section 35-169.5.3 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development subject to Section 35-169.4.3 for development that may not appealed to the Coastal Commission the decision-maker shall first make all of the following findings:***

2.1.1 ***The proposed development conforms:***

- ***a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;***
- ***b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).***

The Planning Commission finds that as discussed in the staff report, dated August 3, 2021 and incorporated herein by reference, the development conforms to the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan and the Toro Canyon Community Plan. In addition, the proposed development is consistent with the Article II requirements for the Cannabis Regulations and the AG-I-10 zone district, as they relate to permitted uses, building heights, setbacks, and parking.

2.1. 2 ***The proposed development is located on a legally created lot.***

The Planning Commission finds that the subject parcel was created by PM 14,440 recorded on August 7, 2000, in Book 54 of Parcel Maps, Pages 81-84, and therefore the proposed development is located on a legally created lot.

2.1.3 ***The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).***

The Planning Commission finds that as conditioned, the Proposed Project and subject property will be, in full compliance with all laws, rules, and regulations pertaining to zoning uses, subdivisions, setbacks and all other applicable provisions of the Article II Zoning Ordinance, for the AG-I zone district and Carpinteria Agricultural Overlay, as described in detail under Section 6.3 of the staff report dated August 3, 2021, herein incorporated by reference. Additionally, all processing fees have been paid to date.

2.1.4 ***The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.***

The Planning Commission finds that, as discussed under Section 6.2 of the staff report dated August 3, 2021, incorporated herein by reference, that Proposed Project will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast since the subject parcel is minimally visible to travelers on Foothill Road and Highway 101 due to topography and existing vegetation. Additionally, the Proposed Project includes the implementation of a Landscaping and Screening Plan that will further screen the new 26-ft.-tall processing building while also restoring the detention basin area within the ESH buffer. The expanded detention basins will not create any obstructions to public views or impact any recreation areas. The Proposed Project is located over 1,300 ft. from Highway 101, and a windrow of cypress (*Cupressus sempervirens*) will be preserved along the southern boundary. Due to the high speed of travel, distance, and existing vegetation, the Proposed Project will not be readily visible from Highway 101. The new 26-ft.-tall processing building would be partially visible from Foothill Road, however the proposed onsite landscaping will screen the building fully from Foothill Road. The Proposed Project also includes additional offsite landscaping that will provide further screening from Foothill Road.

2.1.5 ***The proposed development will be compatible with the established physical scale of the area.***

The Planning Commission finds that, as discussed under Section 6.2 of the staff report dated August 3, 2021, herein incorporated by reference, the Proposed Project will be compatible with the established physical scale of the area. The surrounding area is made up of agricultural uses and low density residential development. The Proposed

Project will consist of cannabis cultivation located within an existing greenhouse and greenhouse addition as well as processing within a new processing building. The Proposed Project will result in a net reduction of greenhouse area, with Greenhouses 2, 3, and 4 proposed to be demolished. The Proposed Project also includes expanding existing detention basins. The new greenhouse addition and new processing building are compatible in character to development in the Toro Canyon area. There are dozens of similar greenhouses south of Foothill Road within half of a mile radius of the subject parcel. All exterior lighting will be fully shielded and directed downward in keeping with the character of surrounding agricultural and residential development. The development conforms to the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan and the Toro Canyon Community Plan. In addition, the proposed development is consistent with the Article II requirements for the AG-I-10 zone district and Cannabis Regulations.

2.1.6 ***The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.***

The Planning Commission finds, as discussed under Section 6.2 of the staff report dated August 3, 2021, incorporated herein by reference, that the Proposed Project complies with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan. There are no public access or recreation facilities on the subject property. County Community Services Parks Division reviewed the Proposed Project and had no comments or conditions.

2.2 Additional findings required for sites within the Toro Canyon Plan area.

A. ***In compliance with Section 35-194.6.3 of the Article II Coastal Zoning Ordinance, upon recommendation by the Board of Architectural Review, the decision-maker may approve or conditionally approve an application for a Coastal Development Permit on sites within the Toro Canyon Plan area that includes an exemption to architectural review standards h. or i. of Section 35-194.6.3. if written findings are made that the exemptions would allow a project that: 1) furthers the intent of protecting hillsides and watersheds, 2) enhances and promote better structural and/or architectural design, and 3) minimizes visual or aesthetic impacts.***

The Planning Commission finds that the Proposed Project does not require exemptions to the architectural review standards h. or i. of Section 35-194.6.3, and therefore, this finding is not applicable to the Proposed Project.

2.2.1 ***In compliance with Section 35-194.9 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit on sites within the Toro Canyon Plan that allows a deviation from a policy or***

standard of the Local Coastal Program to provide a reasonable use the decision-maker shall first make all of the following findings:

- ***a. Based on the economic information provided by the Applicant, as well as any other relevant evidence, each use allowed by the Local Coastal Program policies and/or standards would not provide an economically viable use of the Applicant's property.***
- ***b. Application of the Local Coastal Program policies and/or standards would unreasonably interfere with the Applicant's investment-backed expectations.***
- ***c. The use proposed by the Applicant is consistent with the applicable zoning.***
- ***d. The use and project design, siting, and size are the minimum necessary to avoid a taking.***
- ***e. The project is the least environmentally damaging alternative and is consistent with all provisions of the certified Local Coastal Program other than the provisions for which the exception is requested.***
- ***f. The development will not be a public nuisance. If it would be a public nuisance, the development shall be denied.***

The Planning Commission finds that the Proposed Project does not allow a deviation from a policy or standard of the Local Coastal Program, and therefore, this finding is not applicable to the Proposed Project.

2.3 DEVELOPMENT PLAN FINDINGS

A. ***Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:***

2.3.1 *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.*

The Planning Commission finds that, as discussed under Sections 6.2 and 6.3 of the staff report dated August 3, 2021, incorporated herein by reference, the site for the Proposed Project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed. The subject property is a 13.66 acre parcel located within Area A of the Carpineria Agricultural Overlay District. Greenhouses have been onsite since 1968 and have been used for cultivation activities. Adjacent, surrounding parcels are used for agriculture and low density residential development. Project activities will take place within Greenhouse 1, its new addition, and the new purpose building, processing, packing and shipping building totaling 7.98 acres of cultivation. Twelve as-built storage containers currently supporting the on-

going cannabis operations will be removed from the site. The subject parcel is currently being used for cannabis cultivation. The expanded detention basins have been designed in consultation with Flood Control and have been reviewed by CDFW and RWQCB. Employees will use the 65 new unpaved parking spaces located onsite. As detailed in the evidence to support Coastal Development Permit Finding 2.1.1 (above), there will be adequate services to serve the Proposed Project. As detailed in the evidence to support Coastal Development Permit Finding 2.1.3 (above), the Proposed Project meets all zoning requirements.

2.3.2 ***That adverse impacts are mitigated to the maximum extent feasible.***

The Planning Commission finds that, as discussed under Section 6.1 of the staff report dated August 3, 2021, incorporated herein by reference, adverse impacts are mitigated to the maximum extent feasible. Standard conditions of approval have been imposed on the Proposed Project. Additionally, the Proposed Project will not have any new impacts that were not discussed in the PEIR, and potentially significant environmental impacts as identified in the PEIR will be mitigated to the maximum extent feasible. On February 6, 2018, the Santa Barbara County Board of Supervisors (herein after Board of Supervisors) certified a Programmatic Environmental Impact Report (PEIR), Case No. 17EIR-00000-00003, for a Cannabis Land Use Ordinance and Licensing Program. The PEIR was prepared in accordance with the State CEQA Guidelines Section 15168 and evaluated the Program's direct, indirect, and cumulative impacts based on Appendix G of the 2017 State CEQA Guidelines and thresholds in the County's Environmental Thresholds and Guidelines Manual (County of Santa Barbara 2008, revised July 2015). The PEIR identified a number of significant impacts and set forth feasible mitigation measures that would be included as development standards and requirements in the land use and licensing ordinances, which would be applied to site-specific land use entitlement and business licensing applications for commercial cannabis operations authorized under the Program. The PEIR concluded that significant and unavoidable (Class I) impacts would result from the Program. The Board of Supervisors adopted a Statement of Overriding Considerations for the Class I impacts, and the 30-day statute of limitations to challenge the adequacy of the PEIR expired without legal challenge.

Section 15168(c) of the State CEQA Guidelines allows the County to approve an activity as being within the scope of the project covered by a program environmental impact report without a new environmental document, if the County finds pursuant to Section 15162 that no new effects could occur or no new mitigation measures will be required and the later activity would not have effects that were not examined in the programmatic environmental impact report.

On July 15, 2021, staff completed the written checklist pursuant to State CEQA Guidelines Section 15168(c)(4) which evaluated the Proposed Project pursuant to the

requirements of Section 15162 of the State CEQA Guidelines (Attachment C to the staff report, dated August 3, 2021, incorporated herein by reference) and determined that all of the environmental impacts of the cannabis operation will be within the scope of the Proposed Project covered by the PEIR for the Cannabis Land Use Ordinance and Licensing Program. No additional cumulative impacts were identified, and no new environmental document is required. Mitigation measures which were discussed in the PEIR have been incorporated into the Proposed Project (Attachment B to the staff report, dated August 3, 2021, and incorporated herein by reference). The mitigation measures incorporated from the PEIR will mitigate significant environmental impacts to the maximum extent feasible.

2.3.3 ***That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.***

The Planning Commission finds that, as discussed under Section 6.2 of the staff report dated August 3, 2021, incorporated herein by reference, streets and highways are adequate and properly designed to carry the vehicles related to operations, deliveries, and employees of the Proposed Project. All employee traffic to the subject parcel will utilize an existing driveway off Via Real that will enter the site via a gate located in the southeast corner of the parcel. All other traffic to the subject parcel will utilize Highway 101 to Foothill Road and then will enter the site via an existing driveway from the neighboring parcels to the east. Condition No. 27 (Attachment B to the staff report dated August 3, 2021, herein incorporated by reference) requires the Owner/Applicant to record a Reservation of Easement for the access driveways to ensure that access will continue to be provided even if parcel ownership changes in the future. Via Real and Foothill Road are public roads maintained by the County. Highway 101 is a public highway maintained by Caltrans. All of these roadways are able to support the trips that will be generated as part of the Proposed Project according to Caltrans and Santa Barbara County Public Works Department.

Per the Traffic Study (Attachment F), the Proposed Project is anticipated to generate a total of 124 Average Daily Trips (ADT) and will result in a net increase of 42 ADT compared to the existing cannabis operation, which utilizes 50 employees. Additionally, the Proposed Project will utilize 75 employees who are anticipated to generate 108 ADT on Via Real.

There will be less traffic entering the site from Foothill Road after implementation of the Proposed Project, because as discussed above, all employee traffic will be directed to the access road off Via Real. The Proposed Project is anticipated to generate a total of 16 ADT from Foothill Road for non-employee traffic, including deliveries and visitors, resulting in 66 fewer ADT on this roadway compared to the existing cannabis operation.

The Santa Barbara County Public Works Department Transportation Division reviewed the Proposed Project and had no comments or conditions. The Carpinteria-Summerland Fire District reviewed the Proposed Project and issued a condition letter (Attachment B to the staff report, dated August 3, 2021, Condition No. 43, incorporated herein by reference).

2.3.4 ***That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.***

The Planning Commission finds that there are adequate public services to serve the Proposed Project. As discussed in Section 6.2 of the staff report dated August 3, 2021 and herein incorporated by reference as well as detailed under the Coastal Development Permit Findings, there will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the Proposed Project.

2.3.5 ***That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.***

The Planning Commission finds that the Proposed Project, as conditioned, will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. The Proposed Project is a change of use from cultivating cut flowers to cultivating cannabis and is a continuation of agricultural use on an agriculturally zoned property. Project activities will take place within an existing greenhouse, new greenhouse addition, and new processing building totaling 7.98 acres of cultivation. As part of the Proposed Project, 12 existing, as-built storage containers will be removed from the subject parcel and three existing greenhouses will be demolished.

Total grading for the detention basins and the new construction will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. The detention basins are designed to improve run-off and the percolation of storm water into the ground. The construction and expansion of the basins are conditioned to meet Flood Control and Project Clean Water requirements for storm water detention on the subject parcel.

As detailed in Sections 6.2 and 6.3 of the staff report and herein incorporated by reference, the proposed Landscape and Screening Plan (Attachment E to the staff report, dated August 3, 2021, incorporated herein by reference), includes new landscaping around the processing building and the northern parking area. The proposed Lighting Plan (Attachment E to the staff report, dated August 3, 2021, incorporated herein by reference) includes proposed fixtures that would be fully shielded and directed downward. The South Board of Architectural Review (SBAR) conceptually reviewed the Proposed Project, including the landscaping, lighting, and

fencing on multiple occasions and requested the Applicant return once zoning approval has been obtained from the decision maker. Approval of the landscape and screening plan by the SBAR is required prior to Coastal Development Permit issuance (Attachment B to the staff report, dated August 3, 2021, Condition No. 30, incorporated herein by reference).

The Odor Abatement Plan (included as Attachment A to this memorandum, dated August 24, 2021, and incorporated herein by reference) describes the regenerative carbon scrubbing system that will be installed in the existing greenhouse and new greenhouse addition. There will also be carbon scrubbers located in the new processing building, and HVAC exhaust ducts to the outside will be controlled with industrial grade carbon odor absorbers. The processing building will be constructed with vapor barriers and opening seals that will limit air and odor exfiltration at the exterior building envelope. Additionally, the air handling system will maintain a slight negative pressure differential between the inside and outside air in order to control odor exfiltration.

The Applicant submitted a Site Transportation Demand Management Plan (STDMP) (Attachment F to the staff report, dated August 3, 2021, and incorporated herein by reference) which describes carpooling and staggered work shifts as mechanisms to reduce average daily trips (ADT). According to the STDMP, all employees will be required to enter the site using the Via Real access road, whereas all traffic currently enters the site from Foothill Road as part of the existing cannabis operation. With the proposed use of the Via Real access road for employees, there will be a net reduction of 66 ADT from Foothill Road and a net increase of 108 ADT from Via Real. County Public Works Roads Division reviewed the Proposed Project, determined that there will be no significant impacts to the public road system, and did not have any comments or conditions. Additionally, the Carpinteria-Summerland Fire Department reviewed the Proposed Project, including access, for compliance with fire safety regulations, and issued a condition letter (Attachment B to the staff report, dated August 3, 2021, Condition No. 43, incorporated herein by reference).

The APCD reviewed the Proposed Project for compliance with air quality regulations, and issued a condition letter (Attachment B to the staff report, dated August 3, 2021, Condition No. 43, incorporated herein by reference).

2.3.6 ***That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article II and/or the project falls with the limited exception allowed under Section 35-161.7.***

The Planning Commission finds that the Proposed Project is in conformance with the Comprehensive Plan, including the Coastal Land Use Plan and Toro Canyon Community Plan. As discussed in Section 6.3 of the staff report, dated August 3, 2021, and

incorporated herein by reference, the development conforms to the applicable provisions of Article II, including:

- Section 35-68.1 Purpose and Intent [of the AG-I Zone]
- Section 35-68.7 Setbacks for Buildings and Structures [in the AG-I Zone]
- Section 35-68.9 Height Limit [in the AG-I Zone]
- 35-97.19 Development Standards for Stream Habitats [in the Environmentally Sensitive Habitat Overlay District]
- 35-102F.8.2 Height [in the Carpinteria Agricultural Overlay District]
- 35-102F.8.3 Setbacks [in the Carpinteria Agricultural Overlay District]
- 35-102F.8.5 Prime Agricultural Soils [in the Carpinteria Agricultural Overlay District]
- 35-102F.9 Development Standards for Greenhouses and Related Development [in the Carpinteria Agricultural Overlay District]
- Section 35-113 Required Number of Spaces: Agriculture
- Section 35-114.3 Construction and Design [of All Parking]
- Section 35-144U.C General Commercial Cannabis Activities Development Standards
- Section 35-144U.C Specific Use Development Standards for Cultivation [of Cannabis]

As discussed in Section 6.2 of the staff report, dated August 3, 2021, incorporated herein by reference, the Proposed Project meets all applicable requirements of the Comprehensive Plan, including the Coastal Land Use Plan and Toro Canyon Community Plan.

2.3.7 ***That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.***

The Planning Commission finds that the Proposed Project is compatible with and subordinate to the scenic, agricultural, and rural character of the area. The site is a 13.66-acre, AG-zoned parcel located within Carpinteria Agriculture Overlay. The subject property is surrounded by agriculture and low density residential development such as Existing Developed Residential Neighborhoods (EDRNs). The subject parcel is currently used for commercial cannabis cultivation and has historically been use for cut flower cultivation. The Proposed Project will continue the cultivation of crops and agricultural activities on the site.

As described in Sections 6.2 and 6.3 of the staff report dated August 3, 2021, herein incorporated by reference, the parcel does not directly abut Foothill Road or Via Real, and it is not visible from Via Real. The subject parcel is an interior lot, located a minimum

of 140 ft. from the Foothill Road right-of-way. Although public views from Foothill Road traveling westbound are screened by existing development and agricultural uses, the new 26-ft.-tall processing building will be partially visible from Foothill Road. However, the proposed onsite landscaping will fully screen the Proposed Project as viewed from Foothill Road. The Applicant also proposes to maintain landscaping along Foothill Road that was recently planted on the neighboring parcel to the east, and this landscaping will provide additional screening of the Proposed Project. The parcel is only marginally visible in the distant background as seen from the Highway 101/Santa Claus Lane overpass, as it is over 1,300 ft. away. Further, an existing windrow of cypress trees (*Cupressus sempervirens*) will be preserved along the southern boundary of the subject parcel that provides screening from the south. Due to the high speed of travel on Highway 101, the parcel is minimally visible from Highway 101.

There are dozens of similar greenhouses south of Foothill Road within half of a mile radius of the subject parcel. The Proposed Project includes greenhouses and a purpose built processing, packing and shipping building, all of which adhere to the surrounding development and character of the area. Furthermore, all development will conform to Article II and Comprehensive Plan standards and policies. All exterior lighting will be fully shielded and directed downward in keeping with the scale of surrounding agricultural and residential development. The expanded detention basins will not be visible from any public areas. The northern portion of the parcel will be planted with native riparian vegetation, which will further screen the new processing building and new greenhouse addition from view from Foothill Road. The new greenhouse addition and new processing building are compatible with the rural character of the area.

Traveling eastbound, the site is screened by the existing riparian vegetation of Arroyo Paredon. This riparian corridor is protected by its designation as ESH and maintains a visual barrier to public views of the site. Landscaping to be planted around the new detention basin, the northern parking area, and the new processing building would be required to remain for life of project, pursuant to Condition No. 7 (Attachment B to the staff report dated August 3, 2021, incorporated herein by reference.)

2.3.8 ***That the project will not conflict with any easements required for public access through, or public use of a portion of the property.***

The Planning Commission finds that the Proposed Project will not conflict with any easements required for public access through or public use of a portion of the property. There are no easements for public access through the subject property, nor are there easements for public use of a portion of the subject property. County Community Services Department Parks Division reviewed the subject parcel and Proposed Project and has no comments or conditions.

2.4 CONDITIONAL USE PERMIT FINDINGS

A. ***Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:***

2.4.1 ***That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.***

The Planning Commission finds that the site for the Proposed Project is adequate to accommodate the Proposed Project. As discussed in the evidence to support Development Plan Finding 2.3.1 (above), the Project site is adequate in terms of location, physical characteristics, shape, and size to accommodate the development and cultivation associated with the Proposed Project.

2.4.2 ***That adverse impacts are mitigated to the maximum extent feasible.***

The Planning Commission finds that adverse impacts are mitigated to the maximum extent feasible. Standard conditions have been imposed on the Proposed Project. Additionally, the Proposed Project will not have any new impacts that were not discussed in the PEIR, and the Proposed Project's significant environmental impacts will be mitigated to the maximum extent feasible. As discussed in the evidence to support Development Plan Finding 2.3.2 (above), the mitigation measures incorporated from the PEIR will mitigate significant environmental impacts to the maximum extend feasible.

2.4.3 ***That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.***

The Planning Commission finds that streets and highways are adequate and properly designed to carry the vehicles related to operations, deliveries, and employees of the Proposed Project. As discussed in the evidence to support Development Plan Finding 2.3.3 (above), Foothill Road, Via Real, and Highway 101 are able to support the trips that will be generated as part of the Proposed Project.

2.4.4 ***That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.***

The Planning Commission finds that there are adequate public services to serve the Proposed Project. As discussed in the evidence to support Development Plan Finding

2.3.4 (above), water supply, sewage disposal, fire protection, police protection, and adequate access will be provided for the Proposed Project.

2.4.5 ***That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.***

The Planning Commission finds that the Proposed Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. As discussed in the evidence to support Development Plan Finding 2.3.5 (above), the Proposed Project will be compatible with the surrounding area.

2.4.6 ***That the project is in conformance with the applicable provisions of Article II and the Coastal Land Use Plan.***

The Planning Commission finds that the Proposed Project is in conformance with the Comprehensive Plan, including Article II, the Coastal Land Use Plan, and the Toro Canyon Community Plan. As discussed in the evidence to support Development Plan Finding 2.3.6 (above), the Proposed Project meets all zoning requirements.

2.4.7 ***That in designated rural areas, the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.***

The Planning Commission finds that the Proposed Project is compatible with and subordinate to the scenic, agricultural, and rural character of the area. As discussed in the evidence to support Development Plan Finding 2.3.7 (above), the cannabis operation will continue the agricultural use of the parcel and will be in keeping with the surrounding area.

2.4.8 ***That the project will not conflict with any easements required for public access through, or public use of a portion of the property.***

The Planning Commission finds that the Proposed Project will not conflict with any easements required for public access through or public use of a portion of the property. As discussed in the evidence to support Development Plan Finding 2.3.8 (above), there are no easements for public access through the subject property, nor are there easements for public use of a portion of the subject property.

2.4.9 ***That the proposed use is not inconsistent with the intent of the zone district.***

The Planning Commission finds that the Proposed Project is consistent with the intent of the AG-I zone district. As discussed in Section 6.3 of the staff report, dated August 3,

2021, incorporated herein by reference, the Proposed Project is consistent with the intent of the AG-I zone district, which is to ensure well-designed greenhouse development and limit the loss of open field agricultural areas from piecemeal greenhouse expansion by protecting the water quality, visual resources, and rural character of the Carpinteria Valley. The subject parcel is currently developed with four greenhouses, and the Proposed Project will not result in the loss of any open field agricultural areas.

ATTACHMENT B-1: CONDITIONS OF APPROVAL

CRESCO CALIFORNIA CANNABIS OPERATION
REVISED DEVELOPMENT PLAN
CASE NO. 20RVP-00000-00058
APN: 005-310-024

1. **Proj Des-01 Project Description**. This Revised Development Plan is based upon and limited to compliance with the project description, the Planning Commission Staff Report hearing exhibits marked A-O, dated August 3, 2021, the Planning Commission Staff Memorandum hearing exhibits marked A-E, dated August 24, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

   The Proposed Project is a request for a Coastal Development Permit, Minor Conditional Use Permit, and Revised Development Plan to a Development Plan (Case No. 10DVP-00000-00010) approved on March 10, 2014 to allow for 7.98 acres of mixed-light cannabis cultivation, nursery, and processing. Mature mixed-light cultivation will take place in the existing 264,500 sq. ft. greenhouse, and nursery mixed-light cultivation will take place in a new 17-ft.-tall, 58,396 sq. ft. addition to Greenhouse 1. The addition will include locker rooms, administrative offices, a walk-in cooler, and restrooms. Cultivation will utilize water conservation methods including timed drip, evaporative barriers, soil moisture monitors, recycled water, and rain capture. Harvests will take place continuously year round. Compost will be transported off-site by a licensed operator.

   Greenhouses 2, 3 and 4 will be demolished. A new 26-ft.-tall, 24,751 sq. ft. processing building will be constructed and used for freezing, curing, drying, bucking, trimming, grading, packaging, storage, testing sampling, and offsite transport. The processing building will also include an employee break area, locker rooms, administrative offices, and restrooms. A 5-ft.-tall retaining wall will be constructed between the processing building and existing greenhouse.

   The Proposed Project will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit.

   The northern portion of the parcel is within the 100 ft. buffer of Arroyo Paredon Creek, which contains Environmentally Sensitive Habitat (ESH). There is no ESH in this buffer area. In the northern portion of the parcel, an existing unpaved parking area will be abandoned and avocado trees *(Persea americana)* will be removed, and the

northernmost portion of the 100-ft. buffer area along an existing 7-ft.-tall fence will be restored with native vegetation to enhance the ESH buffer area. All restoration in the ESH buffer will take place outside of the nesting season. No native vegetation exists in the 100-ft. buffer area, and no native vegetation or habitat will be removed as part of the Proposed Project.

Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan includes maintenance of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 6:30 a.m. to 7:30 p.m. daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity**. The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Project Specific Conditions

3. **Licenses Required.** The Owner/Applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.

4. **Transfer of Ownership**. In the event that the Permittee sells or transfers its interest in the cannabis operations facility, the Permittee and/or succeeding carrier shall resume all responsibilities concerning the Project and shall be held responsible to the County to maintain consistency with all conditions of approval. The succeeding operator shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.
DOCUMENTATION: The Permittee shall notify the County of changes in Ownership to any or all of the cannabis operations facility.
TIMING: Notification of changes in property Ownership shall be given by the Permittee to Planning and Development within 30 days of such change.
MONITORING: P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

5. **Records.** The Owner/Applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.
TIMING: The Owner/Applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.
MONITORING: The Owner/Applicant shall provide the documentation for review, inspection, examination and audit by the Department.

6. **Fencing and Security Plan.** The Owner/Applicant shall implement the Fencing and Security Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.2) as they existed at the time of approval.
TIMING: The Owner/Applicant shall implement the Fencing and Security Plan prior to commencement of the cannabis activities that are the subject of this permit. The Applicant shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Fencing and Security Plan are installed and maintained pursuant to the requirements of this condition.

7. **Landscape and Screening Plan.** The Owner/Applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.3) as they existed at the time of approval.
TIMING: The Owner/Applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition.

8. **Lighting Plan.** The Owner/Applicant shall implement the Lighting Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.4 and –C.1.g) as they existed at the time of approval.
TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The Owner/Applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.

9. **Noise Plan.** The Owner/Applicant shall implement the Noise Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.5) as they existed at the time of approval.
TIMING: The Owner/Applicant shall implement the Noise Plan prior to issuance of final

building inspection. The Owner/Applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

10. **Odor Abatement Implementation and Monitoring.** The applicant shall implement the Odor Abatement Plan stamped "Zoning Approved". The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.
PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.
TIMING: The Odor Abatement system shall be installed prior to the commencement of cultivation activities. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.
MONITORING: P&D compliance staff shall monitor implementation prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

11. **Site Transportation Demand Management Plan.** The Owner/Applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.1.j) as they existed at the time of approval.
TIMING: The Applicant shall implement the Site Transportation Demand Management Plan prior to the commencement of cannabis activities. The Applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.
MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to

verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented

12. **Cannabis Waste Discharge Requirements.** Prior to issuance of the Conditional Use Permit, the Applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy that includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.
TIMING: The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Coastal Development Permit issuance.
MONITORING: P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.

13. **Water Efficiency for Commercial Cannabis Activities.** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include evaporative barriers, time drip irrigation, recycled water, rain capture, and soil moisture monitoring
DOCUMENTATION: The applicant shall document water-conserving features on the Site Plan stamped "Zoning Approved".

14. **Revocation.** This entitlement to allow commercial cannabis activities may be revoked in compliance with Chapter 35-169.8 (Revocation).

15. **Records.** Permittees of commercial cannabis activities shall maintain clear and adequate records and documentation, in accordance with State law, the State's track-and-trace program, and as required by this Section, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. All records, unless otherwise specified in this Section, shall be maintained for five years and shall be subject to review, inspection, examination and audit by the Department.

16. **Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.
PLAN REQUIREMENTS: This condition shall be printed on all site plans.

MONITORING: P&D permit processing planner shall check plans prior to issuance of the Coastal Development Permit, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

17. Biological Resources – Wildlife Movement Plan. The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment Addendum prepared by the Sage Institute on February 19, 2021 and stamped "Zoning Approved". The WPP measures are summarized below:

a. Landscape Restoration,
b. Fencing Modifications,
c. Tailgate Education Training,
d. Construction Monitoring,
e. Pre-construction Monitoring Report,
f. Special-status Wildlife Pre-construction Surveys, and Detention Basin Maintenance,

PLAN REQUIREMENTS: This condition shall be printed on building and grading plans.
TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.
MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the WPP included in the Biological Resources Assessment prepared by Sage Institute on February 19, 2021 throughout the life of the project to permit compliance staff.

18. Biological Resources – Tree Protection Plan. The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Tree Protection Plan (TPP) included in the Biological Resources Assessment prepared by the Sage Institute on February 19, 2021 and stamped "Zoning Approved". The TPP measures are summarized below:

a. Tree protection fencing,
b. No irrigation shall be located within 6 feet of the dripline,
c. A Department-approved arborist shall oversee any development within the dripline,
d. If hand tools are deemed infeasible by the Director, work with rubber-tired construction equipment weighing 5 tons or less may be authorized by the Director, and

e. Grading shall be designed to avoid ponding and ensure proper drainage within the dripline.

PLAN REQUIREMENTS: This condition shall be printed on building and grading plans.

TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the TPP included in the Biological Resources Assessment prepared by Sage Institute on February 19, 2021 throughout the life of the project to permit compliance staff.

19. Erosion and Sediment Control Plan. Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the Proposed Project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP, SWMP, or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to issuance of Coastal Development Permit. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

20. **Erosion and Sediment Control Revegetation.** The Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use of hydro-seed, straw blankets, other geo-textile binding fabrics or other P&D-approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.
PLAN REQUIREMENTS: The Owner/Applicant shall include this measure as a note on all grading and building plans.
TIMING: P&D staff verify that erosion and sediment control revegetation plans are included in plan sheets prior to approval of grading permits.
MONITORING: Grading inspection staff and P&D permit compliance staff perform site inspections throughout the construction phase.

21. **Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for Coastal Development, Grading and Building permits.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

22. **Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use and Building permits prior to Zoning Clearance issuance.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

23. **Emergency Generator**. In the event of a power failure, a generator may be used on the

site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. For diesel generators, engines shall be certified to meet EPA Tier 4 Final emissions standards. Pursuant to the manufacturer's routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. Timing: The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater unless the equipment qualifies for an exemption based on low usage.
PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building plans.
TIMING: If required, Permittee shall obtain an APCD Authority to Construct permit prior to engine installation, and an APCD Permit to Operate prior to engine operation. All necessary APCD permits shall be obtained prior to Final Building Inspection Clearance.

24. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request.
TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

25. **Dust Control**. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
f. Order increased watering as necessary to prevent transport of dust off-site.
g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.

h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

a. Assure all dust control requirements are complied with including those covering weekends and holidays.
b. Order increased watering as necessary to prevent transport of dust offsite.
c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to first grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check. Grading and building inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

26. **Construction Hours**. The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

27. **Access Easements.** The Owner/Applicant shall enter into and record agreements in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve the following access easements:

a. An access easement over the neighboring property (Assessor Parcel Number 005-310-021) in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.
b. An access easement over the neighboring properties (Assessor Parcel Number

005-310-042 and 005-310-043) in favor in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.

c. An access easement over the neighboring property (Assessor Parcel Number 005-310-026) in favor in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.

These agreements are to be recorded with the appropriate instruments as determined by the County Surveyor.

TIMING: The Owner/Applicant shall submit to Planning and Development recorded copies of these easement reservations prior to issuance of Zoning Clearance.

28. **Landscape Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve an easement over the neighboring property (Assessor Parcel Number 005-310-021) in favor of the subject property (Assessor Parcel Number 005-310-024) for the maintenance of off-site landscaping at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

TIMING: The Owner/Applicant shall submit to Planning and Development a recorded copy of this reservation of easement prior to issuance of Zoning Clearance.

29. **Cannabis Regulations Mixed-Light Cultivation Lighting, Carpinteria Agricultural Overlay District Interior Night Lighting/Blackout Screens.** The Owner/Applicant/operator shall install and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (grow lights) from being visible outside the green houses structures between sunset and sunrise.

PLAN REQUIREMENTS. The mechanized blackout screen system shall be noted on plans submitted for Permit approval

TIMING. The system shall be installed prior to Final Building Inspection Clearance or Commence of Use

MONITORING: The Owner/Applicant/Operator shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance or Commence of Use. P&D Compliance staff may conduct site inspections as necessary to respond to complaints and ensure blackout screen system is maintained for the life of the project.

30. **SBAR Required**. The Owner/Applicant shall obtain Southern Board of Architectural Review (SBAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to approval of 20BAR-00000-00021.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Coastal Development Permit. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

31. **Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.
TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.
MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

County Rules and Regulations

32. **Rules-02 Effective Date-Appealable to CCC**. This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].

33. **Rules-03 Additional Permits Required**. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

34. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

35. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or

financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

36. **Rules-09 Signs**. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.

37. **Rules-11 CDP Expiration-With CUP or DVP**. The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).

38. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.

39. **Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

40. **DIMF-24d DIMF Fees-Roads.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Public Works Department Roads Division. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.
TIMING: Roads DIMFs shall be paid to the County Public Works Department Roads Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

41. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and

resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

42. **Rules-25 Signed Agreement to Comply**. Prior to approval of Coastal Development Permit, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

43. **Rules-29 Other Department Conditions**. Compliance with Departmental/Division letters required as follows:

a. Air Pollution Control District dated March 15, 2021;
b. Environmental Health Services Division dated March 29, 2021;
c. Fire Department dated April 21, 2021;
d. Flood Control Water Agency dated May 7, 2021.

44. **Rules-30 Plan Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

45. **Permit Compliance.** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:

1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
2. Sign a separate Agreement for Payment for compliance monitoring costs and remit a security deposit prior to approval of Coastal Development Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.
3. Participate in Initial Compliance Inspections that may occur:

a. Prior to commencement of use and/or issuance of Business License,
b. Within the first year (during the active growing season), and
c. Other instances as deemed necessary by Planning & Development

4. Participate in Regular Compliance Inspections that may occur:
    a. Upon renewal of the County Business License,
    b. For the life of the project, or as specific in permit conditions, and
    c. Other instances as deemed necessary by Planning & Development

PLAN REQUIREMENTS: The Owner/Applicant/Operator shall include a note and a copy of this condition on all project plans including Building and Grading Plans.
TIMING: Prior to issuance of Coastal Development Permit, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.
MONITORING: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

46. **Rules-26 Performance Security Required**. The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.

47. **Rules-32 Contractor and Subcontractor Notification**. The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner/Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

48. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project.

49. **Rules-37 Time Extensions-All Projects.** The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

50. **Rules-28 Removal of Greenhouses.** The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.
TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the Carpinteria Agricultural Overlay is amended) prior to approval of the Coastal Development Permit.

ATTACHMENT B-2: CONDITIONS OF APPROVAL

CRESCO CALIFORNIA CANNABIS OPERATION
MINOR CONDITIONAL USE PERMIT
CASE NO. 21CUP-00000-00006
APN: 005-310-024

1. **Proj Des-01 Project Description**. This Minor Conditional Use Permit is based upon and limited to compliance with the project description, the Planning Commission Staff Report hearing exhibits marked A-O, dated August 3, 2021, the Planning Commission Staff Memorandum hearing exhibits marked A-E, dated August 24, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

   The Proposed Project is a request for a Coastal Development Permit, Minor Conditional Use Permit, and Revised Development Plan to a Development Plan (Case No. 10DVP-00000-00010) approved on March 10, 2014 to allow for 7.98 acres of mixed-light cannabis cultivation, nursery, and processing. Mature mixed-light cultivation will take place in the existing 264,500 sq. ft. greenhouse, and nursery mixed-light cultivation will take place in a new 17-ft.-tall, 58,396 sq. ft. addition to Greenhouse 1. The addition will include locker rooms, administrative offices, a walk-in cooler, and restrooms. Cultivation will utilize water conservation methods including timed drip, evaporative barriers, soil moisture monitors, recycled water, and rain capture. Harvests will take place continuously year round. Compost will be transported off-site by a licensed operator.

   Greenhouses 2, 3 and 4 will be demolished. A new 26-ft.-tall, 24,751 sq. ft. processing building will be constructed and used for freezing, curing, drying, bucking, trimming, grading, packaging, storage, testing sampling, and offsite transport. The processing building will also include an employee break area, locker rooms, administrative offices, and restrooms. A 5-ft.-tall retaining wall will be constructed between the processing building and existing greenhouse.

   The Proposed Project will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit.

   The northern portion of the parcel is within the 100 ft. buffer of Arroyo Paredon Creek, which contains Environmentally Sensitive Habitat (ESH). There is no ESH in this buffer area. In the northern portion of the parcel, an existing unpaved parking area will be abandoned and avocado trees *(Persea americana)* will be removed, and the

northernmost portion of the 100-ft. buffer area along an existing 7-ft.-tall fence will be restored with native vegetation to enhance the ESH buffer area. All restoration in the ESH buffer will take place outside of the nesting season. No native vegetation exists in the 100-ft. buffer area, and no native vegetation or habitat will be removed as part of the Proposed Project.

Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan includes maintenance of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 6:30 a.m. to 7:30 p.m daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity**. The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Project Specific Conditions

3. **Licenses Required.** The Owner/Applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.

4. **Transfer of Ownership**. In the event that the Permittee sells or transfers its interest in the cannabis operations facility, the Permittee and/or succeeding carrier shall resume all responsibilities concerning the Project and shall be held responsible to the County to maintain consistency with all conditions of approval. The succeeding operator shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.
DOCUMENTATION: The Permittee shall notify the County of changes in Ownership to any or all of the cannabis operations facility.
TIMING: Notification of changes in property Ownership shall be given by the Permittee to Planning and Development within 30 days of such change.
MONITORING: P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

5. **Records.** The Owner/Applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.
TIMING: The Owner/Applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.
MONITORING: The Owner/Applicant shall provide the documentation for review, inspection, examination and audit by the Department.

6. **Fencing and Security Plan.** The Owner/Applicant shall implement the Fencing and Security Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.2) as they existed at the time of approval.
TIMING: The Owner/Applicant shall implement the Fencing and Security Plan prior to commencement of the cannabis activities that are the subject of this permit. The Applicant shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Fencing and Security Plan are installed and maintained pursuant to the requirements of this condition.

7. **Landscape and Screening Plan.** The Owner/Applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.3) as they existed at the time of approval.
TIMING: The Owner/Applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition.

8. **Lighting Plan.** The Owner/Applicant shall implement the Lighting Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.4 and –C.1.g) as they existed at the time of approval.
TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The Owner/Applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.

9. **Noise Plan.** The Owner/Applicant shall implement the Noise Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.5) as they existed at the time of approval.
TIMING: The Owner/Applicant shall implement the Noise Plan prior to issuance of final

building inspection. The Owner/Applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

10. **Odor Abatement Implementation and Monitoring.** The applicant shall implement the Odor Abatement Plan stamped "Zoning Approved". The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.
PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.
TIMING: The Odor Abatement system shall be installed prior to the commencement of cultivation activities. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.
MONITORING: P&D compliance staff shall monitor implementation prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

11. **Site Transportation Demand Management Plan.** The Owner/Applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.1.j) as they existed at the time of approval.
TIMING: The Applicant shall implement the Site Transportation Demand Management Plan prior to the commencement of cannabis activities. The Applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.
MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to

verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented

12. **Cannabis Waste Discharge Requirements.** Prior to issuance of the Conditional Use Permit, the Applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy that includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.
TIMING: The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Coastal Development Permit issuance.
MONITORING: P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.

13. **Water Efficiency for Commercial Cannabis Activities.** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include evaporative barriers, time drip irrigation, recycled water, rain capture, and soil moisture monitoring
DOCUMENTATION: The applicant shall document water-conserving features on the Site Plan stamped "Zoning Approved".

14. **Revocation.** This entitlement to allow commercial cannabis activities may be revoked in compliance with Chapter 35-169.8 (Revocation).

15. **Records.** Permittees of commercial cannabis activities shall maintain clear and adequate records and documentation, in accordance with State law, the State's track-and-trace program, and as required by this Section, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. All records, unless otherwise specified in this Section, shall be maintained for five years and shall be subject to review, inspection, examination and audit by the Department.

16. **Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.
PLAN REQUIREMENTS: This condition shall be printed on all site plans.

MONITORING: P&D permit processing planner shall check plans prior to issuance of the Coastal Development Permit, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

17. **Biological Resources – Wildlife Movement Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment Addendum prepared by the Sage Institute on February 19, 2021 and stamped "Zoning Approved". The WPP measures are summarized below:
    a. Landscape Restoration,
    b. Fencing Modifications,
    c. Tailgate Education Training,
    d. Construction Monitoring,
    e. Pre-construction Monitoring Report,
    f. Special-status Wildlife Pre-construction Surveys, and
    g. Detention Basin Maintenance

    PLAN REQUIREMENTS: This condition shall be printed on building and grading plans.
    TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.
    MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the WPP included in the Biological Resources Assessment prepared by Sage Institute on February 19, 2021 throughout the life of the project to permit compliance staff.

18. **Biological Resources – Tree Protection Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Tree Protection Plan (TPP) included in the Biological Resources Assessment prepared by the Sage Institute on February 19, 2021 and stamped "Zoning Approved". The TPP measures are summarized below:
    a. Tree protection fencing,
    b. No irrigation shall be located within 6 feet of the dripline,
    c. A Department-approved arborist shall oversee any development within the dripline,
    d. If hand tools are deemed infeasible by the Director, work with rubber-tired construction equipment weighing 5 tons or less may be authorized by the Director, and

e. Grading shall be designed to avoid ponding and ensure proper drainage within the dripline.

PLAN REQUIREMENTS: This condition shall be printed on building and grading plans.

TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the TPP included in the Biological Resources Assessment prepared by Sage Institute on February 19, 2021 throughout the life of the project to permit compliance staff.

19. **Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the Proposed Project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP, SWMP, or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to issuance of Coastal Development Permit. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

20. **Erosion and Sediment Control Revegetation.** The Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use of hydro-seed, straw blankets, other geo-textile binding fabrics or other P&D-approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.
PLAN REQUIREMENTS: The Owner/Applicant shall include this measure as a note on all grading and building plans.
TIMING: P&D staff verify that erosion and sediment control revegetation plans are included in plan sheets prior to approval of grading permits.
MONITORING: Grading inspection staff and P&D permit compliance staff perform site inspections throughout the construction phase.

21. **Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for Coastal Development, Grading and Building permits.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

22. **Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use and Building permits prior to Zoning Clearance issuance.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

23. **Emergency Generator**. In the event of a power failure, a generator may be used on the

site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. For diesel generators, engines shall be certified to meet EPA Tier 4 Final emissions standards. Pursuant to the manufacturer's routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. Timing: The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater unless the equipment qualifies for an exemption based on low usage.
PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building plans.
TIMING: If required, Permittee shall obtain an APCD Authority to Construct permit prior to engine installation, and an APCD Permit to Operate prior to engine operation. All necessary APCD permits shall be obtained prior to Final Building Inspection Clearance.

24. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request.
TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

25. **Dust Control**. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
f. Order increased watering as necessary to prevent transport of dust off-site.
g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.

h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

a. Assure all dust control requirements are complied with including those covering weekends and holidays.
b. Order increased watering as necessary to prevent transport of dust offsite.
c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to first grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check. Grading and building inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

26. **Construction Hours**. The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

27. **Access Easements.** The Owner/Applicant shall enter into and record agreements in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve the following access easements:

a. An access easement over the neighboring property (Assessor Parcel Number 005-310-021) in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.
b. An access easement over the neighboring properties (Assessor Parcel Number

005-310-042 and 005-310-043) in favor in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.

c. An access easement over the neighboring property (Assessor Parcel Number 005-310-026) in favor in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.

These agreements are to be recorded with the appropriate instruments as determined by the County Surveyor.

TIMING: The Owner/Applicant shall submit to Planning and Development recorded copies of these easement reservations prior to issuance of Zoning Clearance.

28. **Landscape Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve an easement over the neighboring property (Assessor Parcel Number 005-310-021) in favor of the subject property (Assessor Parcel Number 005-310-024) for the maintenance of off-site landsacping at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

TIMING: The Owner/Applicant shall submit to Planning and Development a recorded copy of this reservation of easement prior to issuance of Zoning Clearance.

29. **Cannabis Regulations Mixed-Light Cultivation Lighting, Carpinteria Agricultural Overlay District Interior Night Lighting/Blackout Screens.** The Owner/Applicant/operator shall install and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (grow lights) from being visible outside the green houses structures between sunset and sunrise.

PLAN REQUIREMENTS. The mechanized blackout screen system shall be noted on plans submitted for Permit approval

TIMING. The system shall be installed prior to Final Building Inspection Clearance or Commence of Use

MONITORING: The Owner/Applicant/Operator shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance or Commence of Use. P&D Compliance staff may conduct site inspections as necessary to respond to complaints and ensure blackout screen system is maintained for the life of the project.

30. **SBAR Required**. The Owner/Applicant shall obtain Southern Board of Architectural Review (SBAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to approval of 20BAR-00000-00021.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Coastal Development Permit. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

31. **Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.
TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.
MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

County Rules and Regulations

32. **Rules-02 Effective Date-Appealable to CCC**. This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].

33. **Rules-03 Additional Permits Required**. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

34. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

35. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or

financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

36. **Rules-09 Signs**. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.

37. **Rules-11 CDP Expiration-With CUP or DVP**. The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).

38. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.

39. **Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

40. **DIMF-24d DIMF Fees-Roads.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Public Works Department Roads Division. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.
TIMING: Roads DIMFs shall be paid to the County Public Works Department Roads Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

41. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and

resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

42. **Rules-25 Signed Agreement to Comply**. Prior to approval of Coastal Development Permit, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

43. **Rules-29 Other Department Conditions**. Compliance with Departmental/Division letters required as follows:

a. Air Pollution Control District dated March 15, 2021;
b. Environmental Health Services Division dated March 29, 2021;
c. Fire Department dated April 21, 2021;
d. Flood Control Water Agency dated May 7, 2021.

44. **Rules-30 Plan Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

45. **Permit Compliance.** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:

1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
2. Sign a separate Agreement for Payment for compliance monitoring costs and remit a security deposit prior to approval of Coastal Development Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.
3. Participate in Initial Compliance Inspections that may occur:

a. Prior to commencement of use and/or issuance of Business License,
b. Within the first year (during the active growing season), and
c. Other instances as deemed necessary by Planning & Development

4. Participate in Regular Compliance Inspections that may occur:
    a. Upon renewal of the County Business License,
    b. For the life of the project, or as specific in permit conditions, and
    c. Other instances as deemed necessary by Planning & Development

PLAN REQUIREMENTS: The Owner/Applicant/Operator shall include a note and a copy of this condition on all project plans including Building and Grading Plans.
TIMING: Prior to issuance of Coastal Development Permit, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.
MONITORING: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

46. **Rules-26 Performance Security Required**. The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.

47. **Rules-32 Contractor and Subcontractor Notification**. The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner/Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

48. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project.

49. **Rules-37 Time Extensions-All Projects.** The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

50. **Rules-28 Removal of Greenhouses.** The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.
TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the Carpinteria Agricultural Overlay is amended) prior to approval of the Coastal Development Permit.

ATTACHMENT B-3: CONDITIONS OF APPROVAL

CRESCO CALIFORNIA CANNABIS OPERATION
COASTAL DEVELOPMENT PERMIT
CASE NO. 18CDH-00000-00031
APN: 005-310-024

1. **Proj Des-01 Project Description**. This Coastal Development Permit is based upon and limited to compliance with the project description, the Planning Commission Staff Report hearing exhibits marked A-O, dated August 3, 2021, the Planning Commission Staff Memorandum hearing exhibits marked A-E, dated August 24, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

   The Proposed Project is a request for a Coastal Development Permit, Minor Conditional Use Permit, and Revised Development Plan to a Development Plan (Case No. 10DVP-00000-00010) approved on March 10, 2014 to allow for 7.98 acres of mixed-light cannabis cultivation, nursery, and processing. Mature mixed-light cultivation will take place in the existing 264,500 sq. ft. greenhouse, and nursery mixed-light cultivation will take place in a new 17-ft.-tall, 58,396 sq. ft. addition to Greenhouse 1. The addition will include locker rooms, administrative offices, a walk-in cooler, and restrooms. Cultivation will utilize water conservation methods including timed drip, evaporative barriers, soil moisture monitors, recycled water, and rain capture. Harvests will take place continuously year round. Compost will be transported off-site by a licensed operator.

   Greenhouses 2, 3 and 4 will be demolished. A new 26-ft.-tall, 24,751 sq. ft. processing building will be constructed and used for freezing, curing, drying, bucking, trimming, grading, packaging, storage, testing sampling, and offsite transport. The processing building will also include an employee break area, locker rooms, administrative offices, and restrooms. A 5-ft.-tall retaining wall will be constructed between the processing building and existing greenhouse.

   The Proposed Project will be equipped with the leading active odor neutralizing technology(s) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit.

   The northern portion of the parcel is within the 100 ft. buffer of Arroyo Paredon Creek, which contains Environmentally Sensitive Habitat (ESH). There is no ESH in this buffer area. In the northern portion of the parcel, an existing unpaved parking area will be abandoned and avocado trees *(Persea americana)* will be removed, and the

northernmost portion of the 100-ft. buffer area along an existing 7-ft.-tall fence will be restored with native vegetation to enhance the ESH buffer area. All restoration in the ESH buffer will take place outside of the nesting season. No native vegetation exists in the 100-ft. buffer area, and no native vegetation or habitat will be removed as part of the Proposed Project.

Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan includes maintenance of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 6:30 a.m. to 7:30 p.m daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity**. The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Project Specific Conditions

3. **Licenses Required.** The Owner/Applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.

4. **Transfer of Ownership**. In the event that the Permittee sells or transfers its interest in the cannabis operations facility, the Permittee and/or succeeding carrier shall resume all responsibilities concerning the Project and shall be held responsible to the County to maintain consistency with all conditions of approval. The succeeding operator shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.
DOCUMENTATION: The Permittee shall notify the County of changes in Ownership to any or all of the cannabis operations facility.
TIMING: Notification of changes in property Ownership shall be given by the Permittee to Planning and Development within 30 days of such change.
MONITORING: P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

5. **Records.** The Owner/Applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.

TIMING: The Owner/Applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.
MONITORING: The Owner/Applicant shall provide the documentation for review, inspection, examination and audit by the Department.

6. **Fencing and Security Plan.** The Owner/Applicant shall implement the Fencing and Security Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.2) as they existed at the time of approval.
TIMING: The Owner/Applicant shall implement the Fencing and Security Plan prior to commencement of the cannabis activities that are the subject of this permit. The Applicant shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Fencing and Security Plan are installed and maintained pursuant to the requirements of this condition.

7. **Landscape and Screening Plan.** The Owner/Applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.3) as they existed at the time of approval.
TIMING: The Owner/Applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition.

8. **Lighting Plan.** The Owner/Applicant shall implement the Lighting Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.4 and –C.1.g) as they existed at the time of approval.
TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The Owner/Applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.
MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.

9. **Noise Plan.** The Owner/Applicant shall implement the Noise Plan stamped "Zoning

Approved".
PLAN REQUIREMENTS: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.5) as they existed at the time of approval.
TIMING: The Owner/Applicant shall implement the Noise Plan prior to issuance of final building inspection. The Owner/Applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

10. **Odor Abatement Implementation and Monitoring.** The applicant shall implement the Odor Abatement Plan stamped "Zoning Approved". The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.
PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.
TIMING: The Odor Abatement system shall be installed prior to the commencement of cultivation activities. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.
MONITORING: P&D compliance staff shall monitor implementation prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

11. **Site Transportation Demand Management Plan.** The Owner/Applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved".
PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.1.j) as they existed at the time of approval.
TIMING: The Applicant shall implement the Site Transportation Demand Management Plan prior to the commencement of cannabis activities. The Applicant shall maintain the

project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.
MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented

12. **Cannabis Waste Discharge Requirements.** Prior to issuance of the Conditional Use Permit, the Applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy that includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.
TIMING: The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Coastal Development Permit issuance.
MONITORING: P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.

13. **Water Efficiency for Commercial Cannabis Activities.** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include evaporative barriers, time drip irrigation, recycled water, rain capture, and soil moisture monitoring
DOCUMENTATION: The applicant shall document water-conserving features on the Site Plan stamped "Zoning Approved".

14. **Revocation.** This entitlement to allow commercial cannabis activities may be revoked in compliance with Chapter 35-169.8 (Revocation).

15. **Records.** Permittees of commercial cannabis activities shall maintain clear and adequate records and documentation, in accordance with State law, the State's track-and-trace program, and as required by this Section, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. All records, unless otherwise specified in this Section, shall be maintained for five years and shall be subject to review, inspection, examination and audit by the Department.

16. **Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and

conduct appropriate mitigation funded by the Owner/Applicant.
PLAN REQUIREMENTS: This condition shall be printed on all site plans.
MONITORING: P&D permit processing planner shall check plans prior to issuance of the Coastal Development Permit, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

17. **Biological Resources – Wildlife Movement Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment Addendum prepared by the Sage Institute on February 19, 2021 and stamped "Zoning Approved". The WPP measures are summarized below:
    a. Landscape Restoration,
    b. Fencing Modifications,
    c. Tailgate Education Training,
    d. Construction Monitoring,
    e. Pre-construction Monitoring Report,
    f. Special-status Wildlife Pre-construction Surveys, and Detention Basin Maintenance

    PLAN REQUIREMENTS: This condition shall be printed on building and grading plans.
    TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.
    MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the WPP included in the Biological Resources Assessment prepared by Sage Institute on February 19, 2021 throughout the life of the project to permit compliance staff.

18. **Biological Resources – Tree Protection Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Tree Protection Plan (TPP) included in the Biological Resources Assessment prepared by the Sage Institute on February 19, 2021 and stamped "Zoning Approved". The TPP measures are summarized below:
    a. Tree protection fencing,
    b. No irrigation shall be located within 6 feet of the dripline,
    c. A Department-approved arborist shall oversee any development within the dripline,
    d. If hand tools are deemed infeasible by the Director, work with rubber-tired

construction equipment weighing 5 tons or less may be authorized by the Director, and

e. Grading shall be designed to avoid ponding and ensure proper drainage within the dripline.

PLAN REQUIREMENTS: This condition shall be printed on building and grading plans.
TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.
MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the TPP included in the Biological Resources Assessment prepared by Sage Institute on February 19, 2021 throughout the life of the project to permit compliance staff.

19. **Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the Proposed Project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP, SWMP, or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements.
PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to issuance of Coastal Development Permit. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.
TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented

between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.
MONITORING: P&D staff shall perform site inspections throughout the construction phase.

20. **Erosion and Sediment Control Revegetation.** The Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use of hydro-seed, straw blankets, other geo-textile binding fabrics or other P&D-approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.
PLAN REQUIREMENTS: The Owner/Applicant shall include this measure as a note on all grading and building plans.
TIMING: P&D staff verify that erosion and sediment control revegetation plans are included in plan sheets prior to approval of grading permits.
MONITORING: Grading inspection staff and P&D permit compliance staff perform site inspections throughout the construction phase.

21. **Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for Coastal Development, Grading and Building permits.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

22. **Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use and Building permits prior to Zoning Clearance issuance.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

23. **Emergency Generator**. In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. For diesel generators, engines shall be certified to meet EPA Tier 4 Final emissions standards. Pursuant to the manufacturer's routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. Timing: The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater unless the equipment qualifies for an exemption based on low usage.
PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building plans.
TIMING: If required, Permittee shall obtain an APCD Authority to Construct permit prior to engine installation, and an APCD Permit to Operate prior to engine operation. All necessary APCD permits shall be obtained prior to Final Building Inspection Clearance.

24. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request.
TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

25. **Dust Control**. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
f. Order increased watering as necessary to prevent transport of dust off-site.

g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

a. Assure all dust control requirements are complied with including those covering weekends and holidays.
b. Order increased watering as necessary to prevent transport of dust offsite.
c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to first grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check. Grading and building inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

26. **Construction Hours**. The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

27. **Access Easements.** The Owner/Applicant shall enter into and record agreements in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve the following access easements:

a. An access easement over the neighboring property (Assessor Parcel Number 005-310-021) in favor of the subject property (Assessor Parcel Number 005-310-024)

at the time of conveyance of either parcel.

b. An access easement over the neighboring properties (Assessor Parcel Number 005-310-042 and 005-310-043) in favor in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.
c. An access easement over the neighboring property (Assessor Parcel Number 005-310-026) in favor in favor of the subject property (Assessor Parcel Number 005-310-024) at the time of conveyance of either parcel.

These agreements are to be recorded with the appropriate instruments as determined by the County Surveyor.

TIMING: The Owner/Applicant shall submit to Planning and Development recorded copies of these easement reservations prior to issuance of Zoning Clearance.

28. **Landscape Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve an easement over the neighboring property (Assessor Parcel Number 005-310-021) in favor of the subject property (Assessor Parcel Number 005-310-024) for the maintenance of off-site landsacping at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

TIMING: The Owner/Applicant shall submit to Planning and Development a recorded copy of this reservation of easement prior to issuance of Zoning Clearance.

29. **Cannabis Regulations Mixed-Light Cultivation Lighting, Carpinteria Agricultural Overlay District Interior Night Lighting/Blackout Screens.** The Owner/Applicant/operator shall install and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (grow lights) from being visible outside the green houses structures between sunset and sunrise.

PLAN REQUIREMENTS. The mechanized blackout screen system shall be noted on plans submitted for Permit approval

TIMING. The system shall be installed prior to Final Building Inspection Clearance or Commence of Use

MONITORING: The Owner/Applicant/Operator shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance or Commence of Use. P&D Compliance staff may conduct site inspections as necessary to respond to complaints and ensure blackout screen system is maintained for the life of the project.

30. **SBAR Required**. The Owner/Applicant shall obtain Southern Board of Architectural Review (SBAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to approval of 20BAR-00000-00021.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Coastal Development

Permit. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

31. **Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

County Rules and Regulations

32. **Rules-02 Effective Date-Appealable to CCC**. This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].

33. **Rules-03 Additional Permits Required**. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

34. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

35. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

36. **Rules-09 Signs**. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.

37. **Rules-11 CDP Expiration-With CUP or DVP**. The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).

38. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.

39. **Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

40. **DIMF-24d DIMF Fees-Roads.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Public Works Department Roads Division. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.
TIMING: Roads DIMFs shall be paid to the County Public Works Department Roads Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

41. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

42. **Rules-25 Signed Agreement to Comply**. Prior to approval of Coastal Development Permit, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

43. **Rules-29 Other Department Conditions**. Compliance with Departmental/Division letters required as follows:

a. Air Pollution Control District dated March 15, 2021;
b. Environmental Health Services Division dated March 29, 2021;
c. Fire Department dated August 19, 2020;
d. Flood Control Water Agency dated May 7, 2021.

44. **Rules-30 Plan Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

45. **Permit Compliance.** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:

1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
2. Sign a separate Agreement for Payment for compliance monitoring costs and remit a security deposit prior to approval of Coastal Development Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project

into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

3. Participate in Initial Compliance Inspections that may occur:
    a. Prior to commencement of use and/or issuance of Business License,
    b. Within the first year (during the active growing season), and
    c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
    a. Upon renewal of the County Business License,
    b. For the life of the project, or as specific in permit conditions, and
    c. Other instances as deemed necessary by Planning & Development

PLAN REQUIREMENTS: The Owner/Applicant/Operator shall include a note and a copy of this condition on all project plans including Building and Grading Plans.
TIMING: Prior to issuance of Coastal Development Permit, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.
MONITORING: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

46. **Rules-26 Performance Security Required**. The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.

47. **Rules-32 Contractor and Subcontractor Notification**. The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner/Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

48. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and

hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project.

49. Rules-37 Time Extensions-All Projects. The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

50. Rules-28 Removal of Greenhouses. The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.
TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the Carpinteria Agricultural Overlay is amended) prior to approval of the Coastal Development Permit.

ATTACHMENT E: CEQA GUIDELINES § 15168(c)(4) ENVIRONMENTAL CHECKLIST

COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

State CEQA Guidelines § 15168(c)(4) Checklist for Commercial Cannabis Land Use Entitlement and Licensing Applications

A. Purpose

On February 6, 2018, the Santa Barbara County Board of Supervisors certified a programmatic environmental impact report (PEIR) that analyzed the environmental impacts of the Cannabis Land Use Ordinance and Licensing Program (Program). The PEIR was prepared in accordance with the State CEQA Guidelines (§ 15168) and evaluated the Program's impacts with regard to the following environmental resources and subjects:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Transportation and Traffic
- Utilities and Energy Conservation
- Population, Employment, and Housing

The PEIR evaluated the direct and indirect impacts, as well as the project-specific and cumulative impacts, that would result from the implementation of the Program. The PEIR identified a number of significant impacts and set forth feasible mitigation measures that were included as development standards and requirements in the land use and licensing ordinances, which are applied to site-specific land use entitlement and business licensing applications for commercial cannabis operations authorized under the Program.

The following checklist was prepared pursuant to the State CEQA Guidelines (§ 15168(c)(4)) to document the evaluation of the sites and activities that are the subject of land use entitlement and business licensing applications for commercial cannabis operations authorized under the Program, in order to determine whether the environmental effects of proposed commercial cannabis operations are within the scope of the PEIR.

B. Project Description

Please provide the following project information.

1. Land Use Entitlement Case Number(s): 18CDH-00000-00031, 20RVP-00000-00058, 21CUP-00000-00006

2. Business Licensing Ordinance Case Number(s): _____

3. Project Applicant(s): Cresco California

4. Property Owner(s): Van Wingerden Family Trust

5. Project Site Location and Tax Assessor Parcel Number(s): 3861 Foothill Road, Carpinteria, CA 93103; APN: 005-310-024

6. Project Description:

The Proposed Project is a request for a Coastal Development Permit, Minor Conditional Use Permit, and Revised Development Plan to Case No. 10DVP-00000-00010 to allow for 7.98 acres of mixed-light cannabis cultivation, nursery, and processing. Mature mixed-light cultivation will take place in the existing 264,500 sq. ft. greenhouse, and nursery mixed-light cultivation will take place in a new 17-ft.-tall, 58,396 sq. ft. addition to Greenhouse 1. The addition will include locker rooms, administrative offices, a walk-in cooler, and restrooms. Cultivation will utilize water conservation methods including timed drip, soil moisture monitors, and recycled water. Harvests will take place continuously year round. Compost will be transported off-site by a licensed operator.

Greenhouses 2, 3 and 4 will be demolished. A new 26-ft.-tall, 24,751 sq. ft. processing building will be constructed and used for freezing, curing, drying, bucking, trimming, grading, packaging, storage, testing sampling, and offsite transport. The processing building will also include an employee break area, locker rooms, administrative offices, and restrooms. A 5-ft.-tall retaining wall will be constructed between the processing building and existing greenhouse.

The Proposed Project will be equipped with the leading active odor control technology(ies) currently available to prevent cannabis nuisance odors from drifting off-site and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit.

The northern portion of the parcel is within the 100 ft. buffer of Arroyo Paredon Creek, which contains Environmentally Sensitive Habitat (ESH). There is no ESH in this buffer area. In the northern portion of the parcel, an existing unpaved parking area will be abandoned and an area historically used for avocado tree *(Persea americana)* orchards will be removed, and the northernmost portion of the 100-ft. buffer area along an existing 7-ft.-tall fence will be restored with native vegetation to enhance the ESH buffer area. All restoration in the ESH buffer will take place outside of the nesting season. N native vegetation or habitat will be removed as part of the Proposed Project.

Grading for the Proposed Project will consist of expansion of the existing storm water detention basins as well as site leveling in the parking and structural development areas. Total grading for the Proposed Project will require 9,220 CY of cut, 4,430 CY of fill, and 5,490 CY of export. As part of the Proposed Project, 12 existing, as-built pre-fabricated storage containers will be removed from the subject parcel. The Proposed Project includes new landscaping planted around the processing building and parking area. As part of the Proposed Project, the landscaping plan a portion of recently planted landscaping located offsite on the adjacent parcel to the east (APN 005-310-021) will be maintained to provide additional screening from Foothill Road.

The perimeter of the Project site will be enclosed by an existing 7-ft.-tall chain-link fence with wood slats with a 1.5-ft.-tall mesh on the bottom to prevent wildlife entry into the cannabis operation. Wall and pole-mounted light fixtures will be mounted at a maximum height of 10 feet throughout the Project site. All exterior lighting will be fully shielded, downward directed, and on motion sensors with illumination lasting for up to five minutes after movement. A blackout shade system will be utilized within the greenhouse structures to ensure that there is no visible light emanating from the greenhouses from dusk to dawn.

The hours of operation will be from 7:00 a.m. to 3:30 p.m. daily. The cannabis operation will require a maximum of 75 employees year round. Employees will work staggered schedules and will be provided with carpool incentives in order to reduce peak hour trips. Employees will be required to utilize the Via Real access road to enter and exit the site. There will be 65 parking spaces onsite and a loading area located near the processing building.

Domestic and irrigation water will be provided by the Carpinteria Water District through an existing water meter. The Proposed Project includes a new onsite septic system. Power will be provided by Southern California Edison. One back-up emergency generator will be used in power outage situations only. Access to the site will be provided off Via Real via paved driveway with a shared access easement ranging from 16-ft.-wide to 20-ft.-wide as well as Foothill Road via a 20-ft.-wide paved driveway and shared access easement. Fire protection will be provided by the Carpinteria-Summerland Fire District. The property is a 13.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-310-024, located at 3861 Foothill Road in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

C. PEIR Mitigation Measures/Requirements for Commercial Cannabis Operations

The following table lists the specific mitigation measures set forth in the PEIR and questions to determine if the proposed commercial cannabis operation requires the preparation of a subsequent environmental impact report or negative declaration. Please answer all questions set forth in the following table; Planning and Development Department (P&D) staff complete § C.1 and County Executive Office (CEO) staff complete § C.2. If a question does not apply to the proposed cannabis operation, please check the corresponding "N/A" box.

C.1 Mitigation Measures/Requirements for P&D Staff Review

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Aesthetics and Visual Resources		
MM AV-1. Screening Requirements	LUDC § 35.42.075.C.3	Is the proposed cannabis operation visible from a public viewing location? ✓ Yes ☐ No
	Article II § 35-144U.C.3	If so, does the proposed project include implementation of the required landscape and screening plan? ✓ Yes ☐ No ☐ N/A

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Agricultural Resources		
MM AG-1. Cannabis Cultivation Prerequisite Ancillary Use Licenses	LUDC §§ 35.42.075.D.3 and -4 Article II § 35-144U.C.2.a and -3.a	Does the proposed project include ancillary cannabis uses (e.g., manufacturing of cannabis products)? ☐ Yes ✓ No If the proposed project includes ancillary cannabis uses, does the proposed project comply with the minimum cultivation requirements to allow ancillary cannabis uses? ☐ Yes ☐ No ✓ N/A
MM AG-2. New Structure Avoidance of Prime Soils	LUDC § 35.42.075.D.1.b Article II § 35-144U.C.1.b	Does the proposed project site have prime soils located on it? ✓ Yes ☐ No Does the proposed project involve structural development? ✓ Yes ☐ No If the proposed project involves structural development, are the structures sited and designed to avoid prime soils? ✓ Yes ☐ No ☐ N/A
Air Quality and Greenhouse Gas Emissions		
MM AQ-3. Cannabis Site Transportation Demand Management	LUDC § 35.42.075.D.1.j Article II § 35-144U.1.j	Does the proposed project include cannabis cultivation? ✓ Yes ☐ No If so, does the project include implementation of the required Site Transportation Demand Management Plan? ✓ Yes ☐ No ☐ N/A
MM AQ-5. Odor Abatement Plan	LUDC § 35.42.075.C.6 Article II § 35-144U.C.6	*This mitigation measure/requirement does not apply to projects in the AG-II zone, unless a Conditional Use Permit is required for the proposed commercial cannabis operation.* Does the proposed project include cannabis cultivation, a nursery, manufacturing, microbusiness, and/or distribution? ✓ Yes ☐ No If so, does the project include implementation of the required odor abatement plan? ✓ Yes ☐ No ☐ N/A
Biological Resources		
MM BIO-1a. Tree Protection Plan	LUDC § 35.42.075.C.8 and Appendix J	Does the proposed project involve development within proximity to, alteration of, or the removal of,

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
	Article II § 35-144.C.8 and Appendix G	a native tree? ✓ Yes ☐ No If so, does the project include implementation of the required tree protection plan? ✓ Yes ☐ No ☐ N/A
MM BIO-1b. Habitat Protection Plan	LUDC § 35.42.075.C.8 and Appendix J	*Inland*. Will the project result in the removal of native vegetation or other vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species? ☐ Yes ☐ No ✓ N/A If so, does the project include implementation of the required habitat protection plan? ☐ Yes ☐ No ✓ N/A
	Article II § 35-144.C.8 and Appendix G	*Coastal.* Does the project involve development within environmentally sensitive habitat (ESH) or ESH buffers that will result in impacts to ESH? ☐ Yes ✓ No ☐ N/A If so, does the project include implementation of the required habitat protection plan? ☐ Yes ✓ No ☐ N/A
MM HWR-1a. Cannabis Waste Discharge Requirements Draft General Order	LUDC § 35.42.075.D.1.d	Does the proposed project involve cannabis cultivation? ✓ Yes ☐ No If so, did the applicant submit documentation from the State Water Resources Control Board demonstrating compliance with the comprehensive Cannabis Cultivation Policy? ✓ Yes ☐ No ☐ N/A
	Article II § 35-144U.C.1.d	
MM BIO-3. Wildlife Movement Plan	LUDC § 35.42.075.C.8 and Appendix J	Is the proposed project site located in or near a wildlife movement area? ✓ Yes ☐ No If so, does the project include implementation of the required wildlife movement plan? ✓ Yes ☐ No ☐ N/A
	Article II § 35-144.C.8 and Appendix G	
Cultural Resources		
MM CR-1. Preservation MM CR-2. Archaeological and Paleontological Surveys	LUDC § 35.42.075.C.1	Does the proposed project involve development within an area that has the potential for cultural resources to be located within it? ✓ Yes ☐ No If so, was a Phase I cultural study prepared? ✓ Yes ☐ No ☐ N/A
	Article II §§ 35-144U.C.1 and 35-65	

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		If so, did the Phase I cultural study require a Phase II cultural study? ☐ Yes ✓ No ☐ N/A If so, does the project involve implementation of cultural resource preservation measures set forth in the Phase II cultural study? ☐ Yes ☐ No ✓ N/A
Hazards and Hazardous Materials		
MM HAZ-3. Volatile Manufacturing Employee Training Plan	LUDC § 35.42.075.D.4.c Article II § 35-144U.C.3.c	Does the proposed project involve volatile manufacturing of cannabis products? ☐ Yes ✓ No If so, does the project involve implementation of the required Volatile Manufacturing Employee Training Plan? ☐ Yes ☐ No ✓ N/A
Hydrology and Water Quality Impacts		
MM HWR-1. Cannabis Waste Discharge Requirements General Order	*See the Biological Resources items, above.*	
MM BIO-1b. Cannabis Waste Discharge Requirements General Order	*See the Biological Resources items, above.*	
Land Use Impacts		
MM LU-1. Public Lands Restriction	LUDC § 35.42.075.D.1.h Article II § 35-144U.C.1.h	Does the proposed project involve cannabis cultivation on public lands? ☐ Yes ✓ No
MM AQ-3. Cannabis Site Transportation Demand Management	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM AQ-5. Odor Abatement Plan	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM TRA-1. Payment of Transportation Impact Fees	County Ordinance No. 4270	Is the proposed project subject to the countywide, Goleta, or Orcutt development impact fee ordinance? ✓ Yes ☐ No If so, did will applicant pay the requisite fee? ✓ Yes ☐ No ☐ N/A
Compliance with Comprehensive Plan Environmental	LUDC § 35.10.020.B	*All cannabis applications.* Does the proposed project comply with all applicable environmental resource protection policies set forth in the

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Resource Protection Policies		Comprehensive Plan? ✓ Yes ☐ No
	CLUP Chapter 3, § 3.1 and Policy 1-4	*Coastal cannabis applications.* Does the proposed project comply with all applicable coastal resources protection policies set forth in the Coastal Land Use Plan? ✓ Yes ☐ No ☐ N/A
Noise		
MM AQ-3. Cannabis Site Transportation Demand Management	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
Transportation and Traffic		
MM AQ-3. Cannabis Site Transportation Demand Management	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM TRA-1. Payment of Transportation Impact Fees	*See the Land Use Impacts items, above.*	
Unusual Project Site Characteristics and Development Activities		
Activities and Impacts within the Scope of the Program/PEIR	State CEQA Guidelines § 15168(c)(1)	Does the proposed project involve a project site with sensitive or unusual environmental characteristics, or require unusual development activities, which will result in a significant environmental impact that was not evaluated in the PEIR? Examples of unusual environmental characteristics or development activities which might cause a significant environmental impact include, but are not limited to: • construction of a bridge across a riparian corridor that supports listed species protected under the Federal or California endangered species acts, in order to gain access to a project site; • structural development that cannot be screened from a public viewing location pursuant to the requirements of PEIR mitigation measure MM AV-1 (Screening Requirements); or • development activities that will have a significant impact on cultural resources, which cannot be mitigated to a less-than-significant level pursuant to the County's *Environmental Thresholds and Guidelines*

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		Manual (March 2018). ☐ Yes ✓ No

LUDC = Land Use and Development Code; Chapter 35, Article 35.1 et seq., of the Santa Barbara County Code
Article II = Coastal Zoning Ordinance; Chapter 35, Article II, § 35-50 et seq., of the Santa Barbara County Code
CLUP = Santa Barbara County Coastal Land Use Plan
State CEQA Guidelines = California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.

C.1.1 Environmental Document Determination

Check the appropriate box below, based on the responses to the questions and requests for information set forth in the checklist in § C.1, above, and pursuant to the requirements set forth in State CEQA Guidelines §§ 15162 and 15168.

✓ All of the environmental impacts of the proposed commercial cannabis operation are within the scope of the PEIR, and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.

- Certification is certification and the PEIR is certified for all purposes.
- The PEIR's certification is not limited to particular purposes or particular areas of the County.
- The Coastal Commission considered the County's PEIR, and reached their own conclusion using their certified regulatory program, and found the PEIR consistent with the County of Santa Barbara's Local Coastal Program.
- When the County of Santa Barbara takes action on cannabis entitlements in the Coastal Zone, the County of Santa Barbara relies on both the PEIR and the Local Coastal Program in making consistency findings.

☐ The proposed commercial cannabis operation will have environmental effects that were not examined in the PEIR, and an initial study must be prepared to determine whether a subsequent environmental impact report or negative declaration must be prepared.

Gwen Beyeler — Gwen Beyeler — August 17, 2021

Name of Preparer of § C.1 | Signature of Preparer of § C.1 | Date

C.2 Mitigation Measures/Requirements for CEO Staff Review

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Air Quality and Greenhouse Gas Emissions		
MM UE-2a. Energy Conservation Best Management Practices	BLO § 50-10(b)	Does the proposed project include the implementation of the required energy conservation plan? ☐ Yes ☐ No
MM UE-2b. Participation in a Renewable Energy Choice Program	BLO § 50-10(b)2.ii	Does the proposed project include participation in a renewable energy choice program to meet the applicable energy reduction goals for the proposed project? ☐ Yes ☐ No
MM UE-2c. Plan review by the County Green Building Committee	BLO § 50-10(b)2.iii.K	Did the County Green Building Committee review the proposed project? ☐ Yes ☐ No ☐ N/A If so, does the proposed project conform to the recommendations of the County Green Building Committee? ☐ Yes ☐ No ☐ N/A
Utilities and Energy Conservation		
MM UE-2a. Energy Conservation Best Management Practices	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM UE-2b. Participation in a Renewable Energy Program	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM UE-2c. Licensing by the County Green Building Committee	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
Unusual Project Site Characteristics and Development Activities		
Activities and Impacts within the Scope of the Program/PEIR	State CEQA Guidelines § 15168(c)(1)	Does the proposed project involve a project site with sensitive or unusual environmental characteristics, or require unusual development activities, which will result in a significant environmental impact that was not evaluated in the PEIR? Examples of unusual environmental characteristics or development activities which might cause a significant environmental impact include, but are not limited to: • construction of a bridge across a riparian corridor that supports listed species protected under the Federal or California endangered species acts, in order to gain

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		access to a project site; • structural development that cannot be screened from a public viewing location pursuant to the requirements of PEIR mitigation measure MM AV-1 (Screening Requirements); or • development activities that will have a significant impact on cultural resources, which cannot be mitigated to a less-than-significant level pursuant to the County's *Environmental Thresholds and Guidelines Manual* (March 2018). ☐ Yes ☐ No

* BLO = Commercial Cannabis Business Licensing Ordinance; Chapter 50, § 50-1 et seq., of the Santa Barbara County Code
State CEQA Guidelines = California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.

C.2.1 Environmental Document Determination

Check the appropriate box below, based on the responses to the questions and requests for information set forth in the checklist in § C.2, above, and pursuant to the requirements set forth in State CEQA Guidelines §§ 15162 and 15168.

☐ All of the environmental impacts of the proposed commercial cannabis operation are within the scope of the PEIR, and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.

☐ The proposed commercial cannabis operation will have environmental effects that were not examined in the PEIR, and an initial study must be prepared to determine whether a subsequent environmental impact report or negative declaration must be prepared.

Name of Preparer of § C.2 Signature of Preparer of § C.2 Date

Attachment 1
Additional Information for the Proposed Cannabis Activity CEQA Environmental Determination

The following discussion supports the determinations made in the Checklist for the SLO Cultivation LLC (dba Cresco) Case Nos. 18CDH-00000-00031 and 20RVP-00000-00058 (Proposed Project), pursuant to the requirements of the State CEQA Guidelines §§ 15168(c) and 15162. The State CEQA Guidelines §§ 15168(c)(1) and -(2) state:

> *(1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.*
>
> *(2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.*

The requirements of the State CEQA Guidelines § 15168 and 15162 are set forth below, along with an analysis of the Proposed Project with regard to these requirements. The following analysis supplements the information set forth in the State CEQA Guidelines § 15168 checklist prepared for the Proposed Project.

State CEQA Guidelines § 15168(c)(1)

As discussed below, the PEIR analyzed the environmental impacts of the Cannabis Land Use Ordinance and Licensing Program. The effects of this particular Project were anticipated and examined in the PEIR and there are no project-specific effects that were not examined in the program EIR. Therefore, no new initial study is required and the PEIR can be relied upon for this Project based upon the checklist prepared pursuant to State CEQA Guidelines 15168(c)(4).

State CEQA Guidelines § 15162

State CEQA Guidelines § 15162 states that when a lead agency has prepared an EIR for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that certain conditions exist. The specific conditions that warrant the preparation of a subsequent EIR are set forth below, with an analysis of the proposed project immediately following the respective condition.

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The Proposed Project includes a request for a commercial cannabis cultivation activity that was anticipated and evaluated in the PEIR. The Proposed Project site is zoned AG-I-10, which is one of the zones that was evaluated for proposed cannabis cultivation activities in the PEIR (PEIR page 2-36, Table 2-5). Furthermore, the South Coast region in which the Proposed Project site is located was one of five regions identified in the PEIR for organizing the data and analyzing the impacts of the Program (Ibid, page 2-5).

As discussed below, the Proposed Project consists of an activity the impacts of which were disclosed in the PEIR. Mixed-light cultivation within greenhouses, nursery and indoor processing is a cannabis activity that was anticipated to occur on AG-I-10 zoned lands, such as the AG-I zoned lands which exist in the Carpinteria region on which the Proposed Project site is located. The PEIR evaluated the potential increases in employment, traffic, noise, air emissions (including odors), etc., that would result from the Proposed Project and other commercial cannabis activities allowed under the Program. The Proposed Project would utilize existing greenhouse space for mixed-light cultivation and nursery and other ancillary uses such as locker rooms, restrooms, coolers and offices will occur in an addition to an existing greenhouse. Three aging greenhouses currently on site will be demolished and a new processing building constructed consistent with County grading and development standards and associated Comprehensive Plan and LUDC policies. The PEIR reviewed cultivation within greenhouses and the potential for additional physical development including potential impacts to aesthetics and visual, geology and prime soils. There is nothing unusual about the Proposed Project and associated agricultural activities and processing facilities, such as greenhouse cultivation and associated processing operations, are standard agricultural practices in the Carpinteria region and the AG-I zone district and such uses and additional facility development were anticipated and evaluated in the PEIR.

Therefore, the Proposed Project will not result in substantial changes to the Program which will require major revisions of the PEIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Currently, there are approximately 17 land use entitlement applications involving proposed or permitted cannabis activities located in the Carpinteria area south of Summerland and west of Santa Monica Road and Santa Monica Creek (Santa Barbara County Interactive Map for Cannabis, available at https://sbcopad.maps.arcgis.com/apps/webappviewer/index.html?id=f287d128ab684ba4a87f1b9cff438f91, accessed on June 15, 2021). The PEIR anticipated that certain areas in which cannabis activities historically have occurred would continue to experience cannabis activities under the Program. Furthermore, the PEIR projected the demand for cannabis cultivation that could occur

under the Program (i.e., 1,126 acres of cultivation countywide), based on information that was known at the time the PEIR was prepared. The Program that was analyzed in the PEIR did not include a cap or other requirement to limit either the concentration or total amount of cannabis activities that could occur within any of the zones that were under consideration for cannabis activities (PEIR, pages 3-3, 3-5, 3-12, 3.1-19, and 3.12-26).[1] Although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development that has resulted from the Program. Therefore, the number and/or location of the commercial cannabis activities that have been either permitted or are currently under consideration within the general area of the Proposed Project site, do not constitute a substantial change with respect to the circumstances under which the project is undertaken.

Furthermore, the potential concentration of cannabis activities near the Proposed Project site will not create new significant environmental effects or a substantial increase in the severity of previously identified significant effects evaluated in the PEIR. The PEIR evaluated the cumulative impacts to which cannabis activities, as well as other pending, recently approved, and reasonably foreseeable non-cannabis projects, would contribute (Ibid, page 3-11, Section 3.0.4). The PEIR concluded that unavoidable and significant (Class I) impacts would result from the Program with regard to the following environmental resources or issues:

- Aesthetics and visual resources
- Agricultural resources
- Air quality (including odor impacts)
- Noise
- Transportation and traffic

The Board of Supervisors adopted a Statement of Overriding Considerations concluding that the benefits of the Program outweigh the unavoidable adverse environmental effects identified above.

For this particular Project, the subject parcel is minimally visible to public viewing areas on Foothill Road and Highway 101. Landscape will further screen the greenhouses and processing building from public view. All cultivation would take place in pots and would not impact underlying prime soils. All proposed development, including the greenhouse addition and processing building, will be located in disturbed areas on prime soils and will not hinder or diminish the agricultural capabilities or potential of the site. The Proposed Project complies with all applicable biological resources policies and no new development is proposed within designated ESH or ESH buffer areas. Therefore, the Proposed Project would not result in aesthetic, agricultural or biological impacts. The Proposed Project, which includes mixed-light cultivation, nursery and processing activities may contribute to cumulative impacts on air quality, noise and transportation and traffic. The Proposed

[1] The PEIR states, "…[T]he impact analysis in this EIR assumes that **future cannabis activity licenses would not be limited under the Project**, with the total area permitted to be unincorporated areas Countywide that are under County jurisdiction (excludes incorporated cities, state, federal, and tribal lands) (PEIR, page 3-5, emphasis added)."

Project would be subject to the mitigation measures set forth in the PEIR to reduce the Proposed Project's contribution to these cumulative impacts.

The Odor Abatement Plan would consist of the best available odor control technology, including carbon scrubbers and filtration systems. All noise-emitting equipment would produce decibel levels well under 65 at the property lines, pursuant to the Noise Plan. Pursuant to the Site Transportation Demand Management Plan, employees would participate in carpooling and gain access using the Via Real entrance.

These are not new impacts resulting from a substantial change in the Program. As stated above, the Proposed Project is an activity that was anticipated to result from the Program and, consequently, the impacts associated with the Proposed Project were disclosed in the PEIR. As such, the PEIR analysis of cumulative impacts accounted for the impacts from the Proposed Project.

Therefore, no substantial changes have occurred with respect to the circumstances under which the Proposed Project is undertaken under the Program which will require major revisions of the PEIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

The PEIR evaluated the direct and indirect impacts of the Program as well as cumulative impacts that would result from the implementation of the Program. More specifically, the PEIR identified the following unavoidably significant (Class I) impacts that would result from the Program:

- Cumulative impacts to aesthetics and visual resources
- Cumulative impacts to agricultural resources
- Project-specific and cumulative impacts to air resources (including odors)
- Project-specific and cumulative noise impacts
- Project-specific and cumulative transportation and traffic impacts

The PEIR also identified the following significant but mitigable (Class II) impacts that would result from the Program:

- Project-specific impacts to aesthetics and visual resources
- Project-specific impacts to agricultural resources
- Project-specific and cumulative impacts to biological resources
- Project-specific impacts to cultural resources
- Project-specific impacts related to hazards and hazardous materials
- Project-specific impacts related to hydrology and water quality

- Project-specific land use impacts
- Project-specific impacts related to utilities and energy conservation

The PEIR identified a number of mitigation measures to reduce the significant impacts that would result from the implementation of the Program. The mitigation measures were included as development standards and other regulations of Chapters 35 and 50 of the County Code, which are applied to commercial cannabis activities resulting from the Program. As shown in Section C of the State CEQA Guidelines § 15168(c)(4) checklist that was prepared for the Proposed Project, the Proposed Project would be subject to the applicable mitigation measures that were included as development standards and other regulations of Chapters 35 and 50 of the County Code.

As stated above, the PEIR did not assume that there would be a cap or other limitation on activities or location. Therefore, although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development that has resulted from the Program. Furthermore, the concentration of commercial cannabis activities will not result in a new significant impact which was not disclosed in the PEIR. The cumulative impacts associated with aesthetics and visual resources, agricultural resources, air resources (including odors), noise, and traffic resulting from the Proposed Project and other proposed projects located within proximity to the Proposed Project site were discussed in the PEIR.

The Project includes implementation mitigation measures discussed in the PEIR, including a Site Transportation Demand Management Plan, Landscape and Screening Plan, Fencing and Security Plan, Odor Abatement Plan, Lighting Plan, Noise Plan, Water Efficiency Plan, Wildlife Movement Plan, and Tree Protection Plan and have been incorporated into the conditions of approval for the Proposed Project to ensure the Project will remain in compliance with the applicable mitigation measures designed to reduce project level impacts. As such, the Proposed Project will not have any new impacts which were not discussed in the PEIR, because there is nothing unusual about the proposed development or the project site.

Therefore, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified, which shows that the Proposed Project will have one or more significant effects not discussed in the PEIR.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

As stated above, the Proposed Project consists of a cannabis activity that was analyzed as part of the Program studied in the PEIR. There are no unique features of the Proposed Project such that the Proposed Project could cause more severe impacts than shown in the PEIR. The PEIR analyzed the impacts of mixed light cultivation within greenhouses , nursery, and processing on AG-I-10 zoned lots within the South Coast region. As shown in Section C of the State CEQA Guidelines § 15168(c)(4) checklist that was prepared for the Proposed Project, the Proposed Project complies with the applicable mitigation measures.

Furthermore, the PEIR did not assume that there would be a cap or other limitation on activities or location. Although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development, and disclosed the corresponding impacts that would result.

Therefore, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified, which shows that significant effects previously examined will be substantially more severe than shown in the PEIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the Proposed Project which are available at this time for the project proponents to consider.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There is no new information which was not known and could not have been known at the time the PEIR was certified that shows any mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR which would substantially reduce one or more significant effects on the environment. The Proposed Project includes 7.98 acres of nursery and mature plant cultivation in an existing greenhouse and a greenhouse addition. . Processing will occur in a newly constructed processing building. The expanded detention basins would enhance storm water management associated with the existing greenhouse and proposed development. The project applicant agrees to adopt all applicable mitigation measures including implementation of a Lighting Plan, Wildlife Movement Plan, Tree Protection Plan, Site Transportation Demand Management Plan, a Noise Plan and an Odor Abatement Plan as demonstrated by Section C.1 of the 15168(c)(4) Checklist hereby incorporated into this attachment.

Attachment 2 –
Biological Resources Assessment

SLO CULTIVATION - CARPINTERIA

3861 FOOTHILL ROAD, CARPINTERIA, CA
APN: 005-310-024

REVISED BIOLOGICAL RESOURCES ASSESSMENT

Prepared for:

SLO Cultivation, Inc.
3861 Foothill Road
Carpinteria, CA 93103

SCS Engineers
2370 Skyway Drive, Suite #101
Santa Maria, CA 93455

July 22, 2021

sage institute inc

Central Coast Office
1320 Van Beurden Drive, Suite 202-D4
Los Oso, CA 93402
Tel 805.434.2804 fax 805.980.5886

sage@sageii.com
www.sageii.com

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1.0 INTRODUCTION AND PURPOSE

SLO Cultivation, Inc. (Applicant), dba as Cresco California, requests approval of a Coastal Development Permit- With Hearing (CDH), Minor Conditional Use Permit, and a Revision to an existing Development Plan (10DVP-00000-00010) to authorize the development and operation of a cannabis cultivation facility (project) in an unincorporated portion of Santa Barbara County near the city of Carpinteria, California. The subject property (Project Site) is located at 3861 Foothill Road (APN: 005-310-024). This revised BRA has been prepared in response to the County's peer review comment letter dated July 20, 2020.

The purpose of this Biological Resources Assessment (BRA) is to document existing conditions of the Project Site to evaluate the potential for any direct or indirect significant impacts on biological resources, or adverse effects on any rare, threatened, or endangered plant or wildlife species (special-status species) from implementation of the proposed project. This report is intended to document satisfactory compliance with the *Santa Barbara County Article II Coastal Zoning Ordinance* land use permit process, and environmental review factors detailed in the *Cannabis Land Use Ordinance and Licensing Program, Final Environmental Impact Report (PEIR)*, Section 3.4 Biological Resources.

1.1 PROJECT LOCATION AND EXISTING CONDITIONS

The Project Site is located at 3861 Foothill Road (APN 005-310-024) in an unincorporated region of Santa Barbara County (County) approximately one (1) mile west of the City of Carpinteria and approximately seven (7) miles east of the City of Santa Barbara. The Project Site is located within the Agricultural I (AG-I-10) zone district within the First Supervisorial District. The Project Site is approximately 13.66 acres in size and is primarily accessed via a private driveway from Foothill Road. The Project Site is primarily level land (elevations ranging from approximately 55 to 75 feet above mean sea level). Surrounding land uses are predominantly agricultural operations including greenhouses, hoop houses, orchards, and annually cultivated fields. Low density residential development is interspersed mostly north of Foothill Road in this predominately agricultural area.

Arroyo Paredon Creek crosses the northern fringe of the parcel from east to west. The National Hydrography Dataset designates Arroyo Paredon Creek as a perennial stream less than 0.75 miles upstream of the site, and in the project area it is designated as intermittent. Based on field observations in July 2020, the reach of Arroyo Paredon Creek within the study area likely maintains minimal perennial flow in most years through the dry season. In dry / drought years, it is possible that flows would dissipate in the dry season. Assuming the native vegetation surrounding Arroyo Paredon Creek meet the definition of Environmentally Sensitive Habitat (ESH), then a 100-foot ESH buffer extends into the existing avocado orchard on the northern portion of the Project Site. With exception of some overhanging oak branches, the limits of the actual ESH are bound on the south side by an existing, paved access road used to travel to a parcel west of the Project Site. Use of this paved access road is for the benefit of the adjacent parcel owner and is not a component of this Project.

The Project Site and associated greenhouses have been historically used to cultivate non-cannabis products such as cut flowers (gerbera daisies) and avocados. Since on or about October 2015 the Project Site has been used to cultivate cannabis. As allowed by the conditions of 10DVP-00000-00010, the Project Site utilizes some common facilities and infrastructure with the adjacent parcel to the east, APN 005-310-026, for shared resources such as an irrigation water supply well, electrical supply, domestic septic system for employee use, and employee parking areas. Primary access to the Project Site is provided via a shared access agreement with the adjacent property known as APN 005-310-021. The

private access road is approximately 400 linear feet in length, 20 feet wide, and paved with asphalt. Secondary access to the southern side of the Project Site from Via Real (via private roads) is also allowed via a shared access agreement with the adjacent property owners.

The Project Site is composed of approximately 10.79 acres of developed uses including four (4) existing greenhouse structures and twelve (12) prefabricated) supporting structures (containers used for agricultural storage and other supporting uses. The existing greenhouse structural development and associated agricultural uses were approved by the County via 10DVP-00000-00010 and 11CDP-00000-00009. The remainder of the Project Site is occupied by approximately 1.16 acres of fallow avocado orchard and agricultural materials stockpile; approximately 1.13 acres of this area lies inside the Environmentally Sensitive Habitat (ESH) 100 foot buffer. Outside the fenced Project Site but within the parcel is a private road and security fence that separates approximately 0.57 acres of riparian canopy and channel associated with Arroyo Paredon Creek from the rest of the developed site.

The updated BRA Figure 5 (Habitat Map) includes detailed mapping of all native trees south of the centerline of Arroyo Paredon Creek. Native trees within this area included coast live oak (*Quercus agrifolia*), California walnut (*Juglands hindsii*), and Western sycamore (*Platanus racemosa*). One (1) native coast live oak tree is rooted south of the existing access road that separates the existing riparian corridor from proposed project activities. Native oaks within or in close proximity to construction activity will be protected in-place as further detailed in the project's Tree Protection Plan (TPP).

A series of existing linear-shaped stormwater detention basins are located along the southeast and western property boundaries (See figure 5). These basins are vegetated primarily by non-native weedy herbaceous forbs and grasses but do support some widely scattered mulefat and willow. Based on July 2020 field observations and discussions with onsite operations staff, these basins were designed for prior agricultural uses and do not ever support ponding. As the current project includes modifying the existing basins along the west property line, these areas have been added to the revised impact assessment below.

1.2 PROJECT DESCRIPTION

The proposed project includes the use of the existing greenhouse structures, access roads, and other improvements for mixed-light cannabis cultivation and subordinate supporting uses, removal of twelve (12) existing non-conforming pre-fabricated containers, minor ancillary improvements including installation of security cameras and lighting, installation and use of irrigation recycling equipment, placement of cannabis waste storage containers, and expansion of the existing stormwater detention basin system. This Biological Resources Assessment is primarily focused on the proposed physical expansion of the site's existing storm water detention system and proposed landscape plan as well as the application of road base (decomposed granite) to an existing parking area (Appendix C). Approximately 660 sq. ft. of existing GH1 overlaps into the 100' ESH buffer but no modifications are proposed to that structure. In order to provide superior visual screening of the Project Site the existing avocado trees will be removed and the northern fence line will be planted with appropriate native riparian and transitional upland vegetation (refer to Appendix C for details). All other proposed project elements consist of using existing structures or installing mechanical equipment in previously developed areas, thus no biological impacts are anticipated. Existing detention basins on the western and southern edge of the parcel will be expanded to provide additional holding volume. It is important to note that the expansion of the storm water detention basins is needed to complete ministerial permitting of the

existing greenhouse 1 (GH1) irrespective of the proposed cannabis uses. In the event cannabis use is not approved for the site, the storm water improvements are still required to continue use of the GH1 structure for cut flowers or other agricultural products.

Clearing the existing avocado orchard is proposed for a window between September 1st to February 1st that is outside the nesting season for birds. No work is proposed beyond the existing fence line and access road on the northern edge of the parcel. No disturbance or project related activities will occur in the Arroyo Paredon Creek riparian corridor (core ESH area) and removal or pruning of native trees will not be required. Proposed maintenance within the basin area will be minimal and is anticipated to occur every 5 to 10 years, depending on annual rainfall and surface runoff amounts. These maintenance activities will include minor / as-needed sediment removal and vegetation trimming to ensure proper function of the basin.

Pesticide and chemical storage will occur within the southern portion of Greenhouse 1, approximately 700 feet south of the ESH buffer and other sensitive biological resources.

2.0 METHODS

SII conducted a review of available background information including the proposed Project information, local soils survey, multiple years of aerial photographs, and a search and review of the current California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDB) within a 10-mile radius of the proposed Project Site. The CNDDB provided a list and mapped locations of special-status plant and wildlife species, and natural communities of special concern, that have been recorded in the region of the Project Site. The CNDDB records help to focus the field survey efforts and evaluation of potential Project effects on specific species or habitats. It is noted that the CNDDB does not necessarily include all potential special-status species potentially occurring onsite, but rather only those that have been recorded by the CNDDB (Appendix A, Figures 1 and 2). Other species may occur as determined by field surveys of the Project Site. In addition, U.S. Fish and Wildlife Service (USFWS) critical habitat data was reviewed (Figures 1 through 3).

Santa Barbara County Article II Coastal Zoning Ordinance Section 35-144U (C.)(8) and the Cannabis Land Use Ordinance and Licensing Program, Final Environmental Impact Report were also used for the evaluation of potential effects of the proposed project.

SII Principal Biologist Jason Kirschenstein conducted a field reconnaissance walking survey of the proposed Project Site on April 24, 2020. The overall purpose and objectives of the field survey was to document existing conditions in terms of habitat for plants and wildlife species, and to evaluate the potential for the site to support suitable habitat for special-status species. Plant and wildlife species observed in the field were recorded. The onsite habitat types were described by the aggregation of plants and wildlife based on the composition and structure of the dominant vegetation observed at the time field reconnaissance was conducted. Mr. Kirschenstein is the primary author and principal in charge of this study and report preparation. The survey data collected on plant and wildlife species and conclusions presented in this biological assessment are based on the methods and field reconnaissance conducted for the Project Site as described above.

All native trees south of the centerline of Arroyo Paredon creek with a minimum diameter at breast height (DBH) of 4-inches were mapped in the field using ESRI Collector GPS field data collection software. One native coast live oak tree is rooted south of the existing access road that separates the

existing riparian corridor from proposed project activities. Tree height ranged from approximately 10 to 70 feet.

3.0 ENVIRONMENTAL SETTING

3.1 SOILS TYPES

The USDA Natural Resources Conservation Service (NRCS; Soil Conservation Service) has mapped two soil mapping units within the Project Site (Figure 4). The following briefly describes the soil series and/or mapping units within the biological study area. The surface layer and formation descriptions of soil types can help in predicting suitability for certain plants, plant communities, and wildlife use. The Project Site itself is mapped as Elder sandy loam that was confirmed by observations of surface soils during SII field surveys.

Elder sandy loam, 0 to 2 percent slopes, MLRA 14 – The Elder series consists of very deep, well drained soils that formed in alluvium derived from mixed rock sources. The Elder series representative profile is a dark gray loam surface layer to about eight inches, a dark gray loam about four inches thick, a dark gray sandy loam about 10 inches thick, a grayish brown loamy sand about four inches thick, a grayish brown sandy loam about nine inches thick, and a dark gray loam to a depth of about 46 inches. This component is on flood plains, alluvial fans, alluvial plains where parent material consists of mixed alluvium.

Riverwash – Riverwash is derived from sandy, gravelly, stony and bouldery alluvium. This map unit is limited to the active Arroyo Paredon Creek flood plain. The Santa Barbara County, California, South Coastal Part Soil Survey identifies Riverwash as a hydric soil.

3.2 PLANT COMMUNITIES AND VEGETATION

Plant communities are generally described by the assemblages of plant species that occur together in the same area forming habitat types. Native plant community alliance and alliance codes used in this report follow *A Manual of California Vegetation, Second Edition* (online). Plant names used in this report follow *The Jepson Manual, Vascular Plants of California, Second Edition Thoroughly Revised and Expanded* (Baldwin et al. 2012). Plant communities within the study area consist of Orchard/Ruderal/Disturbed, and California Sycamore Woodland riparian habitat, and Developed Land (existing greenhouses). Figure 5 provides a plant community map of the study area. Figure 6 provides a set of representative photographs of the study area plant communities. The following provides a description of the plant community composition observed with in the study area.

ORCHARD / RUDERAL / DISTURBED habitat within the study area include the 1.16 acres of fallow/senescent avocado orchard that is currently being utilized for temporary agriculture supply storage and the associated access road(s). This area includes approximately 43 remnant mature avocado trees (*Persea americana*) that are no longer being managed for agricultural production purposes. Ruderal non-native annual grasses and herbaceous broadleaf plant species dominate the understory. This area was observed to be relatively low in species diversity and dominated by non-native weedy species that are typical of ruderal/disturbed areas. Dominant plant species observed in the understory included rip gut brome *(Bromus diandrus*) and filarees (*Erodium botrys* and *E. cicutarium*), soft chess (*Bromus hordeaceus*), wild oats (*Avena barbata*), telegraph weed (*Heterotheca grandiflora*), and cheeseweed (*Malva parviflora*).

DEVELOPED LAND within the Project Site includes the 10.79 acres of the existing four greenhouses and appurtenant facilities and roads lacking any sensitive biological resource values.

***PLATANUS RACEMOSA* WOODLAND ALLIANCE (CALIFORNIA SYCAMORE WOODLANDS; CNPS 61.310.00)** along the Arroyo Paredon riparian corridor includes California sycamore (*Platanus racemose*) as the dominant or co-dominant species in the tree canopy with California walnut (*Juglans californica*), coast live oak (*Quercus agrifolia*), red willow (*Salix laevigata*), and arroyo willow (*Salix lasiolepis*). Trees are generally less than 30 meters tall and the canopy is open to intermittent. The shrub layer is mostly lacking with an open understory of patchy willow thickets and dominated by mats of non-native Cape ivy (*Delairea odorata*), Nasturtium (*Tropaeolum* sp.), English ivy (*Hedera helix*), and castor bean (*Ricinus communis*). Native understory species observed include, California blackberry (*Rubus ursinus*), California sunflower (*Helianthus californicus*), poison oak (*Toxicodendron diversilobum*), California mugwort (*Artemisia douglasiana*), stinging nettle (*Urtica* sp.), and blue elderberry (*Sambucus nigra*). The riparian habitat within the study area is in a somewhat degraded condition restricted to a narrow corridor due to its proximity to historic agricultural uses, residential development, and the highly travelled Foothill Road State Highway 192. Approximately 0.57acres of riparian habitat are mapped within the Project Site parcel.

3.3 WILDLIFE

The Orchard/Ruderal/Disturbed habitat type within the Project Site provides only limited habitat values for resident and migratory wildlife species typical in the predominantly agricultural land uses in the region such as raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*). The ruderal / disturbed habitat onsite supports limited habitat for native and non-native wildlife species. Common reptiles such as western fence lizard and alligator lizard are expected to frequent this area. Due to the relatively "fallow" nature of the orchard, limited habitat is available for nesting birds, including ground nesting species. This is also likely is used by common mammal species such as Botta's pocket gopher, racoon, and opossum. Inspection of the Project Site and surrounding trees during April 2020 surveys did not reveal any raptor nesting on or around the Project Site.

Riparian habitats can provide high quality habitat for a large variety of wildlife species. They also contribute woody debris to the duff in the woodland understory which provides foraging areas for small mammals and microclimates suitable for amphibians and reptiles. Acorns are a valuable food source for many animal species, including acorn woodpecker (*Melanerpes formicivorus*), western bluebird (*Sialia mexicana*) western scrub jay (*Aphelocoma corulescens*), yellow-billed magpie (*Pica nuttalli*), American crow (*Corvus brachyrhynchos*), great horned owl (*Bubo virginianus*), western gray squirrel (*Scirus griseus*), big-eared woodrat (*Neotoma macrotis macrotis*), racoon (*Procyon lotor*), and black-tailed deer (*Odocoieus emionus*). Riparian habitat provides nesting habitat for numerous passerine birds as well as for raptors. Common passerines observed in riparian habitats include pacific slope flycatcher, Bewick's wren (*Thryomanes bewickii*), hummingbirds (*Calypte* spp.), and song sparrows. Raptors, such as red-tailed hawk (*Buteo jamaicensis*), barn owl (*Tyto alba*), American kestrel (*Falco sparverius*) and red-shouldered hawk (*Buteo lineatus*), may use open riparian areas for foraging and nesting purposes.

Riparian habitats can be expected to support mammals such as raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*). Lizards such as western fence lizard (*Sceloporus occidentalis*) and alligator lizard (*Elgaria multicarinata*) are expected to occur in the study area where suitable soils and food resources occur. Other reptiles such as western skink (*Plestiodon skiltonianus*), northern pacific

rattlesnake (*Crotalus oreganus*), gopher snake (*Pituophis catenifer*), and common garter snake (*Thamnophis sirtalis*) are expected to occur in this habitat type within the study area.

Direct observations (or evidence) of the following wildlife species were observed within the riparian corridor during field reconnaissance: California ground squirrel (*Otospermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), pacific slope flycatcher (*Empidonax difficilis*), song sparrow (*Melospiza melodia*), brewers blackbird (*Euphagus cyanocephalus*), wrentit (*Chamaea fasciata*), Western scrubjay (*Aphelocoma californica*), Anna's hummingbird (*Calypte anna*), American crow (*Corvus brachyrhynchos*), black phoebe (*Sayornis nigricans*), mourning dove (*Zenaida macroura*), spotted towhee (*Pipilo maculatus*), California towhee (*Melozone crissalis*), and house finch (*Haemorhous mexicanus*).

3.4 WATERS OF THE U.S., WATERS OF THE STATE & WETLANDS

There are no waters of the U.S./State within the proposed project footprint. Although Arroyo Paredon Creek is considered a jurisdictional waters of the U.S./State as a tributary to a navigable water, no project work or impacts are proposed in the riparian corridor that would trigger regulatory compliance or permitting from the Army Corps of Engineers (Corps), California Department of Fish and Wildlife (CDFW), or Regional Water Quality Control Board (RWQCB). As depicted in Figure 5, the jurisdictional limits of Arroyo Paredon Creek extend to the outside edge of the riparian canopy overhanging the private paved road.

3.5 SPECIAL-STATUS SPECIES AND NATURAL COMMUNITIES OF SPECIAL CONCERN

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (FESA); those considered "species of concern" by the USFWS; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern" by the CDFW; and plants occurring on lists 1B, 2, and 4 of the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Vascular Plants of California.* Natural Communities of Special Concern are habitat types considered rare and worthy of tracking in the CNDDB by the CDFW because of their limited distribution or historic loss over time.

The search and review of the CNDDB revealed 18 special-status plant species, 35 special-status wildlife species, and one natural community of special concern with recorded occurrences within the 10-mile search radius of the study area. Figure 1 provides a map of the CNDDB plant and wildlife special-status species recorded occurrences respectively within 10 miles of the study area. None of the CNDDB occurrences fall within the study area. The following briefly describes or summarizes the special-status species issues and potential for occurrence within the study area. Table B-1 in Appendix B includes scientific and common names, listing status, habitat requirements, and likelihood for occurrence within the study area for the special-status species discussed below.

3.5.1 Special-Status Botanical Resources

The CNDDB 10-mile radius search revealed observations or the recorded occurrences of 18 special-status plant species and one natural communities of special concern within a 10-mile radius of the study area. The special-status plant species occurrences recorded in the CNDDB are commonly associated with natural habitats, a specific soil type, habitat, and/or elevation range that dictates the range or

microhabitat of the species. SII observations of plant growth in April 2020 suggest the habitat is low in species diversity and is typical southern California disturbed riparian and ruderal habitats.

There is no southern coastal salt marsh habitat within the study area and there were no observations of perennial woody special-status plants like the Nuttall's scrub oak (*Quercus dumosa*) or Santa Barbara honeysuckle (*Lonicera subspicata* var. *subspicata*). Further there were no observations of mesa horkelia (*Horkelia cuneata* ssp. *puberula*) or black-flowered figwort (*Scrophularia atrata*) that would have been observable during the April 2020 site visit.

There is no suitable habitat within the study area for specialized wetland/marsh species such as the Santa Barbara morning-glory (*Calystegia sepium* ssp. *binghamiae*), salt marsh bird's-beak (*Chloropyron maritimum* ssp. *maritimum*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), Gambel's water cress (*Nasturtium gambelii*), or Sonoran maiden fern (*Thelypteris puberula* var. *sonorensis)*. As such, these species are not expected to occur onsite lacking wetland habitat and will not be impacted by project activities.

Miles' milk vetch (*Astragalus didymocarpus* var. *milesianus*), Coulter's saltbush (*Atriplex coulteri*), late-flowered mariposa-lily (*Calochortus fimbriatus*), Palmer's mariposa-lily (*Calochortus palmeri* var. *palmeri*), umbrella larkspur (*Delphinium umbraculorum*), Ojai fritillary (*Fritillaria ojaiensis*), white-veined monardella (*Monardella hypoleuca* ssp. *hypoleuca*), chaparral nolina (*Nolina cismontana*), and southern jewelflower (*Streptanthus campestris*) are associated with native habitats and specialized soils in predominantly scrub, chaparral, and lower montane woodlands that are absent from the site. As such, these species are also not expected to occur onsite or be impacted by project activities.

Although not reported by the CNDDB, riparian habitat associated with Arroyo Paredon Creek is considered to be a Natural Community of Special Concern by CDFW and is mapped as Environmentally Sensitive Habitat Overlay (ESH) for Santa Barbara county.

The SII field observations and desktop review stand as definitive negative findings for potential special-status plant species potentially occurring within the proposed project area, and no additional surveys are recommended.

3.5.2 Special-Status Wildlife

The CNDDB search revealed the recorded occurrences of 35 special-status wildlife species within the 10-mile search radius of the Project Site. None of the CNDDB mapped recorded occurrences are within the study area/Project Site. Special-status wildlife species known from the region evaluated for this study are discussed by groups or based upon habitat preferences, specific habitat use requirements (i.e. terrestrial or aquatic), mobility, and seasonal migratory patterns. In summary, no special-status wildlife species were observed in the study area, and the project area developed, orchard/ruderal/disturbed habitats lack any suitability for special-status wildlife. No project activities will occur in the Arroyo Paredon Creek riparian habitat.

Invertebrates – The CNDDB has recorded occurrences for the monarch butterfly within the 10-mile search range. No monarch butterflies were observed during SII field surveys of the study area and no suitable winter roosting habitat is present. No habitat for the vernal pool fairy shrimp occurs within the study area. The Crotch bumble bee requires grassland and flowering plants with occurrences recorded by the CNDDB are historic (circa 1972) and are located over nine miles from the site to the west. Typical grassland habitat and suitable host plants do not occur onsite for this species. The sandy beach tiger beetle (*Cicindela hirticollis gravida*), globose dune beetle (*Coelus globosus*), and wandering (=saltmarsh)

skipper (*Panoquina errans*) all required highly specialized soil and vegetation conditions such as dry light-colored sand, dune vegetation, and salt marsh that do not occur on the Project Site. The SII field observations and desktop review stand as definitive negative findings for potential special-status invertebrates potentially occurring within the proposed project area, and no additional surveys are recommended.

Aquatic Species – The CNDDB has recorded occurrence in different watersheds for the arroyo toad (*Anaxyrus californicus*) that requires large river floodplains that is not present in Arroyo Paredon Creek. The foothill yellow-legged frog (*Rana boylii*) occurrences are historic records and not from the watershed of the Project Site. The coast range newt (*Taricha torosa*) needs native woodland uplands for most of its lifecyle that are absent from the areas surrounding the creek and is not expected to occur. All these species are closely associated with permanent and seasonal aquatic habitats of streams, ponds, and seasonal pools. These species require perennial or seasonal aquatic habitats for reproduction but may also move overland between areas of suitable aquatic habitat and for foraging / sheltering purposes. However, the surrounding developed and agricultural uses precludes overland movement.

The CNDDB has a 2008 recorded occurrence of one juvenile California red-legged frog (*Rana draytonii;* CRLF) in Arroyo Paredon Creek 0.5 mile upstream of Hwy 192 crossing. While upstream and downstream movement through the creek riparian corridor is possible, there are no other creeks or suitable aquatic habitat in the immediate project vicinity to prompt upland dispersal. Santa Monica Creek also supports a recorded 2005 CRLF occurrence approximately 1.5 miles northeast of the site at the outer limits of potential CRLF upland movement, and is separated by significant geographical, agricultural, and urban barriers making migration between the two creeks highly constrained. In addition, the existing developed and long-standing historic intensive agricultural uses surrounding the site are likely to constrain CRLF movements to available “undeveloped” areas along the creek corridor.

The two-striped gartersnake (*Thamnophis hammondii*) is highly aquatic, found in or near permanent fresh water often along streams with rocky beds and riparian growth. The western pond turtle (*Emys marmorata*) is a thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6,000 ft elevation. This species requires basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying. No suitable upland habitat occurs for either species within the Project Site or surrounding developed and agricultural land uses.

The tidewater goby (*Eucyclogobius newberryi*) occurs in brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels. The CNDDB occurrence is at the confluence of Arroyo Paredon Creek and the Pacific Ocean and does not near the project parcel creek and riparian area.

The steelhead (*Oncorhynchus mykiss irideus*); southern California distinct population segment refers to populations from Santa Maria River to the southern extent of range (San Mateo Creek in San Diego County). Southern California steelhead likely have greater physiological tolerances to warmer water and more variable conditions than other DPS. Arroyo Paredon Creek is designated as critical habitat for the species but there are no CNDDB recorded occurrences in this creek. The designation of critical habitat affects only Federal agency actions and does not increase or decrease the current restrictions on private property concerning take of steelhead. Based on the April SII field survey, it appears that the project parcel reach of Arroyo Paredon Creek would serve only as a freshwater migration corridor during

periods of sufficient flows. There are only a few exposed shallow pools (12"to <36" deep) with little to no undercut banks or other areas for escaping predation further reducing suitability for steelhead along the project reach.

Reptiles – The coast patch-nosed snake (*Salvadora hexalepis virgultea*) typically inhabits brushy or shrubby vegetation in coastal Southern California where it utilizes small mammal burrows for refuge and overwintering sites. The northern California (silvery) legless lizard (*Anniella pulchra*), California legless lizard (*Anniella* spp.), and coast horned lizard (*Phrynosoma blainvillii*) are mostly associated with sandy soils in grassland, coastal sage scrub or chaparral habitats. None of these reptiles were observed during SII field surveys of the Project Site does not support suitable habitat for these species.

Birds – The CNDDB includes the wide-ranging Cooper's hawk and other raptors such as sharp-shinned hawk, red-shouldered hawk, red-tailed hawk, and short-eared owl that could utilize mature trees within Arroyo Paredon Creek riparian corridor for nesting purposes although habitat quality and foraging opportunities are severely reduced due to the narrow riparian corrido restricted by the ongoing urban and agricultural operations surrounding the site.

The California condor (*Gymnogyps californianus*) requires vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. No suitable nesting or foraging habitat is available for this species within the study area.

The CNDDB includes the following bird species that require highly specialized coastal and/or marshland habitats that are lacking from the study area: western snowy plover (*Charadrius alexandrinus nivosus*), yellow rail (*Coturnicops noveboracensis*), California black rail (*Laterallus jamaicensis coturniculus*), black-crowned night heron (*Nycticorax nycticorax*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), California brown pelican (*Pelecanus occidentalis californicus*), light-footed Ridgway's rail (*Rallus obsoletus levipes*), and California least tern (*Sternula antillarum browni*). The snowy egret (*Egretta thula*) is mostly a coastal and estuary species and colonial nesting near suitable foraging areas not observed in the project parcel.

The bank swallow (*Riparia riparia*) is colonial nester; nests primarily in riparian and other lowland habitats west of the desert. It requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig a nesting hole. Suitable habitat for this species is not located within the project parcel riparian area. No CNDDB recorded occurrences are in the Arroyo Paredon Creek watershed.

The southwestern willow flycatcher (*Empidonax traillii extimus),* yellow warbler (*Setophaga petechia*), and least Bell's vireo (*Vireo bellii pusillus*) are breeding season migrants that typically nest in well-developed riparian areas with dense understory vegetation with perennial or semi-perennial water sources. Due to its degraded condition, lack of developed dense native understory, and narrow corridor restricted by agricultural and urban development, these species are not expected to occur in the project parcel riparian area. No CNDDB recorded occurrences are in the Arroyo Paredon Creek watershed.

Mammals – The CNDDB has two species of bats recorded from the region. The Townsend's big-eared bat (*Corynorhinus townsendii*) is typically associated with caves, crevices, and buildings for roosting. The Big free-tailed bat (*Nyctinomops macrotis*) needs high cliffs or rocky outcrops for roosting sites and

feeds principally on large moths. No suitable habitat is present within the project parcel for these bat species.

San Diego desert woodrat (*Neotoma lepida intermedia*) inhabits Coastal scrub of Southern California from San Diego County to San Luis Obispo County. This species requires moderate to dense canopies and they are particularly abundant in rock outcrops, rocky cliffs, and south-facing slopes. No suitable habitat is present for this species within the project parcel.

4.0 IMPACT ANALYSIS

4.1 THRESHOLDS OF SIGNIFICANCE

According to the Santa Barbara County Environmental Thresholds and Guidelines Manual, Biological Resources Section (6.)(C.)(3.)(a.), disturbance to habitats or species may be significant, based on substantial evidence in the record (not public controversy or speculation), if they substantially impact significant resources in the following ways:

(1) Substantially reduce or eliminate species diversity or abundance.

(2) Substantially reduce or eliminate quantity or quality of nesting areas.

(3) Substantially limit reproductive capacity through losses of individuals or habitat.

(4) Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food sources.

(5) Substantially limit or fragment range and movement (*geographic distribution or animals and/or seed dispersal routes*).

(6) *Substantially interfere with natural processes, such as fire or flooding, upon which the habitat depends.*

According to the Santa Barbara County Environmental Thresholds and Guidelines Manual, Biological Resources Section (6.)(C.)(3.) (b.), there are many areas in the County where there is little or no importance to a given habitat and it is presumed that disruption would not create a significant impact. Examples of areas where impacts to habitat are presumed to be insignificant include:

(1) Small acreages of non-native grassland if wildlife values are low.

(2) Individuals or stands of non-native trees if not used by important animal species such as raptors or monarch butterflies.

(3) Areas of historical disturbance such as intensive agriculture.

(4) Small pockets of habitats already significantly fragmented or isolated, and degraded or disturbed.

(5) Areas of primarily ruderal species resulting from pre-existing man-made disturbance.

According to the Santa Barbara County Environmental Thresholds and Guidelines Manual, Biological Resources Section (6.)(C.)(3.)(c.), Impact Assessment Factors, the following questions and factors are used in assessing the significance of Project impacts on biological resources.

(*1*) *Size. How much of the resource in question both on and off the Project Site would be impacted?* (*Percentage of the whole area and square footage and/or acreage are both useful to know*) *How does the area or species that would be impacted relate to the*

remaining populations off the Project Site? (*Percentage of total area or species population, either quantitatively or qualitatively.*)

(*2*) *Type of Impact. Would it adversely indirectly affect wildlife* (*light, noise, barriers to movement, etc.*)*? Would it remove the resource or cause an animal to abandon the area or a critical activity* (*e.g., nesting*) *in that area? Would it fragment the area's resource?*

(*3*) *Timing. Would the impact occur at a critical time in the life cycle of an important plant or animal* (*e.g., breeding, nesting, or flowering periods*)*? Is the impact temporary or permanent? If it is temporary, how long would the resource take to recover? Would the impact be periodic, of short duration, but recur again and again?*

Additionally, Santa Barbara County Environmental Thresholds and Guidelines Manual, Biological Resources Section (6.)(D.) provides the following habitat-specific impact assessment guidelines pertinent to this proposed Project analysis.

Section (6)(D.)(2.) Riparian Habitats Impact Assessment Guidelines:

a. *Description. Riparian habitat is the terrestrial or upland area adjacent to freshwater bodies, such as the banks of creeks and streams, the shores of lakes and ponds, and aquifers which emerge at the surface such as springs and seeps. A rich assemblage of wildlife series, including birds, mammals and amphibians are found in riparian habitats. In Santa Barbara County, riparian habitat occurs in and along the County's four major rivers (Santa Ynez, Santa Maria, Cuyama and Sisquoc) and in and along the County's many creeks and streams. This habitat can also occur along arroyos and barrancas, and other types of drainages throughout the County.*

b. *Riparian Impact Assessment Guidelines: The following types of project-related impacts may be considered significant:*

(1) Direct removal of riparian vegetation.

(2) Disruption of riparian wildlife habitat, particularly animal dispersal corridors and or understory vegetation.

(3) Intrusion within the upland edge of the riparian canopy (generally within 50 feet in urban areas, within 100 feet in rural areas, and within 200 feet of major rivers listed in the previous section), leading to potential disruption of animal migration, breeding, etc. through increased noise, light and glare, and human or domestic animal intrusion.

(4) Disruption of a substantial amount of adjacent upland vegetation where such vegetation plays a critical role in supporting riparian-dependent wildlife species (e. g., amphibians), or where such vegetation aids in stabilizing steep slopes adjacent to the riparian corridor, which reduces erosion and sedimentation potential.

(5) Construction activity which disrupts critical time periods (nesting, breeding) for fish and other wildlife species.

The PEIR Cannabis Land Use Ordinance and Licensing Program articulates the following four potential impacts resulting from cannabis cultivation activities:

- *Impact BIO-1. Cannabis activities could potentially have adverse effects on unique, rare, threatened, or endangered plant or wildlife species.*

- *Impact BIO-2. Cannabis activities could have adverse effects on habitats or sensitive natural communities.*
- *Impact BIO-3. Cannabis activities could have adverse effects on the movement or patterns of any native resident or migratory species.*
- *Impact BIO-4. Cannabis activities may conflict with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources.*

Article II Coastal Zoning Ordinance Section 35-144U (C.)(8) requires a Tree Protection, Habitat Protection, and Wildlife Movement Plans for projects that result in impacts listed above from the PEIR and/or removal of native trees. In addition, projects should be sited and designed to avoid environmentally sensitive habitats (ESH) and minimize impacts within ESH buffers (100 feet from edge of riparian canopy in rural areas).

Finally, Chapter 15B of the County Code, *Development Along Watercourses*, prohibits development (e.g., structures, dredging, filling, grading, paving, excavation, drilling) within 50 feet of the top of the bank of any watercourse.

4.2 PROJECT-SPECIFIC BIOLOGICAL RESOURCES IMPACT ANALYSIS

The proposed project is within the fence line of existing developed facilities with any vegetation removal and ground disturbance limited to the existing fallow orchard/ruderal/disturbed habitat areas of the Project Site. No native trees will be impacted or removed. No wetlands, riparian, or aquatic habitats occur within the proposed project footprint so no impacts on any wetland/aquatic reliant species would occur from project implementation. The Project Site is currently fenced along the existing private access road separating the project area from Arroyo Paredon Creek. As such, under existing conditions, the Project Site does not represent a movement corridor for resident or migratory wildlife. The upland developed/disturbed areas on the Project Site, as well as the agricultural/urban land uses in the surrounding vicinity does not support habitat that plays a critical role in supporting riparian dependent wildlife.

Implementation of the proposed Project would result in the conversion of up to 1.16 acres of fallow/ruderal/disturbed avocado orchard (43 senescent avocado trees) to the oaks and ground cover vegetation; approximately 1.13 acres of this area lies inside the Environmentally Sensitive Habitat (ESH) 100 foot buffer. The applicant proposes to conduct the clearing, grubbing, and excavation of the parking area between September 1st and February 1st outside the nesting season for birds. As such, the proposed project would avoid any potential impacts on nesting/breeding of resident or migratory birds, both common and special-status species.

Proposed construction and long-term operational activities have the potential to injure or kill terrestrial wildlife as a result of vehicle strikes, excavation/grading, and maintenance of the facilities. Potential indirect impacts could result from noise, vibration, lighting, or from unintended hazardous waste runoff into Arroyo Paredon Creek / trash from construction and operational uses (including vehicles and equipment). However, all these potential impacts are currently, and have historically occurred onsite as part of the existing agricultural operations. Post-project conditions would include significantly enhanced stormwater runoff protection and filtration for Arroyo Paredon Creek. No increase in noise, lighting, or

vibration towards Arroyo Paredon Creek would result from proposed activities, and as such, potential indirect impacts to the creek and wildlife utilizing the creek would not increase as a result of the project. Furthermore, the proposed native restoration have been designed to enhance the ESH buffer along the creek with the intent to further separate agricultural activities from the creek corridor.

Based on the current project design, no native trees identified in Figure 5 will require pruning or removal. Any native tree canopy that hangs over the existing fence line will be avoided during native plant installation activities. The proposed project is not proposing any long-term maintenance (including pruning) to any trees associated with Arroyo Paredon Creek. Recommended avoidance and minimization measures are provided below to ensure impacts are avoided to native trees during construction. Per county Standards, an applicant for a land use entitlement for a commercial cannabis activity that would involve pruning, damage, or removal of a native tree, shall prepare and submit to the Department a Tree Protection Plan prepared by a Department-approved arborist designed to determine whether avoidance, minimization, or compensatory measures are necessary.

As indicated in the county's comments, "Rainbow trout averaging 4-6 inches" were documented downstream from the Highway 192 bridge in 2000, based on a Stoecker et al. 2002 study. As indicated above and based on site-specific observations, the project parcel reach of Arroyo Paredon Creek would serve only as a freshwater migration corridor during periods of sufficient flows and is not expected to support rearing or spawning habitat based on lack of deep / protected pool habitat. It is also noted that per the final rule for steelhead critical habitat, this reach of Arroyo Paredon Creek is identified as not supporting spawning habitat; but does support "fair migration habitat" and "poor quality rearing habitat".

Although unlikely to occur based on the highly disturbed and historically maintained nature of the site, special-status amphibians or reptiles could be present in upland areas adjacent to the creek during the winter months. As such, avoidance and minimization measures have been provided to ensure direct impacts to special-status reptiles and amphibians are avoided during the construction phase.

As currently proposed, the existing avocado trees will be removed and revegetated with a carefully selected suite of native species. Project activities will result in a net biological and water quality benefit to the area as it removes agricultural disturbance and restores it to natural vegetation consistent with Arroyo Paredon Creek to the north.

Proposed maintenance activities within the basin have the potential to result in similar potential direct and indirect impacts as those described for the orchard removal. As such, recommendations have been provided in Section 5.0 below to ensure compliance with this potential County requirement.

According to Santa Barbara County Thresholds of Significance, the proposed project impacts are at an insignificant level as it is a small Project Site, impacts only avocado trees and ruderal species in a historical agricultural setting from pre-existing man-made disturbance, and project timing avoids impacts on nesting/breeding behaviors of resident and migratory birds. No impacts on Arroyo Paredon Creek riparian corridor would result from the proposed project. Therefore, all project impacts would be at a less than significant level. Further, Table 1 below summarizes the project impacts as articulated in the PEIR.

TABLE 1 – PEIR IMPACT AND MITIGATION ANALYSIS SUMMARY		
PEIR POTENTIAL IMPACTS	PROJECT IMPACTS	MITIGATION REQUIREMENT
Impact BIO-1. Cannabis activities could potentially have adverse effects on unique, rare, threatened, or endangered plant or wildlife species.	Project implementation timing outside the nesting season for birds, and disturbance to fallow orchard, ruderal, and disturbed habitat are not anticipated to impact or have adverse effects on unique, rare, threatened, or endangered plant or wildlife species.	Construction timing and monitoring requirements as described in detail below.
Impact BIO-2. Cannabis activities could have adverse effects on habitats or sensitive natural communities.	No native habitat(s) or sensitive natural communities will be impacted or adversely effected by the project.	No mitigation required. Project will result in NET benefit to natural communities.
Impact BIO-3. Cannabis activities could have adverse effects on the movement or patterns of any native resident or migratory species.	The existing conditions of the Project Site being fenced fallow orchard ruderal habitat and developed uses support limited movement patterns of resident or migratory species. Post-project conditions will result in a NET benefit to potential movement patterns.	No mitigation required.
Impact BIO-4. Cannabis activities may conflict with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources.	All project activities are greater than 50 feet from the top of bank of Arroyo Paredon Creek. Although activities will encroach into the 100' ESH buffer, the project will result in a NET benefit to the ESH via replacing existing fallow avocado with native riparian and upland transition plant species.	No mitigation requires.

5.0 RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

1) **Tailgate Education Training:** To ensure all onsite workers are aware of potential special-status species associated with Arroyo Paredon Creek, a County-approved biologist shall provide a tailgate education training session for all onsite workers. The purpose of this training shall be to familiarize all workers with the potential biological resources occurring onsite and required avoidance and minimization measures. Penalties and procedures for non-compliance will also be reviewed. All training recipients will be required to sign-in documenting they have attended the training, and a copy of the sigh-in sheet will be provided to the County.

2) **Construction Monitoring:** All ground disturbance and vegetation clearing activities shall be conducted under the direct supervision of the County-approved biologist. The monitoring biologist will work with construction crews to slowly remove any debris piles or potential upland refuge habitat (by hand or gentle excavation) for special-status wildlife species.

3) **Post-construction Monitoring Report:** A post-construction monitoring report will be provided to the County detailing any unintended impacts to native trees or other biological resources during construction and any additional mitigation measures implemented at the direction of the authorized biologist.

4) **Special-status Wildlife Pre-construction Surveys:** Within 48 hours of initial disturbance activities, the authorized biologist shall conduct a pre-construction survey in all upland areas of the site and within Arroyo Paredon Creek for the purposes of identifying any CRLF, two-striped garter snake, steelhead, or other special-status species that may be present within or adjacent to project activities. Special focus shall be taken in potential upland refuges such as debris piles. The County-approved monitoring biologist shall move out of harm's way any non-listed wildlife species encountered during initial ground disturbing activities to the extent feasible.

5) **Detention Basin Maintenance:** The timing of detention basin maintenance shall be limited to between September 1st to February 1st to ensure activities occur outside the nesting season for birds. If deemed to be required by the County, the applicant shall submit a Habitat Protection Plan for county review and approval at a minimum of 60 days prior to initiating any maintenance activity.

6.0 CONCLUSIONS

In conclusion, based on the findings described above establishing the existing conditions of biological resources within the project parcel and applicant proposed vegetation removal, the proposed project would not result in any substantial adverse effects on biological, botanical, wetland, or riparian habitat resources. As such, direct and indirect project impacts on biological resources would be at a less than significant level as follows:

- The small Project Site of 1.16-acres of fallow orchard habitat only impacts avocado trees and ruderal species in an historical agricultural setting from pre-existing man-made disturbance.
- Avoidance and minimization measures have been proposed to ensure no direct impacts occur to special-status species or natural communities of special concern.
- Project timing avoids impacts on nesting/breeding behaviors of resident and migratory birds.
- A NET benefit to the Arroyo Paredon Creek riparian corridor and 100-ft. ESH buffer would result from the proposed project (refer to Appendix D for details).
- The project's existing structures, proposed detention basin expansion, and new parking area are located outside of the core ESH area (i.e. the limits of the riparian canopy) associated with Arroyo Paredon Creek. All native vegetation within the ESH area will remain undisturbed.

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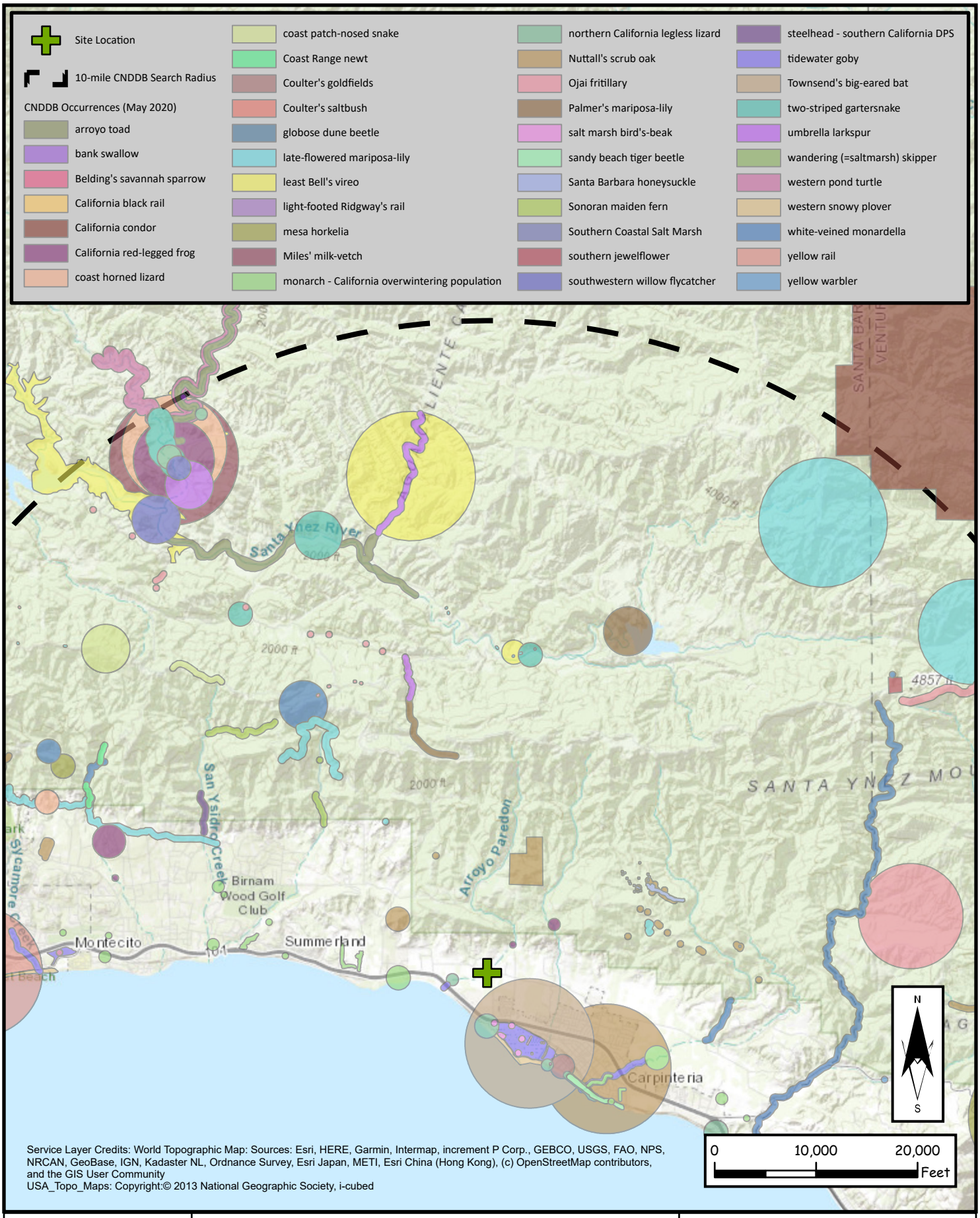
APPENDIX A

FIGURES



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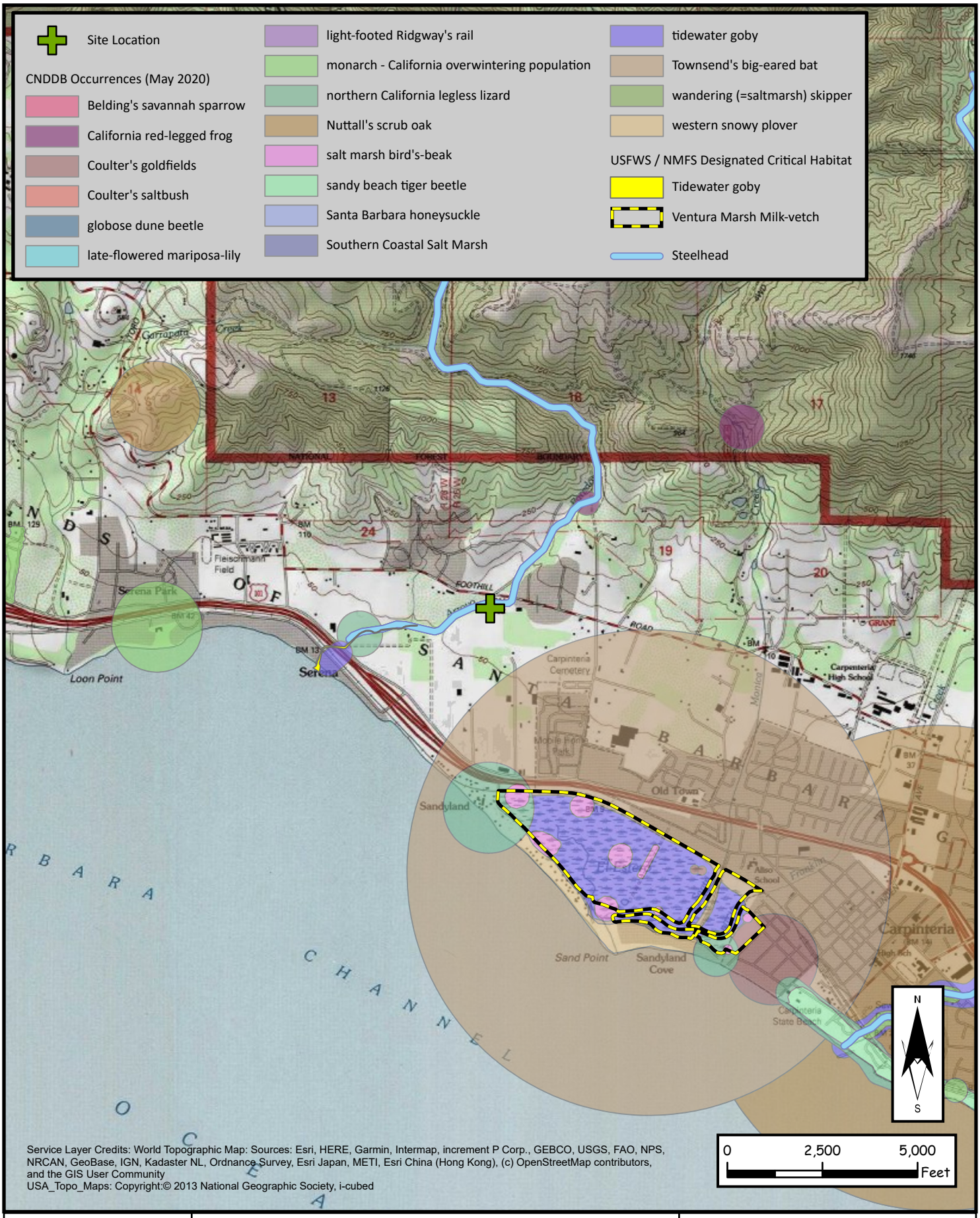
sage institute inc updated May 27, 2020	SLO Cultivation - Carpinteria	**Figure 1**
	APN# 005-310-024, 3889 Foothill Road	**Regional Location / CNDDB Map**



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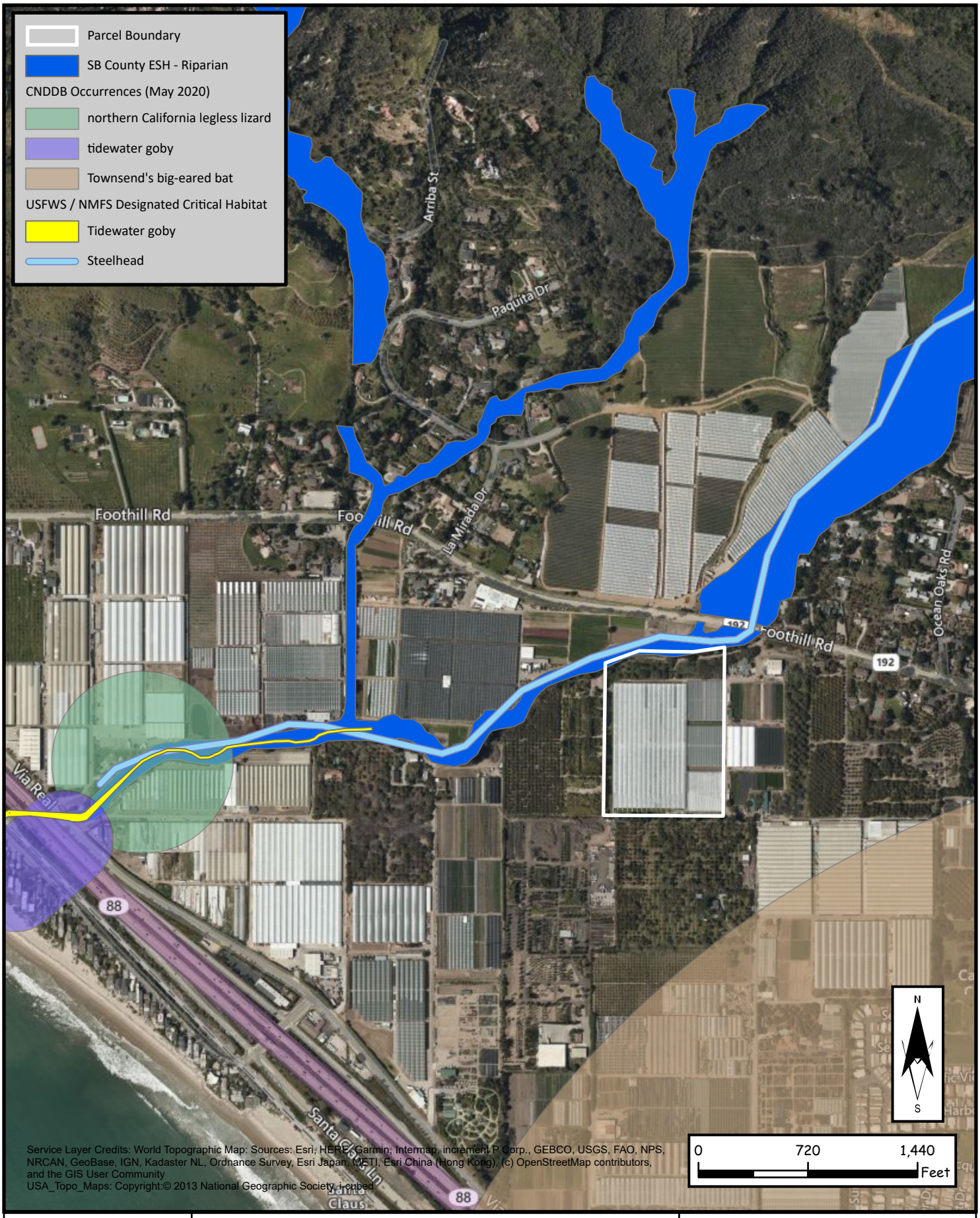
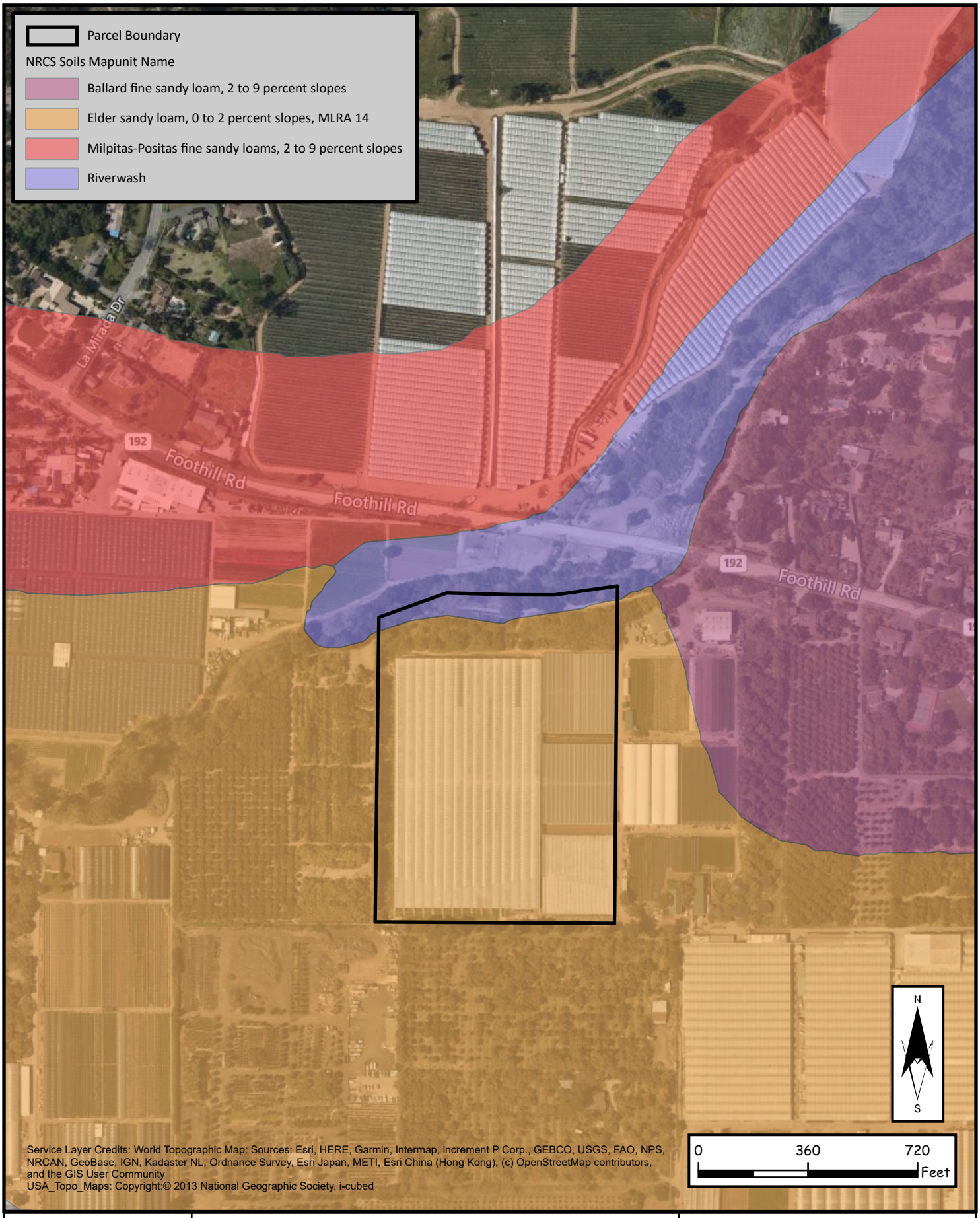
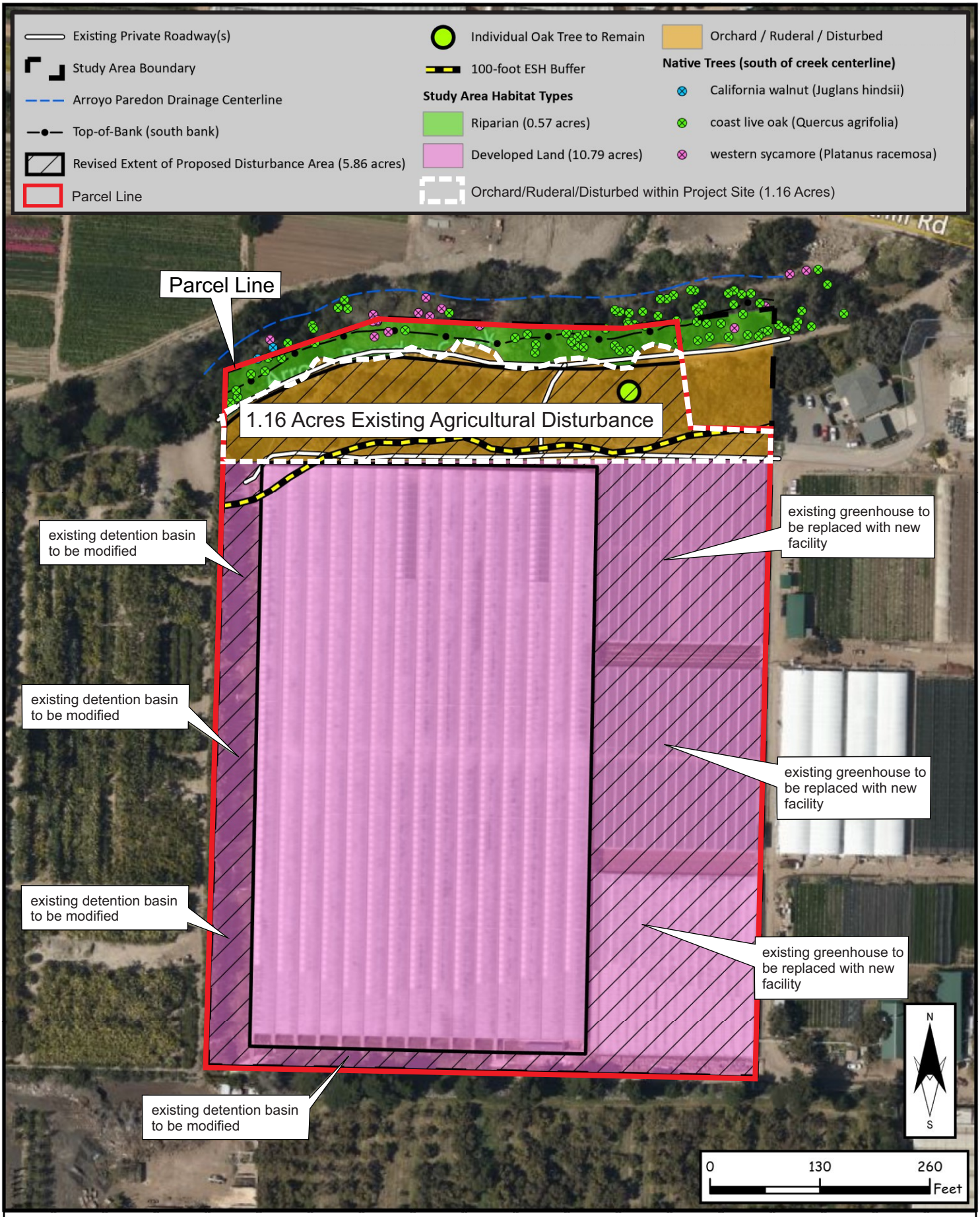
sage institute inc updated May 27, 2020	SLO Cultivation - Carpinteria	**Figure 2**
	APN# 005-310-024, 3889 Foothill Road	**USGS QUAD**



sage institute inc updated May 27, 2020	SLO Cultivation - Carpinteria	**Figure 3**
	APN# 005-310-024, 3889 Foothill Road	**Aerial Overview**



sage institute inc updated May 27, 2020	SLO Cultivation - Carpinteria	**Figure 4**
	APN# 005-310-024, 3889 Foothill Road	**Soils Map**



sage institute inc
updated January 14, 2021

SLO Cultivation - Carpinteria

APN# 005-310-024, 3889 Foothill Road

Figure 5

Habitat Map

Photo 1 – View northeast at existing avocado trees to be removed. **04/24/2020**

Photo 2 – View east at orchard to be removed. **07/30/2020**

Photo 3 – View east at orchard to be removed adjacent to existing greenhouse(s). **04/24/2020**

Photo 4 – View orchard to be removed adjacent to existing greenhouse(s). **04/24/2020**

FIGURE 6: EXISTING CONDITIONS REPRESENTATIVE PHOTOGRAPHS

Photo 5 – View southeast from existing access road towards proposed disturbance area. **04/24/2020**

Photo 6 – View west at existing access road between Arroyo Paredon Creek and the proposed disturbance area. No disturbance is proposed north of the fence. **04/24/2020**

Photo 7 – Typical view of Arroyo Paredon Creek looking upstream (east). **04/24/2020**

Photo 8 – Typical view of Arroyo Paredon Creek looking downstream (west). **04/24/2020**

FIGURE 6: EXISTING CONDITIONS REPRESENTATIVE PHOTOGRAPHS

APPENDIX B

TABLE B-1: CNDDB SPECIAL-STATUS SPECIES

Table B-1
CNDDB Recorded Occurrences (10-mile Search Radius)

Scientific Name	Common Name	Federal Status	State Status	SRank	CNPS Rank	General Habitat Requirements	Micro Habitat Requirements	Potential to Occur w/in Study Area
Birds								
Accipiter cooperii	Cooper's hawk	None	None	S4		Woodland, chiefly of open, interrupted or marginal type.	Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.	Yes (creek only; outside project footprint)
Charadrius alexandrinus nivosus	western snowy plover	Threatened	None, SSC	S2S3		Sandy beaches, salt pond levees & shores of large alkali lakes.	Needs sandy, gravelly or friable soils for nesting.	No
Coturnicops noveboracensis	yellow rail	None	None, SSC	S1S2		Summer resident in eastern Sierra Nevada in Mono County.	Freshwater marshlands.	No
Egretta thula	snowy egret	None	None	S4		Colonial nester, with nest sites situated in protected beds of dense tules.	Rookery sites situated close to foraging areas: marshes, tidal-flats, streams, wet meadows, and borders of lakes.	No
Empidonax traillii extimus	southwestern willow flycatcher	Endangered	Endangered	S1		Riparian woodlands in Southern California.	Nesting typically associated with perennial water sources with abundance of insect prey base.	No
Gymnogyps californianus	California condor	Endangered	Endangered, FP	S1		Require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude.	Deep canyons containing clefts in the rocky walls provide nesting sites. Forages up to 100 miles from roost/nest.	No
Laterallus jamaicensis coturniculus	California black rail	None	Threatened, FP	S1		Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays.	Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.	No
Nycticorax nycticorax	black-crowned night heron	None	None	S4		Colonial nester, usually in trees, occasionally in tule patches.	Rookery sites located adjacent to foraging areas: lake margins, mud-bordered bays, marshy spots.	No
Passerculus sandwichensis beldingi	Belding's savannah sparrow	None	Endangered	S3		Inhabits coastal salt marshes, from Santa Barbara south through San Diego County.	Nests in Salicornia on and about margins of tidal flats.	No
Pelecanus occidentalis californicus	California brown pelican	Delisted	Delisted, FP	S3		Colonial nester on coastal islands just outside the surf line.	Nests on coastal islands of small to moderate size which afford immunity from attack by ground-dwelling predators. Roosts communally.	No
Rallus obsoletus levipes	light-footed Ridgway's rail	Endangered	Endangered, FP	S1		Found in salt marshes traversed by tidal sloughs, where cordgrass and pickleweed are the dominant vegetation.	Requires dense growth of either pickleweed or cordgrass for nesting or escape cover; feeds on molluscs and crustaceans.	No
Riparia riparia	bank swallow	None	Threatened	S2		Colonial nester; nests primarily in riparian and other lowland habitats west of the desert.	Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	No
Setophaga petechia	yellow warbler	None	SSC	S3S4		Riparian plant associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada.	Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including cottonwoods, sycamores, ash, and alders.	Yes (creek only; outside project footprint)
Sternula antillarum browni	California least tern	Endangered	Endangered, FP	S2		Nests along the coast from San Francisco Bay south to northern Baja California.	Colonial breeder on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, land fills, or paved areas.	No
Vireo bellii pusillus	least Bell's vireo	Endangered	Endangered	S2		Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft.	Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	No
Amphibians								
Anaxyrus californicus	arroyo toad	Endangered	SSC	S2S3		Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc.	Rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range.	No
Rana draytonii	California red-legged frog	Threatened	SSC	S2S3		Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.	Yes (creek only; outside project footprint)
Taricha torosa	Coast Range newt	None	SSC	S4		Coastal drainages from Mendocino County to San Diego County.	Lives in terrestrial habitats & will migrate over 1 km to breed in ponds, reservoirs & slow moving streams.	Yes (creek only; outside project footprint)
Reptiles								
Anniella pulchra	northern California legless lizard	None	SSC	S3		Sandy or loose loamy soils under sparse vegetation.	Soil moisture is essential. They prefer soils with a high moisture content.	No
Anniella spp.	California legless lizard	None	SSC	S3S4		Contra Costa County south to San Diego, within a variety of open habitats.This element represents California records of Anniella not yet assigned to new species within the Anniella pulchra complex.	Variety of habitats; generally in moist, loose soil. They prefer soils with a high moisture content.	No

Table B-1
CNDDB Recorded Occurrences (10-mile Search Radius)

Emys marmorata	western pond turtle	None	SSC	S3		A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation.	Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	Yes (creek only; outside project footprint)
Phrynosoma blainvillii	coast horned lizard	None	SSC	S3S4		Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	No
Salvadora hexalepis virgultea	coast patch-nosed snake	None	SSC	S2S3		Brushy or shrubby vegetation in coastal Southern California.	Require small mammal burrows for refuge and overwintering sites.	No
Thamnophis hammondii	two-striped gartersnake	None	SSC	S3S4		Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation.	Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	No
Fish								
Eucyclogobius newberryi	tidewater goby	Endangered	SSC	S3		Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River.	Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels.	No
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	Endangered	None	S1		Federal listing refers to populations from Santa Maria River south to southern extent of range (San Mateo Creek in San Diego County).	Southern steelhead likely have greater physiological tolerances to warmer water and more variable conditions.	Yes (migration only / not within project footprint)
Mammals								
Corynorhinus townsendii	Townsend's big-eared bat	None	SSC	S2		Throughout California in a wide variety of habitats. Most common in mesic sites.	Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	No
Neotoma lepida intermedia	San Diego desert woodrat	None	SSC	S3S4		Coastal scrub of Southern California from San Diego County to San Luis Obispo County.	Moderate to dense canopies preferred. They are particularly abundant in rock outcrops, rocky cliffs, and slopes.	No
Nyctinomops macrotis	big free-tailed bat	None	SSC	S3		Low-lying arid areas in Southern California.	Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	No
Invertebrates								
Bombus crotchii	Crotch bumble bee	None	Candidate Endangered	S1S2		Coastal California east to the Sierra-Cascade crest and south into Mexico.	Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	No
Cicindela hirticollis gravida	sandy beach tiger beetle	None	None	S2		Inhabits areas adjacent to non-brackish water along the coast of California from San Francisco Bay to northern Mexico.	Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.	No
Coelus globosus	globose dune beetle	None	None	S1S2		Inhabitant of coastal sand dune habitat; erratically distributed from Ten Mile Creek in Mendocino County south to Ensenada, Mexico.	Inhabits foredunes and sand hummocks; it burrows beneath the sand surface and is most common beneath dune vegetation.	No
Danaus plexippus pop. 1	monarch - California overwintering population	None	None	S2S3		Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico.	Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.	No
Panoquina errans	wandering (=saltmarsh) skipper	None	None	S2		Southern California coastal salt marshes.	Requires moist saltgrass for larval development.	No
Plants								
Astragalus didymocarpus var. *milesianus*	Miles' milk-vetch	None	None	S2	1B.2	Coastal scrub.	Clay soils. 50-385 m.	No
Atriplex coulteri	Coulter's saltbush	None	None	S1S2	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland.	Ocean bluffs, ridgetops, as well as alkaline low places. Alkaline or clay soils. 2-460 m.	No
Calochortus fimbriatus	late-flowered mariposa-lily	None	None	S3	1B.3	Chaparral, cismontane woodland, riparian woodland.	Dry, open coastal woodland, chaparral; on serpentine. 270-1645 m.	No
Calochortus palmeri var. *palmeri*	Palmer's mariposa-lily	None	None	S2	1B.2	Meadows and seeps, chaparral, lower montane coniferous forest.	Vernally moist places in yellow-pine forest, chaparral. 195-2530 m.	No
Calystegia sepium ssp. *binghamiae*	Santa Barbara morning-glory	None	None	SX	1A	Marshes and swamps (coastal).	0-30 m.	No
Chloropyron maritimum ssp. *maritimum*	salt marsh bird's-beak	Endangered	Endangered	S1	1B.2	Marshes and swamps, coastal dunes.	Limited to the higher zones of salt marsh habitat. 0-10 m.	No
Delphinium umbraculorum	umbrella larkspur	None	None	S3	1B.3	Cismontane woodland, chaparral.	Mesic sites. 215-2075 m.	No
Fritillaria ojaiensis	Ojai fritillary	None	None	S3	1B.2	Broadleafed upland forest (mesic), chaparral, lower montane coniferous forest, cismontane woodland.	Rocky sites. Sometimes on serpentine; sometimes along roadsides. 95-1140 m.	No
Horkelia cuneata var. *puberula*	mesa horkelia	None	None	S1	1B.1	Chaparral, cismontane woodland, coastal scrub.	Sandy or gravelly sites. 15-1645 m.	No
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	None	None	S2	1B.1	Coastal salt marshes, playas, vernal pools.	Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m.	No

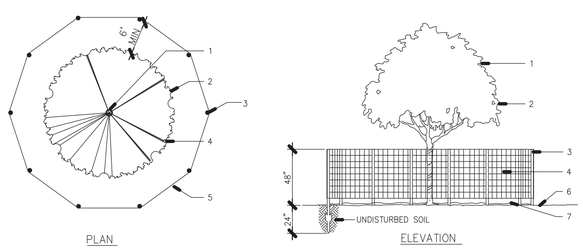
Table B-1
CNDDB Recorded Occurrences (10-mile Search Radius)

Lonicera subspicata var. *subspicata*	Santa Barbara honeysuckle	None	None	S2?	1B.2	Chaparral, cismontane woodland, coastal scrub.	5-825 m.	No
Monardella hypoleuca ssp. *hypoleuca*	white-veined monardella	None	None	S3	1B.3	Chaparral, cismontane woodland.	Dry slopes. 50-1280 m.	No
Nasturtium gambelii	Gambel's water cress	Endangered	Threatened	S1	1B.1	Marshes and swamps.	Freshwater and brackish marshes at the margins of lakes and along streams, in or just above the water level. 5-305 m.	No
Nolina cismontana	chaparral nolina	None	None	S3	1B.2	Chaparral, coastal scrub.	Primarily on sandstone and shale substrates; also known from gabbro. 140-1100 m.	No
Quercus dumosa	Nuttall's scrub oak	None	None	S3	1B.1	Closed-cone coniferous forest, chaparral, coastal scrub.	Generally on sandy soils near the coast; sometimes on clay loam. 15-640 m.	No
Scrophularia atrata	black-flowered figwort	None	None	S2?	1B.2	Closed-cone coniferous forest, chaparral, coastal dunes, coastal scrub, riparian scrub.	Sand, diatomaceous shales, and soils derived from other parent material; around swales and in sand dunes. 10-445 m.	No (not observed in April 2020)
Streptanthus campestris	southern jewelflower	None	None	S3	1B.3	Chaparral, lower montane coniferous forest, pinyon and juniper woodland.	Open, rocky areas. 605-2590 m.	No
Thelypteris puberula var. *sonorensis*	Sonoran maiden fern	None	None	S2	2B.2	Meadows and seeps.	Along streams, seepage areas. 60-930 m.	No
Natural Communities of Concern								
Southern Coastal Salt Marsh	Southern Coastal Salt Marsh	None	None	S2.1				No

APPENDIX C

REVISED DESIGN DRAWINGS / LANDSCAPE PLAN

❑ TREE INVENTORY PLAN



LEGEND

1. EXISTING TREE TO REMAIN, AS DESIGNATED ON PLANS.
2. TREE DRIP LINE.
3. HEAVY DUTY STEEL T-POST 6' O.C. MAX. DRIVE POST INTO UNDISTURBED SOIL, AVOIDING MAJOR ROOTS AS MUCH AS POSSIBLE.
4. ORANGE "HI-VIS" BARRIER FENCING, 48" TALL ATTACHED WITH ZIP TIES, MINIMUM 4 PER STAKE EQUALLY SPACED.
5. SIGNAGE STATING "TREE PROTECTION AREA" SHALL BE PLACED ON FENCING AT 15' INTERVALS.
6. EXTEND FENCING 6' BEYOND DRIPLINE OF PROTECTED TREES WHERE POSSIBLE, OR AS OTHERWISE SHOWN ON PLANS.
7. ALL FENCING AND SIGNS SHALL REMAIN IN PLACE DURING ALL GRADING AND CONSTRUCTION ACTIVITIES
8. EXISTING GRADE.
9. UNDISTURBED LEAF LITTER.

NOTE: ALL EXCEPTIONS SHALL BE APPROVED IN THE FIELD BY THE PROJECT ARBORIST PRIOR TO START OF WORK.

A | TREE PROTECTION DETAIL

TREE PROTECTION NOTES

1. PRIOR TO PRE-CONSTRUCTION MEETING, BEGINNING OF GRADING, AND DURING ALL GROUND DISTURBANCE AND CONSTRUCTION ACTIVITIES, TEMPORARY ORANGE PLASTIC FENCING SHALL BE INSTALLED AT THE DRIP LINE OF ALL TREES IN ORDER TO CONTROL ACCESS AND DELINEATE AREAS OF NON-DISTURBANCE. FINAL LOCATION OF FENCING TO BE DETERMINED IN FIELD BY LANDSCAPE ARCHITECT.
2. ANY NECESSARY PRUNING SHALL BE IN ACCORDANCE TO THE MOST CURRENT INTERNATIONAL SOCIETY OF ARBORICULTURE PRUNING STANDARDS UNDER THE SUPERVISION OF A CERTIFIED ARBORIST.
3. PRIOR TO BEGINNING WORK OR ANY EXCAVATION, THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT AT (800) 442-4133.
4. REMOVAL OF WEEDS WITHIN THE DRIP LINE OF THE TREES SHALL BE DONE BY HAND OR BY USE OF A CONTACT HERBICIDE ONLY.
5. NO CONSTRUCTION, STORAGE OF MATERIALS, AND/OR PARKING OF VEHICLES SHALL BE PERMITTED WITHIN THE DRIP LINE OF EXISTING TREES.
6. NO GRADING SHALL OCCUR WITHIN THE DRIP LINE OF EXISTING TREES EXCEPT AS REQUIRED WITHIN DESIGNATED AREA OF ENCROACHMENT AND UNDER THE SUPERVISION OF THE PROJECT ARBORIST .
7. IF UTILITY INSTALLATION MUST OCCUR WITHIN THE DRIP LINE OF ANY OF EXISTING TREES, THEN THE FOLLOWING PRECAUTIONS MUST BE OBSERVE AND PERFORMED UNDER THE SUPERVISION OF THE PROJECT ARBORIST:
   A. WHERE IT IS NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, THE CONTRACTOR SHALL USE ALL POSSIBLE CARE TO AVOID INJURY TO TREES AND TREE ROOTS.
   B. EXCAVATION IN THESE AREAS WHERE TWO (2) INCH AND LARGER ROOTS OCCUR SHALL BE DONE BY HAND.
   C. ALL ROOTS LESS THAN TWO (2) INCHES IN DIAMETER, DIRECTLY IN THE PATH OF THE PIPE OR CONDUIT, SHALL BE CLEANLY CUT UNDER THE DIRECTION OF AN APPROVED ARBORIST.
   D. ALL ROOTS TWO (2) INCHES AND LARGER IN DIAMETER, EXCEPT DIRECTLY IN THE PATH OF PIPE OR CONDUIT, SHALL BE TUNNELED UNDER AND SHALL BE HEAVILY WRAPPED WITH BURLAP TO PREVENT SCARRING OR EXCESSIVE DRYING.
   E. ROOTS ONE (1) INCH AND LARGER IN DIAMETER REQUIRING CUTTING SHALL BE PAINTED WITH TWO COATS OF TREE SEAL OR EQUAL.
   F. WHERE A DITCHING MACHINE IS RUN CLOSE TO TREES HAVING ROOTS SMALLER THAN TWO (2) INCHES IN DIAMETER, THE WALL OF THE TRENCH ADJACENT TO TREES SHALL BE HAND TRIMMED, MAKING CLEAN CUTS THROUGH.
   G. TRENCHES ADJACENT TO TREES SHOULD BE CLOSED WITHIN TWENTY FOUR (24) HOURS AND WHERE NOT POSSIBLE, THE SIDE OF THE TRENCH ADJACENT TO THE TREES SHALL BE KEPT SHADED WITH BURLAP OR CANVAS.
8. ANY DISCREPANCIES AND/ OR QUESTIONS THAT MAY ARISE ON SITE REGARDING EXISTING TREES SHALL BE REFEREED TO THE PROJECT ARBORIST.
9. ALL EXISTING SHRUBBERY AND GROUNDCOVER SHALL BE REMOVED WHERE NECESSARY FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE NOTED TO REMAIN.
10. ALL DOWNED WOOD AND UPROOTED STUMPS SHALL BE REMOVED AS PART OF THE SITE CLEAN UP. CONTRACTOR SHALL LEAVE EXISTING LEAF MULCH IN PLACE AS MUCH AS POSSIBLE.
11. TREES SHALL BE PROTECTED IN PLACE TO THE GREATEST EXTENT POSSIBLE. ALL TREES LOCATED WITHIN TWENTY FIVE (25) FEET OF PROPOSED BUILDINGS SHALL BE PROTECTED FROM STUCCO OR PAINT DURING CONSTRUCTION.
12. ANY PRUNING TO BE SUPERVISED BY PROJECT ARBORIST.

TREE SURVEY

Client: SLO Cultivation

Date: 15-Aug-19
Rev. Date 1: 21-Apr-20
Rev. Date 2: 14-Jan-21

[1] Remain
[2] Remove
[3] Prune
[4] Dead
[5] Replace

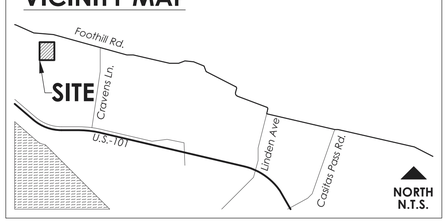
Tree #	Species	Common Name	Canopy	Disposition	Notes
1	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
2	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
3	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
4	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
5	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
6	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
7	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
8	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
9	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
10	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
11	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
12	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
13	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
14	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
15	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
16	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
17	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
18	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
19	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
20	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
21	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
22	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
23	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
24	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
25	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
26	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
27	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
28	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
29	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
30	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
31	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
32	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
33	Quercus agrifolia	Coast Live Oak	25' Dia.	1	DBH = 6.5"
34	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
35	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
36	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
37	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
38	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
39	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
40	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
41	Persea Americana	Avocado Tree	Grid	2	Remove for new detention basin
42	Persea Americana	Avocado Tree	Grid	1	Remove for new detention basin
43	Persea Americana	Avocado Tree	Grid	1	Remove for new detention basin
44	Persea Americana	Avocado Tree	Grid	1	Remove for new detention basin
45	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
46	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
47	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
48	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
49	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
50	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
51	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
52	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
53	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
54	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
55	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
56	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
57	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel
58	Persea Americana	Avocado Tree	Grid	1	In adjacent parcel

TREE INVENTORY LEGEND

SYMBOL	NAME
	EXISTING TREE CANOPY
	EXISTING TREE CANOPY TO BE REMOVED
	TREE TRUNK

NOTE:
GRADING AND SITE DISTURBANCE SHALL REMAIN AT LEAST 6 FEET OUTSIDE OF THE EXISTING OAK'S DRIPLINE WHENEVER FEASIBLE. IF GRADING MUST ENCROACH WITHIN THAT PROTECTED AREA, ALL SUCH WORK SHALL BE CONDUCTED UNDER THE SUPERVISION OF THE LANDSCAPE ARCHITECT/ARBORIST

VICINITY MAP



PLEINAIRE
DESIGN GROUP
3203 Lightning St., Ste. 201 // Santa Maria, CA 93455
805.349.9695 // www.pleinairedg.com

SLO CULTIVATION

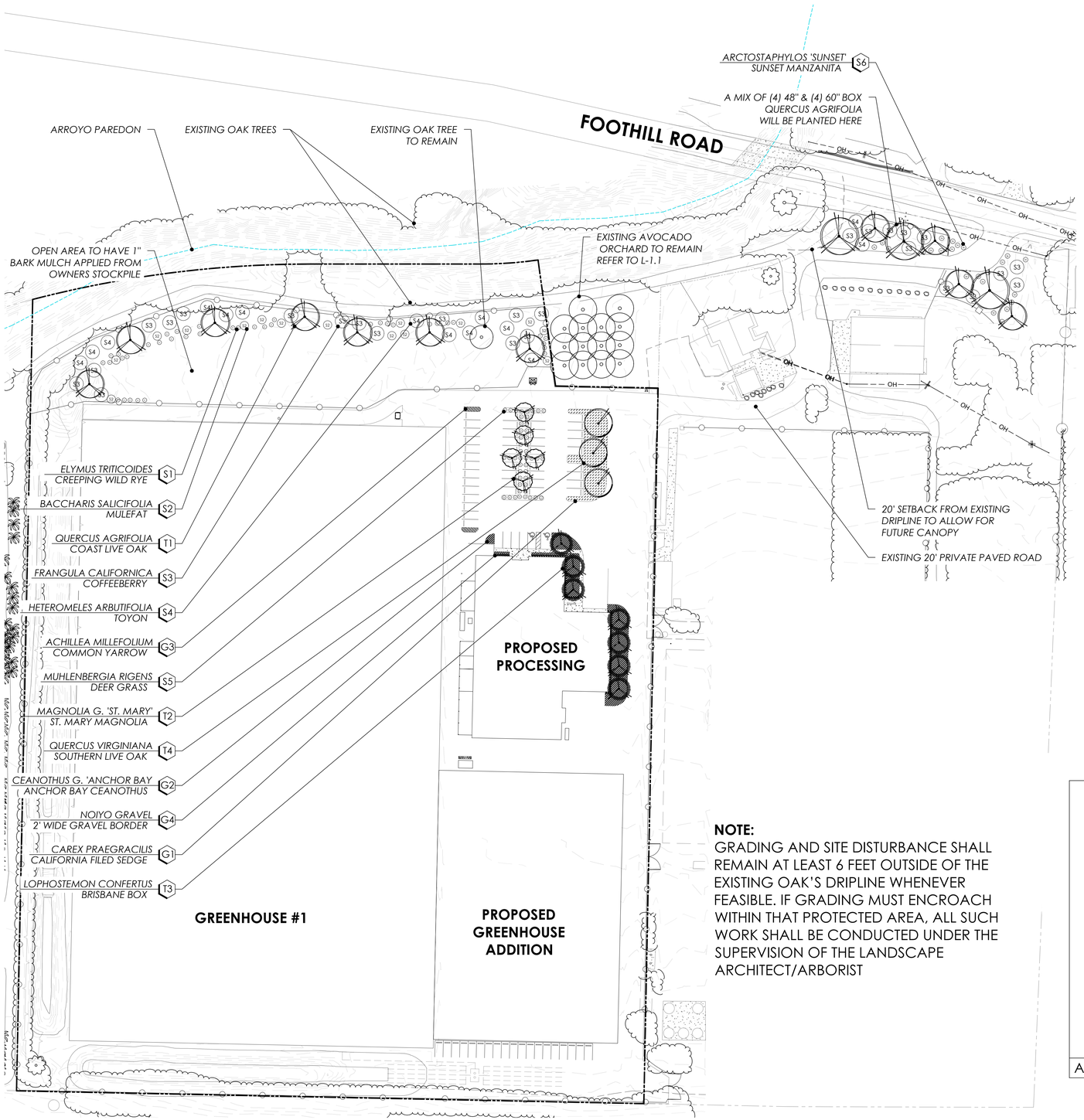
3889 FOOTHILL ROAD // CARPINTERIA, CALIFORNIA 93013

SHEET TITLE

TREE INVENTORY PLAN

OWNER	*Cresco California*
	P.O. Box 183
	Carpinteria, California 93014
DATE	*2021.03.04*
	21839
SHEET NO.	

L-1.1



NOTE:
GRADING AND SITE DISTURBANCE SHALL REMAIN AT LEAST 6 FEET OUTSIDE OF THE EXISTING OAK'S DRIPLINE WHENEVER FEASIBLE. IF GRADING MUST ENCROACH WITHIN THAT PROTECTED AREA, ALL SUCH WORK SHALL BE CONDUCTED UNDER THE SUPERVISION OF THE LANDSCAPE ARCHITECT/ARBORIST

❑ LANDSCAPE SCREENING PLAN - DETENTION BASIN ENLARGEMENT

0 30 60 120
SCALE : 1" = 60'-0"
NORTH

TYPICAL PLANT LEGEND

TREES

SYMBOL		NAME	COMMENTS	SIZE	WUCOLS	QTY.
	T1	*QUERCUS AGRIFOLIA* COAST LIVE OAK	PLANT PER DETAIL A	36" BOX & 48" BOX	V. LOW	14
	T2	*MAGNOLIA GRANDIFLORA 'ST. MARY'* ST. MARY MAGNOLIA	PLANT PER DETAIL A	24" BOX	MED	5
	T3	*LOPHOSTEMON CONFERTUS* BRISBANE BOX	PLANT PER DETAIL A	36" BOX	MED	7
	T4	*QUERCUS VIRGINIANA* SOUTHERN LIVE OAK	PLANT PER DETAIL A	36" BOX	MED	3

SHRUBS

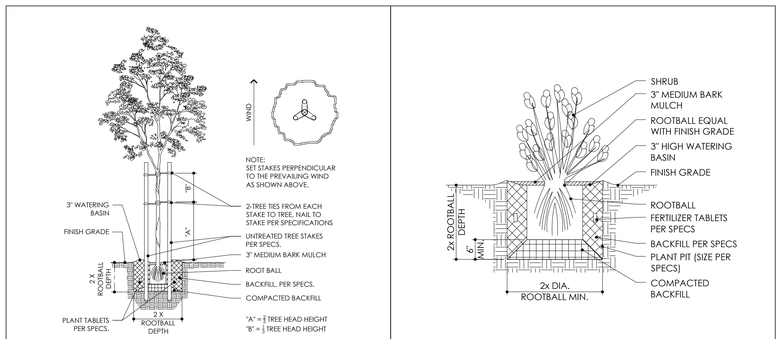
SYMBOL		NAME	COMMENTS	SIZE	WUCOLS	QTY.
S1	S1	*ELYMUS TRITICOIDES* CREEPING WILD RYE	PLANT PER DETAIL B	1 GAL.	LOW	38
S2	S2	*BACCHARIS SALICIFOLIA* MULEFAT	PLANT PER DETAIL B	1 GAL.	LOW	15
S3	S3	*FRANGULA CALIFORNICA* COFFEE BERRY	PLANT PER DETAIL B	5 GAL.	V. LOW	26
S4	S4	*HETEROMELES ARBUTIFOLIA* TOYON	PLANT PER DETAIL B	5 GAL.	V. LOW	14
S5	S5	*MUHLENBERGIA RIGENS* DEER GRASS	PLANT PER DETAIL B	5 GAL.	LOW	46
S6	S5	*ARCTOSTAPHYLOS 'SUNSET'* SUNSET MANZANITA	PLANT PER DETAIL B	5 GAL.	LOW	23

GROUNDCOVERS

SYMBOL		NAME	COMMENTS	SIZE	WUCOLS	QTY.
	G1	*CAREX PRAEGRACILIS* CALIFORNIA FIELD SEDGE	PLANT PER DETAIL B 36" O.C.	4" POTS	LOW	19
	G2	*CEANOTHUS GLORIOSUS 'ANCHOR BAY'* ANCHOR BAY CEANOTHUS	PLANT PER DETAIL B 72" O.C.	5 GAL.	LOW	92
	G3	*ACHILLEA MILLEFOLIUM* COMMON YARROW	PLANT PER DETAIL B 24" O.C.	1 GAL.	LOW	43
	G4	NOIYO GRAVEL GRAVEL BORDER	2 FOOT WIDE BORDER SURROUNDING THE BUILDING	2"-4"	N/A	423 SQ. FT.

PLANTING LEGEND NOTES

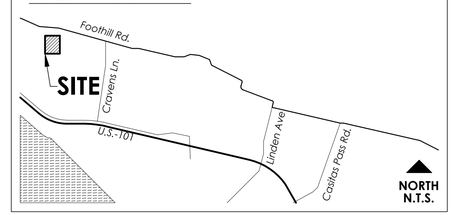
1. ALL TREES ARE TO BE STAKED PER DETAIL A
2. ALL SHRUBS ARE TO BE PLANTED PER B
3. CONTRACTOR IS TO PROVIDE AN AUTOMATIC IRRIGATION SYSTEM WITH 100% COVERAGE AND SEPARATE SUN/SHADE AND TURF/GROUNDCOVER SYSTEMS. REFER TO IRRIGATION PLANS FOR SPECIFICS OF INSTALLATIONS.
4. CONTRACTOR SHALL NOT DETOUR FROM ANY OF THE PLANT MATERIAL ON THE LIST UNLESS CONSULTING WITH THE LANDSCAPE ARCHITECT FIRST.
5. CONTRACTOR SHALL INSTALL HEADER AT THE EDGE OF ALL TURF TO SHRUB AREAS. SEE DETAILS FOR MATERIAL.
6. ALL SHRUB AREAS SHALL RECEIVE A 3" LAYER OF MEDIUM SIZED FIR MULCH 1/2" TO 1" IN DIAMETER. TOP SURFACE OF MULCH SHALL BE A MINIMUM OF 1" BELOW ANY ADJACENT HARDSCAPE. "GORILLA HAIR" OR POST CONSTRUCTION WASTE WILL NOT BE ACCEPTED.
7. ALL SLOPE AREAS 3:1 OR GREATER SHALL HAVE JUTE NETTING OR EQUIVALENT SLOPE STABILIZATION MATERIAL APPLIED ON TOP OF ANY APPLIED MULCH.
8. ALL PLANT MATERIAL, COLOR, SIZE AND QUANTITIES ARE TO BE VERIFIED WITH OWNER.



A | TREE PLANTING

B | SHRUB PLANTING

VICINITY MAP



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SLO CULTIVATION

3889 FOOTHILL ROAD // CARPINTERIA, CALIFORNIA 93013

SHEET TITLE

LANDSCAPE SCREENING PLAN

OWNER	*Cresco California*
	P.O. Box 183
	Carpinteria, California 93014
DATE	*2021.07.06*
	21839
SHEET NO.	**L-1.2**

Attachment 3 –
Board of Supervisors Findings for Approval and Statement of Overriding Consideration Cannabis Land Use Ordinances dated February 6, 2018

ATTACHMENT 2

FINDINGS FOR APPROVAL AND STATEMENT OF OVERRIDING CONSIDERATION
CANNABIS LAND USE ORDINANCES
February 6, 2018

Case Nos. 17ORD-00000-00004, 17ORD-00000-00010, 17ORD-00000-0009, 18ORD-00000-0001, and 17EIR-00000-00003

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

1.1 FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CEQA GUIDELINES SECTIONS 15090, 15091, AND 15163:

1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Board of Supervisors (Board) find that the Final Programmatic Environmental Impact Report (EIR) (17EIR-00000-00003) dated December 2017, and EIR Revision Letter (RV 01), dated January 4, 2018, were presented to the Board and all voting members of the Board reviewed and considered the information contained in the EIR and its appendices and RV 01 prior to approving the project. In addition, all voting members of the Board have reviewed and considered testimony and additional information presented at, or prior to, its public hearings. The EIR, appendices, and RV 01 reflect the independent judgment and analysis of the Board and are adequate for this project. Attachments 7 and 8, of the Board letter, dated February 6, 2018, are incorporated herein by reference.

1.1.2 FULL DISCLOSURE

The Board finds and certifies that the EIR, appendices, and RV 01 constitute a complete, accurate, adequate, and good faith effort at full disclosure pursuant to CEQA. The Board further finds and certifies that the EIR, appendices, and RV 01 were completed in compliance with CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) and 15097 require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The EIR has been prepared as a program EIR pursuant to CEQA Guidelines Section 15168. The degree of specificity in the EIR corresponds to the specificity of the general or program level policies of the project and to the effects that may be expected to follow from the adoption of the project.

A detailed Mitigation Monitoring and Reporting Program (MMRP) has been provided in Section 7.0 of the EIR, incorporated herein by reference, and all mitigation measures identified in the MMRP have been incorporated directly into the Cannabis Land Use Ordinance and Licensing Program as shown in Attachments 1, 2, 3, 6 and 13 of the Board letter dated February 6, 2018, incorporated herein by reference, and into the resolution and amendments to the Uniform Rules for Agricultural Preserves and Farmland Security Zones as shown in Attachment 5 of the Board letter dated February 6, 2018, incorporated herein by reference. To ensure compliance with adopted mitigation measures during implementation of Cannabis Land Use Ordinance and Licensing Program the County Land Use and Development Code (LUDC), Montecito Land Use and Development Code (MLUDC) and the Coastal Zoning Ordinance (CZO) amendments include requirements that future development projects comply with each policy, action, or development standard required by each adopted mitigation measure in the MMRP, as applicable to the type of proposed development. Therefore, the Board adopts the MMRP to comply with Public Resource Code Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097, and finds that the Cannabis Land Use Ordinance and Licensing Program's above referenced ordinance amendments in the LUDC, MLUCD, and CZO are sufficient for a monitoring and reporting program.

1.1.5 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS[1] ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

The EIR (17EIR-00000-00003), its appendices, and EIR Revision Letter (RV 01), for the Cannabis Land Use Ordinance and Licensing Program identify several environmental impacts which cannot be fully mitigated and, therefore, are considered unavoidable (Class I). These impacts involve: agricultural resources; air quality and greenhouse gas emissions; noise; transportation and traffic; and aesthetic and visual resources. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts described in the EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to the maximum extent feasible, as discussed below. The Board letter, dated February 6, 2018, and its attachments are incorporated by reference.

Agricultural Resources

Impacts: The EIR identified significant project-specific and cumulative impacts related to the conversion of prime agricultural soils to a non-agricultural use or the impairment of agricultural land productivity (Impact AG-2).

[1] The discussion of impacts related to aesthetics and visual resources discussed in this section of these findings (below), addresses both the unavoidable cumulative impacts (Class I), as well as the project-specific impacts found to be significant but mitigable to a less-than-significant level (Class II), that are set forth in the EIR.

Mitigation: Mitigation Measure AG-2 requires that any new structures proposed for cannabis site development are sited on areas of the property that do not contain prime soils, to the maximum extent feasible. During the review of applications for cannabis site development, the County Planning and Development Department shall review the proposed location of any new structures proposed for cannabis-related structural development to ensure that they would avoid prime agricultural soils on-site. No other feasible mitigation measures are known that will further reduce impacts. Under a reasonable buildout scenario for cannabis related development, impacts to prime soils will remain significant and unavoidable.

Cumulative impacts to agricultural resources are mitigated to the maximum extent feasible with measure MM AG-2. Program approval would contribute to cumulative agricultural impacts associated with pending and future growth and development projects Countywide. The combined effect of cumulative development is anticipated to result in significant and unavoidable cumulative impacts to agricultural resources.

Findings: The Board finds that the feasible mitigation measure (MM AG-2) has been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR to the maximum extent feasible. This mitigation measure will be implemented during the review of entitlement applications for cannabis development, to mitigate project-specific and cumulative impacts to agricultural resources to the maximum extent feasible. However, even with this mitigation measure, impacts to agricultural resources (Impact AG-2) will remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual impacts to agricultural resources are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Air Quality and Greenhouse Gas Emissions

Impacts: The EIR identified significant project-specific and cumulative impacts related to air quality and greenhouse gas emissions from future cannabis activities that would be permitted if the Project is approved. Specifically, the EIR identified the following adverse and unavoidable effects: inconsistency with the Clean Air Plan (Impact AQ-1), traffic generated emissions (Impact AQ-3), inconsistency with the Energy and Climate Action Plan (Impact AQ-4), and exposure of sensitive receptors to objectionable odors (Impact AQ-5).

Mitigation: The EIR identifies two mitigation measures, MM AQ-3 and MM AQ-5 to reduce impacts associated with traffic-generated emissions and objectionable odors, respectively.

MM AQ-3 requires that cannabis Permittees implement feasible transportation demand management (TDM) measures that reduce vehicle travel to and from their proposed sites. Each Permittee must consider location, total employees, hours of operation, site access and transportation routes, and trip origins and destinations associated with the cannabis operation. Once these are identified, the Permittee is required to identify a range of TDM measures as feasible for County review and approval. No other feasible mitigation measures are known that will further reduce traffic-generated emissions impacts. Under a reasonable buildout

scenario for cannabis related development, impacts from traffic-generated emissions will not be fully mitigated and will remain significant and unavoidable.

MM AQ-5 requires that cannabis licensees implement feasible odor abatement plans (OAPs) consistent with Santa Barbara County Air Pollution Control District requirements and subject to the review and approval of the County. No other feasible mitigation measures are known that will further reduce odor impacts. Under a reasonable buildout scenario for cannabis-related development, impacts from objectionable odors will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts related to air quality and greenhouse gas emissions are mitigated to the maximum extent feasible with measures MM AQ-3 and MM AQ-5. Since the Project is inconsistent with the Clean Air Plan and the Energy and Climate Action Plan, and the County is anticipated to remain in non-attainment, the Project's contribution to cumulative air quality impacts would be cumulatively considerable and, therefore, significant and unavoidable (Class I).

Findings: The Board finds that feasible mitigation measures (MM AQ-3 and MM AQ-5) have been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR to the maximum extent feasible. These mitigation measures are implemented during project review to mitigate project-specific and cumulative impacts related to air quality and greenhouse gas emissions, to the maximum extent feasible. However, even with these mitigation measures, impacts related to inconsistency with the Clean Air Plan (Impact AQ-1), traffic generated emissions (Impact AQ-3), inconsistency with the Energy and Climate Action Plan (Impact AQ-4), and exposure of sensitive receptors to objectionable odors (Impact AQ-5), will remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual impacts related to air quality and greenhouse gas emissions are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Noise

Impacts: The EIR identified significant project-specific and cumulative impacts to sensitive receptors from long-term increases in noise from traffic on vicinity roadways (Impact NOI-2).

Mitigation: As discussed above in the summary of air quality impacts, MM AQ-3 would require cannabis Permittees to implement feasible TDM measures that reduce vehicle travel to and from their proposed sites, subject to the review and approval of the County. No other feasible mitigation measures are known that will further reduce impacts. Under a reasonable buildout scenario for cannabis-related development, impacts to sensitive receptors from long-term noise increases from Project traffic will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts to sensitive receptors from traffic-generated noise are mitigated to the maximum extent feasible with measure MM AQ-3.The Project has the potential to contribute to cumulative noise impacts from roadway noise effects on ambient noise levels in the County. Combined with other development, increased vehicle trips could increase congestion and daily travel on roadways in rural areas that experience relatively minimal traffic noise. As the Project's contribution would be cumulatively considerable, even with implementation of MM AQ-3 to require reduced employee trips through TDM measures, cumulative impacts from the Project would be significant and unavoidable.

Findings: The Board finds that the feasible mitigation measure (MM AQ-3) has been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR, to the maximum extent feasible. This mitigation measure will be implemented during the review of entitlement applications for cannabis activities, in order to mitigate project-specific and cumulative impacts to sensitive receptors from traffic generated noise, to the maximum extent feasible. However, even with this mitigation measure, noise impacts related to long-term noise increases (Impact NOI-2) will remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual noise impacts are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Transportation and Traffic

Impacts: The EIR identified significant project-specific and cumulative impacts related to transportation and traffic from future cannabis activities that would be permitted if the Project is approved. The following adverse and unavoidable effects were identified: increases of traffic and daily vehicle miles of travel that affect the performance of the existing and planned circulation system (Impact TRA-1), and adverse changes to the traffic safety environment (Impact TRA-2).

Mitigation: The EIR identifies two mitigation measures, MM AQ-3 and MM TRA-1, to reduce impacts associated with traffic.

As discussed above in the summary of air quality impacts, MM AQ-3 would require cannabis Permittees to implement feasible TDM measures that reduce vehicle travel to and from their proposed sites, subject to the review and approval of the County. No other feasible mitigation measures are known that will further reduce these traffic impacts. Under a reasonable buildout scenario for cannabis-related development, impacts from traffic will not be fully mitigated and will remain significant and unavoidable.

MM TRA-1 requires that cannabis Permittees pay into the County's existing Development Impact Mitigation Fee Program, at an appropriate level (e.g., Retail Commercial and Other Nonresidential Development) in effect at the time of permit issuance for the County and Goleta and Orcutt Planning Areas to improve performance of the circulation system. No other feasible mitigation measures are known that will further reduce these traffic impacts. Under a

reasonable buildout scenario for cannabis related development, impacts from traffic will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts related to traffic would be mitigated to the maximum extent feasible with measures MM AQ-3 and MM TRA-1. The Project's contribution to cumulative changes in the transportation environment as a result of generation of new vehicle trips could still result in exceedances of acceptable road segment or intersection Level of Service, as well as inconsistency with the Regional Transportation Plan-Sustainable Communities Strategy. Therefore, the proposed Project would make a cumulatively considerable contribution to a significant cumulative traffic impact, and impacts are considered significant and unavoidable.

Findings: The Board finds that feasible mitigation measures (MM AQ-3 and MM TRA-1) have been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR, to the maximum extent feasible. These mitigation measures will be implemented during the review of entitlement applications for cannabis activities in order to mitigate project-specific and cumulative impacts related to traffic, to the maximum extent feasible. However, even with these mitigation measures, increases of traffic and daily vehicle miles of travel that affect the performance of the existing and planned circulation system (Impact TRA-1) and adverse changes to the traffic safety environment (Impact TRA-2) would remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual impacts related to traffic are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Aesthetics/Visual Resources

Impacts: Although the EIR identifies that project-specific impacts to County scenic resources would be mitigated to a less-than-significant level, it also found that Project-related future development in combination with other County projects and plans would contribute considerably to aesthetic and visual impacts. Thus, potential cumulative impacts resulting from changes to scenic resources and existing character would be significant and unavoidable.

Mitigation: Mitigation Measure MM AV-1 would reduce direct visual impacts associated with hoop structures and ancillary development for cannabis cultivation, such as fencing, by requiring appropriate screening in compliance with the land use entitlement (e.g., LUP, CDP, or CUP) that would be required for the cannabis operation. To the maximum extent feasible, screening for cannabis cultivation sites shall consist of natural barriers and deterrents to enable wildlife passage, prevent trespass from humans, and shall be visually consistent, to the maximum extent possible, with surrounding lands. Screening requirements would be set forth in the conditions of, and on the plans related to, the entitlement for the cannabis operation. While project-specific impacts to aesthetics/visual resources will be less-than-significant (Class II) with implementation of this mitigation measure, cumulative impacts would remain significant and unavoidable (Class I).

Findings: The Board finds that the feasible mitigation measure (MM AV-1) has been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR, to the maximum extent feasible. This mitigation measure will be implemented during the review of entitlement applications for cannabis operations in order to mitigate project-specific impacts to a less-than-significant level. However, even with this mitigation measure, the Project's contribution to significant cumulative visual impacts would remain cumulatively considerable, and would be significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual cumulative impacts to aesthetic and visual resources are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

1.1.6 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY MITIGATION MEASURES

The EIR (17EIR-00000-00003), its appendices, and EIR Revision Letter (RV 01), for the Cannabis Land Use Ordinance and Licensing Program, identify several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below.

Aesthetics/Visual Resources
As discussed in Section 1.1.4 of these findings (above), the EIR identified potentially significant but mitigable project-specific impacts to County scenic resources from development associated with cannabis cultivation (Impact AV-1). The Board finds that implementation of MM AV-1 would reduce the significant project-specific environmental effects related to aesthetic and visual resources (Impact AV-1) to a less-than-significant level (Class II).

Agricultural Resources
Impacts: The EIR identified potentially significant but mitigable project-specific impacts as a result of potential land use incompatibility from manufacturing and distribution uses on agriculturally zoned lands (Impact AG-1).

Mitigation: MM AG-1 would require cannabis Permittees for manufacturing or distribution on lands designated for agricultural use (e.g., AG-I and AG-II), to cultivate cannabis on-site and have approval for a cultivation license. The requirement would specify that non-cultivation activities must be clearly ancillary and subordinate to the cultivation activities on-site so that the majority of cannabis product manufactured and/or distributed from a cannabis site is sourced from cannabis plant material cultivated on the same site. The requirement would also specify that the accessory use must occupy a smaller footprint than the area dedicated to cannabis cultivation. Further, the requirement would apply to microbusiness licenses (Type

12) to ensure that proposed manufacturing or distribution would be ancillary and subordinate to the proposed cultivation area.

Findings: The Board finds that MM AG-1 has been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM AG-1 will reduce the significant project-specific environmental effects related to incompatibility with existing zoning for agricultural uses (Impact AG-1) to a less-than-significant level (Class II).

Biological Resources

Impacts: The EIR identified the following potentially significant but mitigable project-specific impacts from future cannabis activities: adverse effects on unique, rare, threatened, or endangered plant or wildlife species (Impact BIO-1); adverse effects on habitats or sensitive natural communities (Impact BIO-2); adverse effects on the movement or patterns of any native resident or migratory species (Impact BIO-3); and conflicts with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources (Impact BIO-4).

Mitigation: The EIR identifies several mitigation measures that would reduce potentially significant impacts to a less-than-significant level.

MM BIO-1a would require applicants who apply for a cannabis permit for a site that would involve pruning, damage, or removal of a native tree or shrub, to submit a Tree Protection Plan (TPP) prepared by a County-approved arborist/biologist. The TPP would set forth specific avoidance, minimization, or compensatory measures, as necessary, given site-specific conditions and the specific cannabis operation for which the applicant would be requesting a permit.

MM BIO-1b would require applicants who apply for a cannabis permit for a site that would involve clearing of sensitive native vegetation, to submit a Habitat Protection Plan (HPP) prepared by a County-approved biologist. The HPP would set forth specific avoidance, minimization, or compensatory measures, as necessary, given site-specific conditions and the specific cannabis operation for which the applicant would be requesting a permit.

MM BIO-3, Wildlife Movement Plan, would be required for outdoor cultivation sites that would include fencing. The Wildlife Movement Plan would analyze proposed fencing in relation to the surrounding opportunities for migration, identify the type, material, length, and design of proposed fencing, and identify non-disruptive, wildlife-friendly fencing, such as post and rail fencing, wire fencing, and/or high-tensile electric fencing, to be used to allow passage by smaller animals and prevent movement in and out of cultivation sites by larger mammals, such as deer. Any required fencing would also have to be consistent with the screening requirements outlined in MM AV-1, which is discussed in these findings (above).

MM HWR-1 would require applicants for cultivation permits to provide evidence of compliance with the State Water Resources Control Board (SWRCB) requirements (or

certification by the appropriate Water Board stating a permit is not necessary). The SWRCB has drafted a comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation within the state. The general requirements and prohibitions included in the draft policy address a wide range of issues, from compliance with state and local permits to riparian setbacks. The draft general order also includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.

Findings: The Board finds that MM BIO-1a, MM BIO-1b, MM BIO-3, and MM HWR-1 have been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM BIO-1a, MM BIO-1b, MM BIO-3, and MM HWR-1 would reduce the significant project-specific environmental effects related to biological resources (Impacts BIO-1, BIO-2, BIO-3, and BIO-4) to a less-than-significant level (Class II).

In addition, the Board finds that implementation of MM BIO-1a, MM BIO-1b, MM BIO-3, and MM HWR-1 would reduce the Project's contribution to significant, cumulative impacts to biological resources, such that the Project would not make a cumulatively considerable contribution and, therefore, the Project's contribution to cumulative impacts to biological resources would be less-than-significant with mitigation (Class II).

Cultural Resources

Impacts: The EIR identified potentially significant but mitigable impacts to historical resources (Impact CR-1) as well as to archaeological resources, tribal cultural resources, human remains, or paleontological resources (Impact CR-2) from future cannabis activities.

Mitigation: The EIR identifies two mitigation measures that would reduce potentially significant impacts to a less-than-significant level.

MM CR-1 would require cannabis licensees to preserve, restore, and renovate onsite structures consistent with the requirements of CEQA and the County Cultural Resources Guidelines. This mitigation measure requires an applicant for a cannabis permit to retain a qualified historian to perform a Phase I survey, and if necessary, a Phase II significance assessment and identify appropriate preservation and restoration/renovation activities for significant onsite structures in compliance with the provisions of the most current County Cultural Resources Guidelines.

MM CR-2 would require a Phase I archaeological and paleontological survey in compliance with the provisions of the County Cultural Resources Guidelines for areas of proposed ground disturbance. If the cannabis development has the potential to adversely affect significant resources, the applicant would be required to retain a Planning and Development Department-approved archaeologist to prepare and complete a Phase II subsurface testing program in coordination with the Planning and Development Department. If the Phase II program finds that significant impacts may still occur, the applicant would be required to retain a Planning and Development Department-approved archaeologist to prepare and complete a Phase III

proposal for data recovery excavation. All work would be required to be consistent with County Cultural Resources Guidelines. The applicant would be required to fund all work.

Findings: The Board finds that the feasible MM CR-1 and MM CR-2 have been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM CR-1 and MM CR-2 would reduce the significant project-specific effects related to cultural resources (Impacts CR-1 and CR-2) to a less-than-significant level (Class II).

Hydrology and Water Resources

Impacts: The EIR identified potentially significant but mitigable impacts to surface water quality (Impact HWR-1) as well as groundwater quality (Impact HWR-2) from future cannabis activities.

Mitigation: MM HWR-1 would require applicants for cultivation licenses to provide evidence of compliance with the SWRCB requirements (or certification by the Regional Water Quality Control Board stating that a permit is not necessary). The SWRCB has drafted a comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation within the state. The general requirements and prohibitions included in the draft policy address a wide range of issues, from compliance with state and local permits to riparian setbacks. The draft general order also includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.

Findings: The Board finds that the feasible MM HWR-1 has been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM HWR-1 would reduce the significant project-specific effects related to surface water quality (Impact HWR-1) and groundwater quality (Impact HWR-2) to a less-than-significant level (Class II).

Land Use

Impacts: The EIR identified potentially significant but mitigable impacts related to conflicts with an applicable land use plan, policy, or regulation, specifically with regard to conflicts with public land uses (Impact LU-1).

Mitigation: MM LU-1 would establish a regulation prohibiting cannabis activities on publicly owned lands within the County.

Findings: The Board finds that the feasible MM LU-1 has been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM LU-1 would reduce the significant project-specific effects related to conflicts with uses on public lands (Impact LU-1) to a less-than-significant level (Class II).

Utilities and Energy Conservation

Impacts: The EIR identified potentially significant but mitigable impacts related to increased demand for new energy resources (Impact UE-2) from future cannabis activities.

Mitigation: The EIR identifies several mitigation measures that would reduce potentially significant impacts to a less-than-significant level.

MM UE-2a would require cannabis licensees to implement energy conservation best management practices to the maximum extent feasible. This would include the use of renewable energy sources and energy efficient development and operations.

MM UE-2b would require that cannabis licensees participate in a Regional Renewable Choice (RRC) program, Green Rate program, Community Renewable program, or similar equivalent renewable energy program, if feasible.

MM UE-2c would encourage cannabis Permittees to participate in the Smart Build Santa Barbara (SB2) Program as part of the permit review process. This measure would ensure that Permittees receive direction on feasible energy conservation measures, incentives, or other energy-saving techniques.

Findings: The Board finds that the MM UE-2a, MM UE-2b, and MM UE-2c have been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM UE-2a, MM UE-2b, and MM UE-2c would reduce the significant project-specific effects related to increased demand for new energy resources (Impact UE-2) to a less-than-significant level (Class II).

1.1.7 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES ARE NOT FEASIBLE

The EIR (17EIR-00000-00003) evaluated a no project alternative and three additional alternatives (Alternative 1 - Exclusion of Cannabis Activities from the AG-I Zone District, Alternative 2 - Preclusion of Cannabis Activities from Williamson Act Land, and Alternative 3 - Reduced Registrants) as methods of reducing or eliminating significant environmental impacts. The Board letter, dated February 6, 2018, and its attachments are incorporated by reference. The Board finds that the identified alternatives are infeasible for the reasons stated.

1. No Project Alternative

The No Project Alternative addresses the potential environmental impacts that could result if the proposed Project is not adopted and the mitigation measures of the Project are not implemented. Under the No Project Alternative, the direct impacts associated with licensing of an expanded cannabis industry would not occur. However, this alternative would not address unregulated and illegal cannabis activities, and would not offer an avenue for licensing and permitting. Thus, it is likely that illegal cannabis activities would continue to

exist. Under the No Project Alternative, existing County law enforcement would continue on a primarily response-to-complaints and call-for-service basis. Over the more than three decades of local, state and federal law enforcement activities cannabis cultivation and related activities have not been eradicated. Even with local, state, and federal participation in cannabis law enforcement, as well as pending state-level regulations and programs developed from MAUCRSA, the illicit cultivation and sale of cannabis in California and the County would likely continue to be a major illicit business. Therefore, there would be no orderly development, nor oversight of cannabis activities within the County, with potential for expanded illegal activities.

Under the No Project Alternative, aesthetic/visual and agricultural resource impacts would likely be reduced. However, potential impacts related to air quality, biology, cultural resources, geology and soils, hazards, hydrology, land use, public services, transportation, and utilities/energy would be more severe under the No Project Alternative.

The No Project Alternative fails to achieve the objectives of the project. Therefore, the Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to the No Project Alternative.

2. Alternative 1: Exclusion of Cannabis Activities from the AG-I Zone District

Under Alternative 1 - the Exclusion of Cannabis Activities from the AG-I Zone District, cannabis-related activities would not be allowed within the AG-I zone districts throughout the County. This would reduce the areas of eligibility in the County, particularly within the Carpinteria Valley and the Santa Ynez Valley. Alternative 1 would reduce the total amount of eligible area and sites as compared to the proposed Project, and would require substantial relocation or abandonment of existing cannabis operations. Existing cultivators would need to find locations within the reduced area of eligibility.

The classification of all impacts under Alternative 1 would be similar to those under the proposed Project, including significant and unavoidable impacts to agricultural resources; air quality and greenhouse gas emissions; noise; and transportation and traffic. Adoption of Alternative 1 would achieve most of the Project objectives, which include regulating cannabis activities within the County including: providing an efficient and clear cultivation and manufacturing permit process and regulations; and regulating sites and premises to avoid degradation of the visual setting and neighborhood character, odors, hazardous materials, and fire hazards. However, adoption of Alternative 1 would not achieve Project objectives related to development of a robust and economically viable legal cannabis industry (Objective 1), encouraging businesses to operate legally and secure a license to operate in full compliance with County and state regulations (Objective 4), and minimization of adverse effects of cultivation and manufacturing and distribution activities on the natural environment (Objective 6).

Although this alternative would be consistent with some of the objectives of the Proposed Project, it would not adequately meet Objectives 1, 4, and 6. As such, it has been found infeasible for social, economic and other reasons. The Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to Alternative 1.

3. Alternative 2: Preclusion of Cannabis Activities from Williamson Act Land

Alternative 2 considers environmental impacts under a modified set of licensing regulations that would reduce the area of eligibility on lands that are subject to a Williamson Act contract in the County where licenses may be issued for cannabis cultivation activities. Under Alternative 2, cannabis activities would not count towards the minimum cultivation requirements to qualify for an agricultural preserve contract pursuant to the Williamson Act; however, cannabis activities would be considered compatible uses on lands that are subject to agricultural preserve contracts. Cannabis cultivation activities would be limited to a maximum of 22,000 square feet of cannabis canopy cover for each Williamson Act contract premises. Agricultural use data for commercial production and reporting that would be used to determine compliance with minimum productive acreage and annual production value requirements would not include cannabis activities.

This alternative would result in limiting the potential for cannabis activities on over 50 percent of eligible County area, and would eliminate hundreds of potential cannabis operations from occurring on Williamson Act lands. As compared to the proposed Project, the approximate total area of eligibility for manufacturing and distribution would be reduced while retail sales and testing area would remain about the same.

Adoption of Alternative 2 would achieve some of the Project objectives which include regulating commercial cannabis cultivation, manufacturing, and distribution activities within the County, providing an efficient and clear cultivation and manufacturing permit process and regulations, and regulating sites and premises to avoid degradation of the visual setting and neighborhood character, odors, hazardous materials, and fire hazards. However, Alternative 2 would not reduce any significant impacts to a less-than-significant level. Moreover, adoption of this alternative would not achieve some of the basic Project objectives, including those related to development of a robust and economically viable legal cannabis industry (Objective 1), encouraging businesses to operate legally and secure a license to operate in full compliance with County and state regulations (Objective 4), and minimization of adverse effects of cultivation and manufacturing and distribution activities on the natural environment (Objective 6).

Although this alternative would be consistent with some of the objectives of the Proposed Project, it would not adequately meet Objectives 1, 4, and 6. As such, it has been found infeasible for social, economic, and other reasons. The Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to Alternative 2.

4. Alternative 3: Reduced Registrants

Under the Reduced Registrants Alternative, the total number of licenses issued by the County would consist of half of the number of each category of licenses that were indicated as part of the 2017 Cannabis Registry. This would restrict the County to issuing a total of 962 licenses (50 percent of the 1,924 identified), which would subsequently limit the representative buildout of the Project analyzed in the EIR by a commensurate 50 percent. Existing operators identified in the 2017 Cannabis Registry would be prioritized for licensing under this alternative, which would substantially reduce the net new buildout, while allowing for limited growth.

Alternative 3 would result in substantial reductions in the severity of most impacts compared to the Project, and would reduce significant and unavoidable impacts to agricultural resources to a less-than-significant level. However, it would not achieve the most basic Project objectives, including those related to development of a robust, economically viable, and legal cannabis industry (Objective 1), and encouraging businesses to operate legally and secure a license to operate in full compliance with County and state regulations (Objective 4).

Although this alternative would be consistent with some of the objectives of the Proposed Project, it would not adequately meet Objectives 1 and 4. As such, it has been found infeasible for social, economic and other reasons. The Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to Alternative 3.

1.1.8 STATEMENT OF OVERRIDING CONSIDERATIONS

The Board makes the following Statement of Overriding Considerations: The Cannabis Land Use and Licensing Program EIR (17EIR-00000-00003) found that impacts related to agricultural resources, air quality and greenhouse gas emissions, noise, transportation and traffic, and aesthetic and visual resources (cumulative) will remain significant and unavoidable (Class I). The Board has balanced "the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits" of the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) against these effects and makes the following Statement of Overriding Considerations, which warrants approval of the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) notwithstanding that all identified adverse environmental effects are not fully avoided or substantially lessened [CEQA Guidelines Section 15093(a)]. The Board finds that the benefits of the "proposed project outweigh the unavoidable adverse environmental effects," and therefore, "the adverse environmental effects may be considered 'acceptable'" [CEQA Guidelines Section 15093(a)].

Each of the reasons for approval cited below is a separate and independent basis that justifies approval of the Cannabis Land Use Ordinance and Licensing Program. Thus, even if a court

were to set aside any particular reason or reasons, the Board finds that it would stand by its determination that each reason, or any combinations of reasons, is a sufficient basis for approving the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) notwithstanding the significant and unavoidable impacts that may occur. The substantial evidence supporting the various benefits can be found in the other Findings for Approval set forth in this document, the EIR, and in the Record of Proceedings, including, but not limited to, public comment received at the numerous public hearings listed in the incorporated Board letter dated February 6, 2018.

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092, and 15093, any unavoidable adverse environmental effects of the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) are acceptable due to the following environmental benefits and overriding considerations:

A. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) provides for a robust and economically viable legal cannabis industry to ensure production and availability of high quality cannabis products to help meet local demands, and, as a public benefit, improves the County's tax base. For a detailed discussion of the economic viability, see the Fiscal Analysis of the Commercial Cannabis Industry in Santa Barbara County, prepared by Hdl Companies and dated October 31, 2017 and incorporated herein by reference:

   https://santabarbara.legistar.com/View.ashx?M=F&ID=5685428&GUID=E6A9F289-B740-40DC-A302-B4056B72F788

B. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) enhances the local economy and provides opportunities for future jobs, business development, and increased living wages. Moreover, the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) promotes continued agricultural production as an integral part of the region's economy by giving existing farmers access to the potentially profitable cannabis industry, which in turn would provide relief for those impacted by competition from foreign markets and rising costs of water supply.

C. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) expands the production and availability of medical cannabis, which is known to help patients address symptoms related to glaucoma, epilepsy, arthritis, and anxiety disorders, among other illnesses.

D. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) allows for the orderly development and oversight of commercial cannabis activities by applying development standards that

require appropriate siting, setbacks, security, and nuisance avoidance measures, thereby protecting public health, safety, and welfare.

E. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) provides a method for commercial cannabis businesses to operate legally and secure a permit and license to operate in full compliance with County and state regulations, maximizing the proportion of licensed activities and minimizing unlicensed activities. Minimization of unlicensed activities will occur for two reasons. First, the County will be providing a legal pathway for members of the industry to comply with the law. Secondly, the County will use revenue from the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) to strengthen and increase code enforcement actions in an effort to remove illegal and noncompliant operations occurring in the County unincorporated areas.

F. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) establishes land use requirements for commercial cannabis activities to minimize the risks associated with criminal activity, degradation of neighborhood character, groundwater basin overdraft, obnoxious odors, noise nuisances, hazardous materials, and fire hazards.

G. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) minimizes the potential for adverse impacts on children and sensitive populations by imposing appropriate setbacks and ensuring compatibility of commercial cannabis activities with surrounding existing land uses, including residential neighborhoods, agricultural operations, youth facilities, recreational amenities, and educational institutions. For detailed discussions on compatibility, see Section 3.9, *Land Use and Planning*, in the EIR, incorporated herein by reference, as well as the other Findings for Approval in this document.

H. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) provides opportunities for local testing labs that protect the public by ensuring that local cannabis supplies meet product safety standards established by the State of California.

I. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) protects agricultural resources, natural resources, cultural resources, and scenic resources by limiting where cannabis activities can be permitted and by enacting development standards that would further avoid or minimize potential impacts to the environment.

2.0 ADMINISTRATIVE FINDINGS FOR CANNABIS LAND USE ORDINANCES

In compliance with Section 35.104.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the Santa Barbara LUDC the Board shall make the

findings below in order to approve a text amendment to the County Land Use and Development Code (LUDC).

The findings to approve a text amendment to the County's certified Local Coastal Program are set forth in Section 35-180.6 (Findings Required for Approval of Rezone or Ordinance Amendment) of the Coastal Zoning Ordinance (CZO). In compliance with Chapter 2, Administration, Article V, Planning and Zoning, Section 2-25.2, Powers and Duties, the Board shall make the following findings in order to approve the text amendment to the CZO.

In compliance with Section 35.494.050 (Action on Amendment) of the Montecito Land Use and Development Code (MLUDC), the Board shall make the following findings in order to approve the text amendment to the MLUDC.

2.1 The request is in the interests of the general community welfare.

The proposed ordinance amendments are in the interest of the general community welfare since the amendments will serve to (1) define new land uses associated with cannabis activities (2) indicate those zones that allow the Cannabis land uses, and (3) set forth development standards for various permitted commercial cannabis activities to avoid compromising the general welfare of the community, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference.

2.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC, CZO, and MLUDC.

Adoption of the proposed ordinances, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference, will provide more effective implementation of the State planning and zoning laws by revising the LUDC, CZO, and MLUDC to provide clear zoning standards that will benefit the public, consistent with the state licensing program for the cannabis industry. The proposed ordinances: define the uses associated with commercial cannabis activities; identify the zones in which cannabis land uses would be prohibited; and set forth a number of development standards and other requirements that would apply to personal cultivation, in order to avoid or otherwise minimize adverse effects from cannabis activities. The proposed ordinances would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Community Plans. The proposed ordinance amendments are also consistent with the remaining portions of the LUDC, CZO, and MLUDC that these ordinance amendments would not be revising. Therefore, the proposed ordinance amendments would be consistent with the Comprehensive Plan including the Community Plans, the requirements of State Planning and Zoning Laws, and the LUDC, CZO, and MLUDC.

2.3 The request is consistent with good zoning and planning practices.

The proposed ordinances, as analyzed in the Board letter, dated February 6, 2018, which are hereby incorporated by reference, clearly and specifically address personal cultivation and commercial cannabis activities within the unincorporated area of Santa Barbara County. The ordinances are consistent with sound zoning and planning practices to regulate land uses for

the overall protection of the environment and community values since it provides for clear direction regarding where cannabis land uses are allowed and prohibited, which serves to minimize potential adverse impacts to the surrounding area. As discussed in Finding 2.2, above, the amendments are consistent with the Comprehensive Plan, including the Community Plans, LUDC, CZO and MLUDC. Therefore, the proposed ordinances are consistent with sound zoning and planning practices to regulate land uses.

3.0 ADMINISTRATIVE FINDINGS FOR AMENDMENTS TO ARTICLE X (CASE NO. 18ORD-00000-00001)

In compliance with Section 35.104.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the Santa Barbara LUDC the Board shall make the findings below in order to approve the amendment and partial rescission of Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code (Case no. 18ORD-00000-00001).

3.1 The request is in the interests of the general community welfare.

The proposed ordinance to amend and partially rescind Article X is in the interest of the general community welfare since it will:

- Maintain the amortization of Legal Nonconforming medical marijuana operations as established by the Board in November of 2017.
- Clarify the timing of the amortization periods for Legal Nonconforming medical marijuana operations, thereby providing certainty to the operators and the public alike regarding the status of the operations.
- Rescind the existing prohibition against medical marijuana cultivation upon the operative dates of the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00009, -00010), thereby ensuring that the new regulations are not in conflict with existing regulations.
- Rescind the entirety of Article X upon the termination of Legal Nonconforming uses, thereby removing obsolete regulations.

3.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC and CZO.

Adoption of the proposed ordinance, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference, will ensure that the provisions in Article X are consistent with the new regulations in the LUDC, CZO, and MLUDC should the Board adopt the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00009, -00010). The amended Article X would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Community Plans. Together with the Cannabis Land Use Ordinances, the amended Article X will allow for more effective implementation of the State planning and zoning laws by ensuring consistency with the new State licensing program for the cannabis industry. Therefore, the proposed ordinance amendments would be

consistent with the Comprehensive Plan including the Community Plans, the requirements of State Planning and Zoning Laws, and the LUDC, CZO and MLUDC.

3.3 The request is consistent with good zoning and planning practices.

The proposed amendments to Article X are consistent with sound zoning and planning practices since they will ensure that there is no conflict between the new cannabis regulations and the existing medical marijuana regulations. Moreover, the amendments provide a clear timeframe for the termination of Legal Nonconforming uses for medical marijuana cultivation. Finally, the amendments provide for Article X to be rescinded entirely once Legal Nonconforming medical marijuana operations are terminated and the separate medical marijuana regulations are no longer necessary. Thus, the proposed amendments are consistent with sound zoning and planning practices to regulate land uses.

4.0 AMENDMENT TO THE UNIFORM RULES FINDINGS (Case No. 17ORD-00000-00019)

4.1 The request is in the interests of the general community welfare.

The proposed amendment to the Uniform Rules would limit the amount and types of cannabis activities that would be permitted on Williamson Act lands. This is in the interests of the general community welfare because the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and also for the assurance of adequate, healthful, and nutritious food for residents of the state and the nation. The amendment would also specify that cannabis activities are not compatible with Williamson Act contracts for open space or Williamson Act contracts for recreation, thereby ensuring the continued protection of scenic, biological and recreational resources in those preserves.

4.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC and CZO.

The amendment of the Uniform Rules, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference, would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Land Use and Agricultural Elements. The Agricultural Element contains goals and policies which require the protection of agriculture lands, the reservation of prime soils for agricultural uses, and the preservation of a rural economy. The amendment would limit the types and amounts of cannabis activities that would be permitted on Williamson Act lands. It would also specify that some cannabis activities, including cultivation, are compatible with the agricultural uses on Williamson Act lands, thereby ensuring consistency with the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00010).

4.3 The request is consistent with good zoning and planning practices.

The Agricultural Preserve Advisory Committee (APAC) held three hearings on the matter of cannabis activities to be permitted on Williamson Act lands. At the hearings, public input was received and information such as current zoning and planning practices, assessor policies and procedures, potential environmental impacts, and approaches taken by other counties was discussed. The purpose of agricultural preserve program and uniform rules was also discussed

as a factor in making a recommendation to the Board. APAC recommended the proposed amendments to the Uniform Rules on December 1, 2017, with particular consideration given to applying good zoning/planning practices while preserving agricultural and open space land in the County. As also stated under 4.2 above, the proposed Uniform Rules amendment is consistent with all applicable policies of the Comprehensive Plan and Land Use and Development Code.