

CITY of CARPINTERIA, CALIFORNIA



June 24, 2019

Mayor Cathy Murillo, Chair
Santa Barbara County Air Pollution Control District Board of Directors
260 N. San Antonia Rd., Suite A
Santa Barbara, CA 93110-1315

Members of the City Council

Wade T. Nomura - *Mayor*
Al Clark - *Vice Mayor*
Fred Shaw
Gregg A. Carty
Roy Lee

Re: Air Pollution Impacts from Commercial Cannabis Activities

Honorable Chair and Boardmembers:

I am writing to you on behalf of the City of Carpinteria ("City") City Council to ask that the Santa Barbara County Air Pollution Control District ("SBCAPCD") take necessary measures to ensure that commercial cannabis cultivation activities are not creating unintended negative air quality and/or public health impacts for surrounding uses and residents. The Carpinteria Valley is one of several areas in unincorporated Santa Barbara County that has seen a dense concentration of commercial cannabis cultivation facilities become established in recent years. With the proliferation of cannabis cultivation in close proximity to developed urban and residential areas (including several sensitive receptors), the City has received numerous complaints and concerns from residents citing ill health effects (e.g., headaches, difficulty breathing, runny nose and eyes, asthma- or allergy-like symptoms, etc.) from cannabis terpenes, in addition to plaguing nuisance odors, from nearby commercial cannabis cultivation activities.

We are in receipt of SBCAPCD's recently updated "Air Quality and Cannabis Operations" Advisory, and understand SBCAPCD's stated position that it lacks authority under Health and Safety Code section 41705 and District Rule 303 to regulate odor impacts associated with agricultural operations, including cannabis cultivation. However, the City also has received a number of complaints alleging that some of the reported ill health effects experienced by residents may not exclusively be the result of the nuisance odors from cannabis terpenes themselves, but from various odor neutralizing or masking technologies (such as so-called "vapor phase systems") being implemented by commercial cannabis cultivators in an attempt to comply with Santa Barbara County's cannabis regulations, as provided for in Santa Barbara County Article II, Coastal Zoning Ordinance, Division 7, Section 35-144U(C)(6).

More specifically, it has been suggested that residents are being exposed to undisclosed compounds resulting from chemical reactions of cannabis terpenes, odor abatement/masking "treatments", and/or other constituent elements in the air that could have unintended negative public health consequences. We do not believe that county-required odor neutralizing or masking technologies in and of themselves qualify for the regulatory exemption for agricultural operations under Health and Safety Code section 41705 and District Rule 303. Health and Safety section 41705 only applies to agricultural odors "necessary for growing crops"; it does not exempt equipment and/or technologies—with unknown public health impacts—employed to eliminate agricultural odors from SBCAPCD's

jurisdiction. Such equipment and/or technologies should be subject to verification by SBCAPCD of their safety for use in and immediately adjacent to populated areas, and should be permitted by SBCAPCD similar to any other industrial treatment and/or application. We ask that SBCAPCD investigate this matter immediately and take any necessary actions to ensure odor abatement/masking treatments do not negatively affect public health. Without more information on odor abatement masking treatments, we believe SBCAPCD cannot properly evaluate whether such treatment systems contain or produce toxic air contaminants or cause an adverse impact to the community.

We also are aware of, and have received comments concerning, the potential for volatile organic compounds ("VOCs") generated by the terpenes associated with large-scale cannabis cultivation to be a contributing source of smog. As you are aware, the local climatic conditions in the Carpinteria Valley are favorable for the creation of (subsidence) inversion layers that can "trap" air pollution, such as smog, in the lower air column. Concentrating commercial cannabis operations, resulting in additional sources of VOCs emissions, along with increased vehicle traffic, use of generators and large-scale exhaust or mechanical systems for cannabis cultivation operations, will further exacerbate and increase the potential for the creation of smog and related impacts in the Carpinteria Valley. We believe concerns over cannabis VOCs negatively contributing to localized air quality degradation are within the SBCAPCD's jurisdiction and expertise.

We understand several research studies are underway in Colorado to better understand this potential air quality issue related to cannabis cultivation and that SBCAPCD staff is aware of, and monitoring, these efforts. We wish to share our support for these research and monitoring efforts and ask SBCAPCD staff to take any and all appropriate regulatory actions when, and if, sufficient research has been completed to establish a causal link between commercial cannabis cultivation and smog.

We appreciate SBCAPCD's prompt attention to these matters, and thank you for your ongoing efforts to protect and improve air quality in Santa Barbara County.

Respectfully,



Wade Nomura, Mayor
City of Carpinteria

Cc: Aeron Arlin Genet, Director and Air Pollution Control Officer
Molly Pearson, SBCAPCD Planning Division Manager