



**Santa Barbara County
Air Pollution Control District**

Our Vision  Clean Air

November 16, 2017

Jessica Metzger
Santa Barbara County
Long Range Planning
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: APCD Comments on the Draft Program Environmental Impact Report for the Cannabis Land Use Ordinance and Licensing Program, 17ORD-00000-00004

Dear Ms. Metzger:

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the Draft Program Environmental Impact Report (PEIR) for the Cannabis Land Use Ordinance and Licensing Program. APCD's mission is to protect the people and the environment of Santa Barbara County from the effects of air pollution. As the County of Santa Barbara develops guidelines regulating cannabis activities, we believe it is important to address potential air quality impacts.

The PEIR identified four potentially significant air quality impacts from the program:

- 1. Cannabis activities could be potentially inconsistent with the Clean Air Plan and County Land Use Element Air Quality Supplement.** The project would result in the development of employment opportunities outside of the rural/urban boundary, which may increase vehicle trips and emissions from both new employee trips as well as trips from existing employees in the County that would need to commute further.
- 2. Emissions from operations of cannabis activities could potentially violate an air quality standard or substantially contribute to an air quality violation, and result in a cumulatively considerable net increase of a criteria pollutant for which the County is in nonattainment.** Increased mobile emissions would be generated by vehicle trips from employees and customers, as well as transportation of cannabis products.
- 3. Cannabis activities could be potentially inconsistent with the Energy and Climate Action Plan.** Increased GHG emissions from vehicle trips and additional energy demand from indoor cultivation and manufacturing could interfere with meeting the ECAP's GHG reduction target for 2020.
- 4. Cannabis activities could potentially expose sensitive receptors to substantial pollutant concentrations and create objectionable odors affecting a substantial number of people.**

Although the scent of cannabis plants is not necessarily harmful to people, the plants can produce objectionable or offensive odors.

To address potentially significant impacts, the PEIR identifies the following proposed mitigation measures:

1. **MM AQ-3. Cannabis Site Transportation Demand Management.** The County shall amend the proposed ordinance amendments to include the provision that all permitted cannabis sites implement feasible transportation demand management measures that reduce vehicle travel to and from their proposed site.

Reducing vehicle miles traveled throughout the county can reduce local and regional air quality impacts and also reduce GHG impacts. The PEIR should identify the public transit services in the county that could serve potential cannabis sites and ensure they are included among the TDM measures. The PEIR could consider expanded and enhanced public transit or vanpooling as additional mitigation to reduce air quality impacts. The county's ECAP has identified reduced-fare or free transit passes, car sharing programs, and effectively implementing the CalVans program as potential mitigation for significant impacts from projects.

2. **MM AQ-5. Odor Abatement Plan.** All permits issued pursuant to the project shall have an Odor Abatement Plan consistent with SBCAPCD requirements and approved by the Planning and Development Department.

The District supports the requirement for all operators to have an odor abatement plan, including having a designated individual who is responsible for logging and responding to odor complaints 24 hours a day, 7 days a week. In addition, we suggest the following revisions to strengthen the plans:

- Require the designated individual to report all odor complaints to the appropriate county department within a reasonable time frame and to record and report the steps they took to resolve the issue. This would enhance the ability of the county to track odor complaints and to ensure that operators are responding appropriately.
- For sites that generate recurring odor emissions, include an enforceable process to require additional control equipment or operational changes to mitigate odors.

The PEIR also identifies mitigation measures **MM UE-2a**, **MM UE-2b**, and **MM UE-2c** to mitigate impacts from energy use. To the extent that these measures reduce greenhouse gas emissions associated with cannabis activities, they should also be considered as mitigation for greenhouse gas impacts from the project.

The PEIR also proposes a 600-foot buffer between the property line of the cultivation site, non-volatile manufacturing operation, or retailer to the property line of a lot containing a school, day care center, or youth center. The PEIR proposes a 1,200-foot buffer between the property line of a volatile manufacturing site to the property line of a lot containing a school, day care center, or youth center. These buffers can reduce the potential for nuisance odors, but do not address all potential sensitive

receptors. The EIR should consider also including buffers to other locations where sensitive receptors may be present. The CDFA CalCannabis Cultivation Licensing PEIR lists the following as locations that could contain sensitive receptors: houses, apartments, senior living complexes, schools, school yards, parks, playgrounds, daycare centers, nursing homes, hospitals, convalescent homes, and health clinics¹.

In addition, we offer the following suggested revisions to Table 3.3-2, the Santa Barbara County Attainment/Nonattainment Classification Summary:

- Revise the Attainment Status for the State 1-hour and 8-hour ozone standards to Nonattainment-Transitional (NA-T). The county's ozone designation was changed on April 17, 2017².
- Add a footnote to the entry for the Federal 8-hour ozone standard noting that, although the USEPA has not yet finalized designations, The California Air Resources Board has recommended that the county be designated attainment for the 2015 standard of 0.070 ppm³.

Thank you for the opportunity to comment on the draft PEIR. Please contact me at (805) 961-8879 or by email at cbe@sbcapcd.org if you have any questions.

Sincerely,



Ben Ellenberger
Manager
Technology and Environmental Assessment Division

cc: Kaitlin McNally, Manager, Compliance Division
TEA Chron File

¹ <https://www.cdfa.ca.gov/calcannabis/documents/V1-MainBody.pdf> - page 4.3-15

² <https://www.arb.ca.gov/desig/changes/2016sec100.pdf>

³ <https://www.arb.ca.gov/desig/8-houroz/2016staffreport.pdf>