COUNTY OF SANTA BARBARA
Planning and Development
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PEIR References – Cannabis Land Use Ordinance and Licensing Program PEIR Presentation

October 2, 2019

On October 2, 2019, a staff presentation was delivered to the Santa Barbara County Planning Commission (CPC) related to the Cannabis Land Use Ordinance and its Program Environmental Impact Report (PEIR). The following tables provide references to specific sections of the PEIR that address key issues and discussion topics addressed during the hearing. Table 1 references sections of the PEIR that correspond to information presented in PowerPoint slides, as numbered. Table 2 references sections of the PEIR that address questions and requests provided by members of the CPC.

Table 1. PEIR References from Staff Presentation (PowerPoint Slides)

Slide	PEIR Page	Excerpt (*does not represent full context of analysis*)
Range of Alternatives		
10	4-9	A reasonable range of alternatives with the potential to attain the basic objectives of the Project but avoid or substantially lessen significant impacts is analyzed below. Each alternative is discussed in relation to the objectives of the Project. Alternatives selected for analysis include: No Project Alternative Alternative 1 — Exclusion of Cannabis Activities from the AG-I Zone District Alternative Alternative 2 — Preclusion of Cannabis Activities from Williamson Act Land Alternative Alternative 3 — Reduced Registrants Alternative
Scoping Process		
11	1-5; Appendix A	The EIR evaluates potentially significant environmental impacts including issues raised in public comments received in response to the Notice of Preparation (NOP) and at public workshops/hearings (See Appendix A).
11	1-7	Based on County public hearings, meetings with interested parties, and the NOP scoping meetings, as well as public letters received on the NOP (Appendix A), the following environmental issues are known to be of concern and may be controversial. Each issue is further discussed in this EIR. • Objectionable odors; • Zoning restrictions for cannabis activities; • Compatibility issues with surrounding agricultural land uses; • Compatibility issues with nearby residential communities; • Compatibility issues with nearby public services; • Criminal activity; • Loss of sensitive biological habitat;

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		• Degradation of the environment; • Aesthetics and views; • Hydrology and water quality, including surface and groundwater sources; • Water demand and supply; • Fire hazards; • Public services demand; and • Cumulative impacts, such as changes in the character of communities and rural areas.
Air Quality – Ozone Precursors, NOx, BVOCs (terpenes), odors, nuisance		
14	3.3-6	"Bad" ozone is a photochemical pollutant, and is formed from complex chemical reactions involving volatile organic compounds (VOCs), nitrogen oxides (NOx), and sunlight; therefore, VOCs and NOx are ozone precursors. VOCs and NOx are emitted from various sources throughout the County.
	3.3-15	ROCs (otherwise referred to as VOCs)
	3.3-21	…the Project could result in adverse impacts to air quality from traffic generated emissions, including NOx and ROC emissions, beyond what is experienced under current land use patterns that may exceed County thresholds of significance The proposed Project would generate ROCs from operation of equipment used in licensed cannabis activities. This contribution is expected to be nominal, as cannabis site operations do not rely on equipment with high emissions rates. To help reduce this impact, cannabis-specific transportation demand management measures would ensure carpooling and reduced reliance on vehicles would be required on a site-by-site basis.
	3.3-23	Combined with pending and further projects in the County, operation of such development would increase operation generated emissions and would expose new residents and property to ROC and NOx emissions.
15	8-8	The odor from cannabis is primarily caused by terpenes. Terpenes are what give all herbs and spices an aroma and pungent intensity. Due to terpene's property as an odor, terpenes bind to human receptors within the nasal passage and bloodstream. Of over 200 known terpenes, the following are the most widely known terpenes to exist in cannabis: (1) myrcene, which is also found in parsley, thyme, and hops, is the most common terpene found in cannabis, and has been utilized to provide peppery aromas to beer (Vazquez-Araujo et al. 2013), (2) pinene, which is also found in pine and fir and the most common terpene in nature, comprising most of trees' natural resin turpentine (Kent James 1983), (3) limonene, which is also found in citrus, formed from pinene, and is the main active ingredient in citrus cleaners widely used as a fragrance additive in cosmetics (Kim YW et al. 2013), (4) beta-caryophyllene, which is also found in black pepper, oregano, and cloves, and is the only terpene known to bind directly with CB2 receptors (Gertsch J et al. 2008), (5) linalool, which is also found in lavender, occurs in approximately 60 to 80 percent of perfumed hygiene products, is infrequently known to cause allergic reactions, and may account for some public irritation (Claessen 2009), and (6) humulene, which is also found in pine trees, orange

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		orchards, sage, and sunflowers, and being studied for potential anti-inflammatory effects (Passosa & Fernandesa 2007).
	3.3-22	Although the scent of cannabis plants is not widely considered to be harmful to human health, in some instances, exposure to cannabis odors has been reported to result in headaches, eye and throat irritation, nausea, discomfort, and mental stress (Denver Environmental Health 2016). Similar symptoms are also experienced by individuals with specific allergies such as pollen. Primarily, the plants can produce a variety of odors, especially during the flowering phase, which are often considered and perceived by some individuals as objectionable or offensive. For others, the smell of cannabis may often be described as fragrant, aromatic, or pleasant.
16	3.3-24 to 3.3-25	*MM AQ-5. Odor Abatement Plan (OAP).*
17	3.3-23 to 3.3-27	*MM AQ-3. Cannabis Site Transportation Demand Management.* *MM AQ-5. Odor Abatement Plan (OAP).* *3.3.4.3 Residual Impacts*
Aesthetics		
18	3.1-24	Even though cannabis-related development would need to comply with existing County policies and regulations, potential acreage of Project-related future development in combination with other County projects and plans is unknown. Although specific projects may be consistent with the policies and regulations that address aesthetic and visual resources, full buildout of cannabis-related projects at currently unknown locations, would potentially contribute considerably on a cumulative basis. Impacts resulting from changes to scenic resources and existing character would therefore be *significant and unavoidable* (Class I).
	3.1-24	*MM AV-1. Screening Requirements*. [Excerpt: To reduce direct visual impacts associated with hoop structures and ancillary development for cannabis cultivation, such as fencing, a provision shall be included in the Project to give discretion to the Planning Director to determine on a case-by-case basis the appropriate type of screening for a licensed grow site (e.g., height, materials, design, and location) in compliance with the land use entitlement (e.g., LUP, CDP, or CUP).]
Agriculture		
19	3.2-22 to 3.2-23	Though individual sites may not result in a significant impact under County thresholds, cannabis activity development pursuant to the Project would potentially aggregate a considerable conversion of prime soils, and would represent a *potentially significant* impact on prime soil agricultural resources
	3.2-24	*MM AG-2. New Structure Avoidance of Prime Soils.*
	3.2-4 to 3.2-8	*Pages contain characterizations of the County's agricultural industry*
	3.2-20	Pursuant to 2-2.1 A and 2-2.1 C of the Uniform Rules, and subject to future decisions under the Agricultural Preserve Advisory Committee (APAC), manufacturing, distribution, or microbusinesses under the Project would be permitted as an ancillary use to cannabis cultivation on Williamson Act Contract lands. These rules guide the compatibility of preparation facilities and small-scale processing beyond the raw state, which would consist of both non-volatile and volatile manufacturing techniques in support of the agricultural purpose. The Uniform Rules recognize that some secondary uses

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		inherently related to agricultural operations may be compatible, if they are consistent with the compatibility guidelines with the Uniform Rules. (See Section 3.2.3.2, *Regulatory Setting.*) In order for a cannabis activity license to be approved on contracted lands, the use must not significantly compromise long-term productive agricultural capability or impair long-term agricultural operations. The APAC evaluates the compatibility of uses on an Agricultural Preserve on a case-by-case basis, and the uses are subject to development standards and requirements in County zoning ordinances. Individual cannabis facility development on these lands would also require County review for permit approval, and would be subject to conditions necessary to maintain compatible agricultural land uses under agricultural zoning. Additionally, land use compatibility with adjacent agricultural crops would be ensured by APAC review which ensures compatibility with agricultural uses, and cannabis activities would not conflict with properties that are subject to Williamson Act contracts. For instance, due to extensive testing requirements for cannabis products, it is a benefit for cannabis cultivators to be located further away from agricultural operations which utilize potentially hazardous pesticides, such as grape and strawberry harvesters.

2 – Commission Inquiries

PEIR Page Number	Page Location	Excerpt (*does not represent full context of analysis*)
The concentrations of cannabis in the County – is that discussed in the PEIR, and where?		
2-19	Figure 2-2	Figure 2-2 provides locations of all the known (i.e., registered) cannabis sites at the time of EIR preparation. The figure depicts the clustering/concentrations of cannabis operations in certain areas of the County. This general distribution informed the PEIR assumptions about where and how cannabis licensing would manifest under the Ordinance.
2-22	Paragraph 3 and Table 2-1	…existing cannabis cultivation sites tend to be concentrated in certain regions and communities, primarily in the South Coast region and within the Lompoc and Santa Ynez regions
2-23	Lower figure	See the *Existing Cultivators by Community* pie chart for the distribution of cannabis operations at the time of PEIR preparation.
3-5	Paragraph 2	While assumptions regarding amount of future development or space requirements have been provided, assumptions remain highly variable, and are used to provide a rudimentary analysis of potential Project impacts, and use of these assumptions as part of the discussion of Project impacts serve only to estimate the severity of potential impacts.
3-6	Paragraph 3	The data from the Cannabis Registry indicates that cannabis cultivation tends to be concentrated in certain regions and communities, starting in the South Coast region and secondarily within the Lompoc and Santa Ynez regions. Under the Project, it is anticipated that the general distribution of cannabis cultivation sites would be localized in similar regions. It is anticipated that under the Project, this distribution would continue in a similar fashion.
3-7	Paragraph	…the lack of vacant commercial or industrial land in the County may result in

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	2	such uses locating within agricultural areas or within incorporated cities, particularly in the North County where such space is more readily available
The western terminus of Design Overlay D – is the clustering of those operations observed at that location?		
3.1-19	Paragraph 2	Eligible lands within the Cuyama, Los Alamos, Lompoc, and Santa Ynez Valleys have near-, mid-, and distant-range views of numerous mountain ranges, including the Sierra Madre, Santa Ynez, San Rafael mountain ranges, and notably scenic views of the Solomon, Purisima, and Lompoc Hills from eligible lands. The degree of visual impacts would be heavily reliant on the siting and design of cannabis cultivation sites relative to viewsheds and visual resources; however, cultivation activities could alter landscapes whether in valley regions or in elevated topographic regions, given the extensive network of public viewsheds including parks, mountain vistas, highways, roadways, bikeways, and trails.
3.1-19	Paragraph 4	Outdoor grows are expected to be more common in the Lompoc, Cuyama, Santa Ynez, and Santa Maria regions, as these regions contain the greatest acreage and number of parcels eligible for cultivation. With cultivation license types permitted on agricultural lands, the introduction of fencing, accessory structures, lighting, and other development directly related to cannabis activities may result in conversion of open field agricultural lands to more industrial-scale agricultural uses, which may result in substantial alteration to the existing landscape.
3.1-23	Paragraph 4	Impacts associated with the Project would include potential changes to scenic resources and existing visual character associated with increased canopy cover, hoop structure, and greenhouse build-out with additional acreage for ancillary development, combined with proposed development under other County plans and projects that would also potentially change local scenic resources or the existing character of the area. Further, any proposed development could be sited in areas that are publicly visible or within proximity of a scenic road or highway.
Along the Santa Ynez River – along the river, there is now cultivation and hoop houses. I wonder about the effect on riverine biology. Odd dynamic of crop value on cheapest places. Is this addressed?		
3.4-44	Paragraph 1	Cumulative impacts associated with the Project would include development projects near water bodies and Environmentally Sensitive Habitat Areas (ESHA) that may include grading and paving, which have the potential to result in vegetation clearing or soil erosion and sediment pollution into downstream waterbodies. For example, the effects of increased cultivation sites associated with the Project combined with intensified agricultural development under the County proposed updated agricultural regulations may generate a cumulative impact in agricultural areas of the County. Additional cumulative impacts associated with the Project would relate to construction of roads, site improvements, and supporting structures for cumulative projects that could potentially impact native vegetation and special-status species. Grading for building pads, roads and driveways, and development of infrastructure could change the existing character of the surrounding landscape or occur on areas that are critical habitat to sensitive species.

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3.4-46 through 3.4-50	Full pages	*MM BIO-1b: Habitat Protection Plan* (based on County Standard Mitigation Measures Bio-07, -08, 09, 13a, and 19)
3.8-32	Paragraph 3	…[T]he use of hoop structures for crop growing would continue to enable the infiltration of groundwater between hoop structure eaves, of which 12-foot tall structures are approximately 24 feet wide.
3.8-32	Paragraph 4	Direct impacts of all types of cannabis cultivation could involve limited grading activities to make a site suitable for cultivation (e.g., tilling), including potential development of cannabis-related structures. The County's watersheds are defined by the topography of the County, and landscape-level changes to the existing drainage patterns would not occur. Due to the relatively small size of cultivation operations, site grading may result in small-scale alterations to onsite runoff and storm water flows related to outdoor cultivation. However, outdoor cultivation would be subject to existing County requirements for initial land clearing and would be similar to other agricultural operations in the County.
Nonconforming uses – concern over false affidavits as to whether there were existing operators or not. Are there going to be consequences from a planning point of view? Is this addressed in any way in the PEIR?		
2-18	Paragraphs 1 & 2	Under County zoning ordinances, legal nonconforming uses cannot be expanded and the use cannot be changed, or the use must be discontinued. There are several existing operations that may not be considered legal non-conforming that could close or relocate, though an unknown quantity of these sites may remain. …[U]nder the Project, existing medical marijuana cultivation operations that would be considered legal nonconforming operations would be required to seek and obtain both a local and state license to continue to operate within the County.
2-18	Paragraph 4	The Cannabis Registry data varies widely, and many registrants did not provide locations or complete answers to all questions and data requests set forth in the registry. Additionally, applicants could apply more than once under the same name or within the same property, and provide different answers to questions and data requests between each registry submittal. All data is user-reported so there is no reliable way to confirm the data, and the data does not capture the whole cannabis industry in the County. Despite these data limitations, the 2017 Cannabis Registry provides the best available resource to characterize the types and distribution of existing cannabis cultivation, though not necessarily the total number or volume of production.
Is impact on other forms of agriculture, varying from land prices, BVOCs, on the AVA, is this topic, does this show up in the PEIR?		
3.2-20	Paragraph 3 & 4	Pursuant to 2-2.1 A and 2-2.1 C of the Uniform Rules, and subject to future decisions under the Agricultural Preserve Advisory Committee (APAC), manufacturing, distribution, or microbusinesses under the Project would be permitted as an ancillary use to cannabis cultivation on Williamson Act Contract lands. These rules guide the compatibility of preparation facilities and small-scale processing beyond the raw state, which would consist of both non-volatile and volatile manufacturing techniques in support of the

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		agricultural purpose. The Uniform Rules recognize that some secondary uses inherently related to agricultural operations may be compatible, if they are consistent with the compatibility guidelines with the Uniform Rules. In order for a cannabis activity license to be approved on contracted lands, the use must not significantly compromise long-term productive agricultural capability or impair long-term agricultural operations. The APAC evaluates the compatibility of uses on an Agricultural Preserve on a case-by-case basis, and the uses are subject to development standards and requirements in County zoning ordinances. Individual cannabis facility development on these lands would also require County review for permit approval, and would be subject to conditions necessary to maintain compatible agricultural land uses under agricultural zoning. Additionally, land use compatibility with adjacent agricultural crops would be ensured by APAC review which ensures compatibility with agricultural uses, and cannabis activities would not conflict with properties that are subject to Williamson Act contracts. For instance, due to extensive testing requirements for cannabis products, it is a benefit for cannabis cultivators to be located further away from agricultural operations which utilize potentially hazardous pesticides, such as grape and strawberry harvesters.
Does the lack of requirement for a specific odor abatement plan for certain areas, does that mean that the CPC (1) cannot consider odor an impact and (2) consider mitigation of odor?		
3.9-28	Paragraph 3	The County uses the LUDC as a tool to implement the goals, objectives, and policies of the Comprehensive Plan, including any applicable community, specific, or area plan. Provisions of the LUDC and any land use, subdivision, or development approved in compliance with these regulations must be consistent with other components of the Comprehensive Plan, including any applicable community, specific, or area plan.
3.9-24 through 3.9-28	Full pages	See summary descriptions of all community plans that each cannabis site-specific project would need to comply with.
3.9-49	Paragraph 1	…[S]ite-specific standards, measures, or permit conditions may be imposed prior to project approval on a case-by-case basis during the development plan and environmental review process.
Is it only after-the-fact odor control that is allowed?		
3.3-24	Paragraph 3	The approved OAP (odor abatement plan) shall include, <u>but not be limited to,</u> the following elements to address issues from nuisance odors