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From: Gwen Rigby <lamarque@sbceo.org>
Sent: Thursday, May 16, 2019 7:06 PM
To: apcd
Subject: letter for the board

I wanted to present this letter to the board today but I had a schedule conflict. I am pasting it here.

Thanks you.

To the Board of the Air Pollution Control Board:

Thank you for allowing time to speak on the issue of cannabis cultivation in the County. I have three points to make.

1. First, it is erroneous to say that cannabis is a crop. It has been made a product, not a crop, as declared by our Santa Barbara County Agricultural Commissioner. The Agricultural Commissioner will have some duties once the cannabis operation is licensed – her agency will measure the canopy of the plants, for example, will work with public health to check for pesticides or other contaminants on the edible plants, and will work with environmental health to test the water and possible filtration systems.
2. The Right to Farm Act does not disallow monitoring cannabis operations. Part 2 of Section 3482.5 says that the county can inspect “the activities, operations, or conditions of a district agricultural association [that] have substantially changed after more than three years from the time that the activities, operations, or conditions began.” To my mind, switching from cut flowers to cannabis is a substantial change – from a crop to a product. Furthermore, Part b of Section 3482.6 says that “[i]f an agricultural processing activity, operation, facility, or appurtenances thereof substantially increases its activities or operations after January 1, 1993, then a public or private nuisance action may be brought with respect to those increases in activities or operations that have a significant effect on the environment.” Odors, organic volatile compounds, water use and traffic do affect the environment. As I interpret these sections in the ordinances, the APCD does not have to hide behind the mantra that you cannot do anything if the concern is agricultural.
3. At last spring’s meeting in Goleta on toxic odors, the APCD Compliance Division Manager stated that she is working with the Agricultural Commissioner to find a path to work collaboratively on the issue of odors and agriculture. At that time, the focus was the noxious H₂S smell in north Goleta. The general stated consensus at that meeting was that residents had the right to breathe fresh air. There was a willingness among the five agencies at the public presentation to work together to protect against the nuisance and danger of bad odors. I would say that the outcry from residents in cannabis proximity is just as pertinent and should stimulate a cooperative response from all agencies in Santa Barbara County.

Thank you.

Gwen Rigby

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