

Rule 210 Public Workshop Q&A December 14, 2023

The following questions were asked by attendees during the virtual Rule 210 Public Workshop held on December 14, 2023. The Air Pollution Control District's (District) answers that were provided during the public workshop, as well as additional relevant information, are included below.

1. **Question:** How were the cannabis fees determined, especially the odor-control device fee?

Response: The new proposed cannabis fees included in Draft Rule 210 were calculated using historical District timecard and permit data to achieve cost recovery in accordance with the District's Cost Recovery Policy. The timecard data included the amount of time it has taken to conduct permitting tasks, such as reviewing applications and issuing permits, as well as compliance work including, but not limited to, performing inspections, and reviewing annual reports for cannabis facilities. The permit data included the number of odor-control devices, extraction systems, and facility square footage for cannabis permits that have been issued by the District.

2. **Question:** What assurances do you have that once fee increases are met, that you will cease increases?

Response: The Cost Recovery Policy that is being developed per District Board of Directors direction, and the proposed amendments to District Rule 210, will provide assurances that fee increases will cease once the District's cost-recovery goal is achieved. The 85% Cost Recovery Policy will be brought to the District's Board for approval. This policy has been incorporated into the proposed changes to Rule 210 and it will be implemented each year in the Board approved District budget. The District will use a tool to assess cost recovery at regular intervals to evaluate our progress with reaching our 85% cost-recovery goal. The proposed revisions to Rule 210 have been written so that the District will not increase fees if revenues would exceed the District's Cost Recovery Policy (Ref. draft Rule 210 section E.6).

3. **Question:** Is the District's online payment system fully functional and accepting all invoices? Previously, certain invoices were not accepted by the online system.

Response: Unfortunately, due to software limitations, not all types of invoices can be paid using the District's online payment system at this time. For example, sources that have deposits on file with the District are not able to pay certain cost-recovery invoices via the online payment system. We are currently working with the software system vendor to try and find a solution.

For payments that don't work in the online payment system, the District can accept credit card payments by phone (805-979-8291), or payment can be mailed to our office at 260 N. San Antonio Road, Suite A, Santa Barbara, CA 93110-1315. For questions or more information, please contact us via email at AcctRec@sbcapcd.org.

4. **Question:** You mentioned school fees as a miscellaneous fee that you are adding. Isn't this something you already collect fees for?

Response: Historically, District staff have used a general provision in existing Rule 210 to assess up to a \$1,500 fee for school public notices and other miscellaneous fees (Ref. Rule 210, section I.C.d.). For the school public notice example, the existing \$1,500 fee covers some of the expenses associated with preparing and distributing the 30-day public notice but does not achieve full cost recovery. In most cases, postage alone has exceeded \$1,500. Therefore, for these Rule 210 amendments, staff is proposing to add a new school public notice fee that will cover staff time and materials to distribute the notice to the nearby school(s), residents, and businesses, as authorized by California Health & Safety Code section 42301.6.