

#3 #20 Cannabis
land use
ordinance



CITY of CARPINTERIA, CALIFORNIA

Members of the City Council

November 25, 2019

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

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

Re: Request for District Board agenda matter

Honorable Chair and Boardmembers,

The City of Carpinteria (City) respectfully requests that the Santa Barbara Air Pollution Control District (District) schedule an agenda matter to consider and approve taking an active role in regulating and monitoring equipment used in commercial cannabis cultivation. In particular, the District should coordinate with County of Santa Barbara to identify stationary sources of emissions and ensure the safety of odor control systems. The City believes that there is an opportunity and responsibility for the District to work closely with County Departments such as Planning & Development and Public Health, in the interest of ensuring that the emerging cannabis cultivation industry is conducted safely to minimize public health risks.

As you know, Santa Barbara County is on the forefront of legalized recreational cannabis cultivation and over the past 2-3 years a high concentration of greenhouse cultivation sites have been established in the Carpinteria Valley that are in close proximity to sensitive receptors including schools, youth centers and residences. The City understands that there are approximately 34 sites in the Carpinteria Valley where cannabis cultivation is occurring or is proposed to occur with the potential for approximately 2.7 million square feet of mature canopy in addition to nursery crop. All of these sites are operating, or will be once permitted, within greenhouse structures required to be outfitted with an odor control system that meets standards established by the County of Santa Barbara.

The City of Carpinteria is concerned with the potential for cannabis cultivation activities to cause or contribute to adverse public health impacts associated with exposure to strong odors and hazardous air pollutants. The City Council has received written complaints and testimony at public meetings from residents living near cannabis cultivation sites who are experiencing health impacts that they believe are caused by exposure to strong odors and/or polluted air from cannabis cultivation activities, including operation of odor control systems, nearby their homes and work places.

It is important that the District monitor potential health impacts from cannabis cultivation and odor control systems and regulate those systems in conjunction with the County's approval of cannabis cultivation in the Carpinteria Valley. As was indicated in our June 24, 2019, letter to the District, we do not find that equipment such as odor control systems and filtration/heating systems used for drying cannabis at cultivation sites need be exempt from District oversight and regulation, or the nuisances that may result from operation of such equipment.

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Recently, the County Public Health Department contacted the California Environmental Protection Agency, Office of Environmental Health Hazard Assessment (OEHHA) to request that OEHHA investigate the health impacts of public exposure to cannabis odors/volatile organic compounds (VOCs) in order to support its interest in better informing the community, regulators and the industry and to create better permitting standards.

The Public Health Department noted two main issues motivating its request to OEHHA:

- Potential or documented health impacts associated with cannabis cultivation-cannabis odors; and
- Potential health impacts associated with the use of odor neutralizers for odor management at cultivation sites.

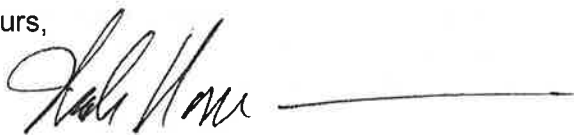
On this second issue, the Public Health Department indicated it could find little information about the safety or risks associated with odor control products and systems even though significant amounts of neutralizing chemicals are released into the air. The City is not aware of any regulatory agency that is collecting and analyzing air quality data with the purpose of understanding air pollutant characteristics associated with cannabis cultivation activities, and/or the type of odor control systems predominantly used in the Carpinteria Valley, sufficient to understand whether or not exposure is a public health risk.

As odor control systems are put in place, the District can — and should — monitor and evaluate the potential health risks associated with commercial cannabis cultivation and odor control systems. If the County of Santa Barbara intends to be at the forefront of legalized recreational cannabis cultivation, the District should be at the forefront of monitoring and regulating the air quality impacts associated with commercial cannabis cultivation and odor control systems.

The City concurs with the Public Health Department's indication that this is an emerging public health issue of both local and statewide interest. The City believes that the District's expertise and authority can play an important role and allow our community, regulators and the industry to make informed decisions about cannabis cultivation activities going forward. We encourage and will join the District in advocating for changes to state law as needed to remove barriers to taking on that important role.

Once again, the City of Carpinteria requests that the District schedule an agenda matter to consider and approve taking an active role in regulating and monitoring odor control and similar systems used in commercial cannabis operations.

Yours,



Wade Nomura
Mayor

Cc: Aeron Arlin Genet, District Manager