

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Commercial Cannabis Cultivation Ordinance, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: MNA 2017-00023

APPLICANT: San Mateo County

LOCATION: All lands designated as "Agriculture" on the San Mateo County General Plan Land Use Map. These lands are distributed throughout the Coastal Zone of unincorporated San Mateo County. Also, lands designated as "Open Space – Rural" or "Timber Production – Rural" on the San Mateo County General Plan Land Use Map where said lands have documented commercial agricultural operations for three consecutive years prior to adoption of the proposed ordinance.

PROJECT DESCRIPTION

The proposed ordinance will add a new chapter to Title 5 (Business Regulations) of the San Mateo County Ordinance Code (Chapter 5.148) to establish regulations and a license requirement for the cultivation of commercial cannabis in the unincorporated Area of San Mateo County. Under the proposed ordinance, commercial cultivation of cannabis will be permitted, subject to the issuance of a business license, in those areas identified in item 5, above. The County will only issue licenses for mixed-light (i.e. greenhouse) cultivation and greenhouse nursery cultivation operations. The proposed ordinance will not alter any existing County Zoning Regulations or Local Coastal Program provisions; as a result, construction of any new greenhouse structures for cannabis cultivation purposes will be subject to future discretionary review and permitting procedures. The proposed ordinance also limits the size and number of potential cannabis cultivation operations on a given site. Commercial cannabis cultivation operations will be able to occur in existing greenhouses under the proposed ordinance without additional environmental review, but subject to issuance of a ministerial business license.

The proposed ordinance seeks to protect existing agricultural use by requiring that commercial cannabis cultivation not displace any non-cannabis commercial agricultural production existing as of January 1, 2017. Alternatively, a person seeking to engage in commercial cannabis cultivation may offset a proposed cultivation site by relocating existing agricultural production to another area of the property on a 1:1 ratio, provided such relocation does not conflict with any applicable policy or regulation.

Indoor cultivation (in any building but a greenhouse) and outdoor cultivation for commercial purposes will continue to be prohibited in the unincorporated County. The ordinance will also establish setbacks from specified land uses, including residential areas, performance standards for such operations, and a process for the review of license applications. See Attachment A for the draft proposed ordinance.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
 - a. Create impacts which have the potential to degrade the quality of the environment.
 - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
 - c. Create impacts for a project which are individually limited, but cumulatively considerable.
 - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

None

RESPONSIBLE AGENCY CONSULTATION

None

INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are less-than-significant. A copy of the initial study is attached.

REVIEW PERIOD: October 18, 2017 – November 17, 2017

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., November 17, 2017.**

CONTACT PERSON

Michael Schaller
Project Planner, 650/363-1849
mschaller@smcgov.org

A handwritten signature in cursive script, appearing to read "M. Schaller", is written above a horizontal line.

Michael Schaller, Project Planner

County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

1. **Project Title:** Commercial Cannabis Cultivation Ordinance
2. **County File Number:** MNA 2017-00023
3. **Lead Agency Name and Address:** San Mateo County Planning Department
455 County Center, 2nd Floor
Redwood City, CA 94063
4. **Contact Person and Phone Number:** Michael Schaller, Senior Planner
650/363-1849
5. **Project Location:** All lands designated as “Agriculture” on the San Mateo County General Plan Land Use Map. These lands are distributed throughout the Coastal Zone of unincorporated San Mateo County. Also, lands designated as “Open Space – Rural” or “Timber Production – Rural” on the San Mateo County General Plan Land Use Map where said lands have documented commercial agricultural operations for three consecutive years prior to adoption of the proposed ordinance.
6. **Assessor’s Parcel Number and Size of Parcel:** Various
7. **Project Sponsor’s Name and Address:** San Mateo County Planning & Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
8. **General Plan Designation:** Agriculture (and Open Space – Rural and Timber Production – Rural where three consecutive years of commercial agricultural operations prior to the adoption of the proposed ordinance is documented).
9. **Zoning:** Primarily PAD (Planned Agriculture Development). However, there are a few parcels with the “Agriculture” land use designation that also are zoned RM-CZ (Resource Management - Coastal Zone). Commercial cultivation operations could also occur on land zoned RM-CZ or TPZ-CZ (Timber Production Zone – Coastal Zone) if the applicant can document that there have been three consecutive years of commercial agricultural operations on the parcel prior to the adoption of the proposed ordinance.
10. **Description of the Project:** The proposed ordinance will add a new chapter to Title 5 (Business Regulations) of the San Mateo County Ordinance Code (Chapter 5.148) to establish regulations and a license requirement for the cultivation of commercial cannabis in the unincorporated Area of San Mateo County. Under the proposed ordinance, commercial cultivation of cannabis will be permitted, subject to the issuance of a business license, in those areas identified in item 5, above. The County will only issue licenses for mixed-light (i.e. greenhouse) cultivation and greenhouse nursery cultivation operations. The proposed ordinance will not alter any existing County Zoning Regulations or Local Coastal Program

provisions; as a result, construction of any new greenhouse structures for cannabis cultivation purposes will be subject to future discretionary review and permitting procedures. The proposed ordinance also limits the size and number of potential cannabis cultivation operations on a given site. Commercial cannabis cultivation operations will be able to occur in existing greenhouses under the proposed ordinance without additional environmental review, but subject to issuance of a ministerial business license.

The proposed ordinance seeks to protect existing agricultural use by requiring that commercial cannabis cultivation not displace any non-cannabis commercial agricultural production existing as of January 1, 2017. Alternatively, a person seeking to engage in commercial cannabis cultivation may offset a proposed cultivation site by relocating existing agricultural production to another area of the property on a 1:1 ratio, provided such relocation does not conflict with any applicable policy or regulation.

Indoor cultivation (in any building but a greenhouse) and outdoor cultivation for commercial purposes will continue to be prohibited in the unincorporated County. The ordinance will also establish setbacks from specified land uses, including residential areas, performance standards for such operations, and a process for the review of license applications. See Attachment A for the draft proposed ordinance.

11. **Surrounding Land Uses and Setting:** Various
12. **Other Public Agencies Whose Approval is Required:** CalCannabis Cultivation Licensing
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?:**

No local Native American tribes have submitted requests to the County for consultation per PRC Section 21080.3.1. This particular Initial Study is focused upon the potential impacts of adoption of an ordinance and as such, there is no specific piece of land that is being considered for development. If in the future, an application to develop a specific piece of land is submitted to the County, then consultation, as required under PRC Section 21080.3.1 will occur at that time.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Significant Unless Mitigated” as indicated by the checklist on the following pages.

Aesthetics	Climate Change	Population/Housing
Agricultural/Forest Resources	Hazards/Hazardous Materials	Public Services
Air Quality	Hydrology/Water Quality	Recreation
Biological Resources	Land Use/Planning	Transportation/Traffic
Cultural Resources	Mineral Resources	Tribal Cultural Resources
Geology/Soils	Noise	Utilities/Service Systems
Mandatory Findings of Significance		

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. AESTHETICS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a. Have a significant adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?				X
<p>Discussion: The proposed ordinance will not authorize any new development by right. Existing greenhouse structures may be used for commercial cultivation of cannabis, subject to receipt of the required business license, but no new development activities would be permitted. The construction of new structures for cultivation (i.e. greenhouses) is still subject to existing permitting requirements, including discretionary Planning permits. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate permitting process at that time. Such a future permitting process will consider the impacts of the physical development of the parcel, including applicable design standards contained within the County Zoning Regulations and Local Coastal Plan, which are designed, in part, to protect scenic vistas and views from existing residential areas and public lands.</p> <p>Source: County of San Mateo, <i>Zoning Regulations</i>; County of San Mateo <i>Local Coastal Program</i></p>				
1.b. Significantly damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
<p>Discussion: See discussion under Question 1(a).</p> <p>Source:</p>				
1.c. Significantly degrade the existing visual character or quality of the site and its surroundings, including significant change in topography or ground surface relief features, and/or development on a ridgeline?				X
<p>Discussion: See discussion under Question 1(a). In addition, the proposed ordinance provides that individuals engaging in commercial cannabis cultivation must ensure that no cannabis or cannabis products can be seen by persons on adjacent properties or from the public right-of-way; that cannabis operations shall be screened from public view by native, fire resistant vegetation; and that fencing shall be consistent with the surrounding area and shall not diminish the visible quality of the premises where the cultivation occurs or the surrounding area. (5.148.130(g); 5.148.160(i).)</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				

1.d. Create a new source of significant light or glare that would adversely affect day or nighttime views in the area?				X
<p>Discussion: The proposed ordinance will not authorize or facilitate the construction of any new structures. Any future structural development that could potentially be used for commercial cultivation will be subject to the design review standards contained within the County's Local Coastal Plan, which include standards for outdoor lighting. Further, the proposed ordinance provides that all lighting shall be fully shielded, downward casting, and not spill over onto other structures, other properties, or the night sky; that all operations shall be fully contained so that little to no light escapes; and that light shall not escape at a level that is visible from neighboring properties or the public right of way between sunset to sunrise. (5.148.160(h).)</p> <p>Source: County of San Mateo <i>Local Coastal Program, Proposed Ordinance, Commercial Cultivation of Cannabis</i></p>				
1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?				X
<p>Discussion: Some existing or future structures that may be used for commercial cultivation under the proposed ordinance may be located within designated Scenic Corridors. However, all cultivation operations must occur within enclosed buildings, specifically within mixed-light greenhouses. The greenhouse structures used for cultivation of cannabis will be visually indistinguishable from those used for any other agricultural operation. As such, any new structural development associated with such operations will be reviewed under the same visual resources standards of the LCP as all other agricultural structures.</p> <p>Source: County of San Mateo, <i>Zoning Regulations</i>; County of San Mateo <i>Local Coastal Program</i></p>				
1.f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
<p>Discussion: See discussion under Question 1(a).</p> <p>Source:</p>				
1.g. Visually intrude into an area having natural scenic qualities?				X
<p>Discussion: See discussion under Question 1(e).</p> <p>Source:</p>				

<p>2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
<p>Discussion: State law (California Business and Professions Code Section 26069(a)) defines cannabis as an agricultural product. As a result, the commercial cultivation of cannabis under the proposed ordinance is considered an agricultural use.</p> <p>Source:</p>				
2.b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
<p>Discussion: As stated above, the cultivation of cannabis is considered an agricultural operation. Operations may be allowed on lands under a Williamson Act contract as long as they comply with the requirements of the County's Land Conservation Act Uniform Rules and Procedures.</p> <p>Source: County of San Mateo, <i>Zoning Regulations</i>; Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
2.c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
<p>Discussion: As discussed above, the cultivation of cannabis is defined as an agricultural operation by State law. The proposed ordinance will allow cannabis cultivation subject to a business license within existing greenhouse structures, which will not cause the conversion of any farmland or forestland. The proposed ordinance seeks to protect existing agricultural use by requiring that commercial cannabis cultivation not displace any non-cannabis commercial agricultural production existing as of January 1, 2017. Alternatively, a person seeking to engage in commercial cannabis</p>				

cultivation may offset a proposed cultivation site by relocating existing agricultural production to another area of the property on a 1:1 ratio, provided such relocation does not conflict with any applicable policy or regulation.

There is the potential that a future operation could propose to convert existing forestland to commercial cultivation operation by proposing the development of new greenhouses. However, no such proposal is before the County at this time. If such an application for development of a new greenhouse structure were submitted, then the ramifications of such conversion would be considered at that time.

Source: County of San Mateo, *Zoning Regulations*; Proposed Ordinance, *Commercial Cultivation of Cannabis*

2.d. For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
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Discussion: See discussion under Question 2(c).

Source:

2.e. Result in damage to soil capability or loss of agricultural land?				X
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Discussion: See discussion under Question 2(c).

Source:

2.f. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? <i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i>				X
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Discussion: See discussion under Question 2(c).

Source:

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
3.a. Conflict with or obstruct implementation of the applicable air quality plan?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses subject to a business license. There is no evidence at this time that such operations will emit hazardous emissions that will violate standards contained in the 2010 Bay Area Clean Air Plan. There is the potential that future construction of greenhouses for cultivation could generate dust and particulate emissions akin to any typical construction project. Construction of any new greenhouses would require discretionary permits pursuant to the County's existing land use regulations. If such proposals are submitted in the future, they will be evaluated under CEQA for impacts at that time. Further, the proposed ordinance requires the use of renewable energy sources and prohibits fossil-fuel generators except for portable temporary use in emergencies. (5.148.160(m).) It also requires that commercial cannabis operations include proper ventilation and odor control filtration. (5.148.130(f).)</p> <p>Source: Bay Area Air Quality Management District (BAAQMD), 2010. Bay Area 2010 Clean Air Plan. Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
3.b. Violate any air quality standard or contribute significantly to an existing or projected air quality violation?				X
<p>Discussion: See discussion under Question 3(a).</p> <p>Source:</p>				
3.c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
<p>Discussion: See discussion under Question 3(a).</p> <p>Source:</p>				
3.d. Expose sensitive receptors to significant pollutant concentrations, as defined by BAAQMD?				X
<p>Discussion: See discussion under Question 3(a).</p> <p>Source:</p>				

3.e. Create objectionable odors affecting a significant number of people?				X
Discussion: See discussion under Question 3(a).				
Source:				
3.f. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?				X
Discussion: See discussion under Question 3(a).				
Source:				

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a. Have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance does not authorize any new construction or modify any land use regulations. As a result, the proposed ordinance would not authorize any land disturbance that could result in any adverse impacts to sensitive habitats or species. Any impacts to biological resources due to the construction of any future greenhouse buildings that could potentially be used for cultivation will be subject to future discretionary review, including CEQA review.				
Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i>				
4.b. Have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
Discussion: See discussion under Question 4(a). Additionally, the proposed ordinance provides				

that runoff containing sediment or other waste or byproducts, including fertilizers and pesticides, shall not be allowed to drain to any storm drain system, waterways, or adjacent lands, and shall comply with all applicable state and federal laws, and that individuals must develop a plan for compliance before engaging in commercial cannabis cultivation. (5.148.160(j).) It also provides that individuals must provide a plan for storing, handling, and disposing of all waste by-products and, at a minimum, characterize the anticipated amount and types of waste generated, identify the designated holding area(s) for cannabis waste, and describe operational measures that are proposed to manage, track/identify, and dispose of cannabis waste in compliance with county and state standards. (5.148.160(q).)

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

4.c. Have a significant adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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Discussion: See discussion under Questions 4(a), 4(b).

Source:

4.d. Interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
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Discussion: See discussion under Questions 4(a), 4(b).

Source:

4.e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X
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Discussion: See discussion under Questions 4(a), 4(b).

Source:

4.f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?				X
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Discussion: See discussion under Questions 4(a), 4(b).

Source:

4.g. Be located inside or within 200 feet of a marine or wildlife reserve?				X
Discussion: See discussion under Question 4(a).				
Source:				
4.h. Result in loss of oak woodlands or other non-timber woodlands?				X
Discussion: See discussion under Question 4(a).				
Source:				

5. CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a. Cause a significant adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed buildings (mixed-light greenhouses). Adoption of the proposed ordinance amendment does not authorize any new construction. Adoption of the proposed ordinance does not automatically authorize any adverse impacts to cultural or historic resources. Any potential impacts upon cultural or historic resources due to the construction of any future greenhouse buildings that could potentially be used for cultivation will be analyzed at that time for that specific project.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
5.b. Cause a significant adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?				X
<p>Discussion: See discussion under Question 5(a).</p> <p>Source:</p>				
5.c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
<p>Discussion: See discussion under Question 5(a).</p> <p>Source:</p>				

5.d. Disturb any human remains, including those interred outside of formal cemeteries?				X
Discussion: See discussion under Question 5(a).				
Source:				

6. GEOLOGY AND SOILS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6.a. Expose people or structures to potential significant adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				X
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>				X
Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed buildings (mixed-light greenhouses). Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or affecting geologic resources/hazards will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.				
Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i>				
ii. Strong seismic ground shaking?				X
Discussion: See discussion under Question 6(a)(i).				
Source:				
iii. Seismic-related ground failure, including liquefaction and differential settling?				X
Discussion: See discussion under Question 6(a)(i).				

Source:				
iv. Landslides?				X
Discussion: See discussion under Question 6(a)(i).				
Source:				
v. Coastal cliff/bluff instability or erosion? <i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).</i>				X
Discussion: See discussion under Question 6(a)(i).				
Source:				
6.b. Result in significant soil erosion or the loss of topsoil?				X
Discussion: See discussion under Question 6(a)(i).				
Source:				
6.c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				X
Discussion: See discussion under Question 6(a)(i).				
Source:				
6.d. Be located on expansive soil, as noted in the 2010 California Building Code, creating significant risks to life or property?				X
Discussion: See discussion under Question 6(a)(i).				
Source:				
6.e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
Discussion: See discussion under Question 6(a)(i).				
Source:				

7. CLIMATE CHANGE. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction, and there is no evidence that the introduction of cannabis cultivation to existing greenhouses will significantly alter GHG generation from other agricultural uses. The construction of new greenhouses in the County will require future discretionary review, and is not permitted by right under the proposed ordinance. The generation of significant levels of GHG gasses due to the construction of any future greenhouse buildings will be analyzed at that time for that specific project using applicable standards.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
7.b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
<p>Discussion: See discussion under Question 7(a).</p> <p>Source:</p>				
7.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p>Discussion: See discussion under Question 7(a).</p> <p>Source:</p>				
7.d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or near coastal cliffs/bluffs will be analyzed at</p>				

the time that a specific project is proposed on a specific piece of land using applicable standards. Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i>				
7.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
Discussion: See discussion under Question 7(d). Source:				
7.f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within a mapped flood hazard area will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards. Source:				
7.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
Discussion: See discussion under Question 7(f). Source:				

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
8.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. The County's proposed ordinance does not require that this plant be grown organically. Therefore it is possible that individual growers will utilize commercial pesticides and/or herbicides as with other agricultural				

crops. The transportation, storage and use of commercial pesticides and herbicides is regulated by the State and overseen by the County Agricultural Commissioner. Hazardous materials (toxic substances or radioactive material) are regulated by the State and overseen by the County Environmental Health Director. Further, the proposed ordinance expressly requires growers who utilize hazardous materials to comply with all applicable county and state hazardous materials requirements (Sect. 5.148.160(p)). Additionally, the proposed ordinance provides that runoff containing sediment or other waste or byproducts, including fertilizers and pesticides, shall not be allowed to drain to a storm drain system, waterways, or adjacent lands, and shall comply with all applicable state and federal laws, and that individuals must develop a plan for compliance before engaging in commercial cannabis cultivation (Sect. 5.148.160(j)). It also provides that individuals must provide a plan for storing, handling, and disposing of all waste by products and, at minimum, characterize the anticipated amount and types of waste generated, identify the designated holding area(s) for cannabis waste, and describe operational measures that are proposed to manage, track/identify, and dispose of cannabis waste in compliance with county and state standards. (Sect. 5.148.160(q)). There is no evidence to suggest at this time that adoption of the ordinance will result in improper handling of such substances.

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

8.b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
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Discussion: See discussion under Question 8(a).

Source:

8.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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Discussion: In addition to the discussion under Question 8(a), this question is predicated upon activities/development occurring on a known, specific location. At the present time, it not known on a parcel by parcel basis where commercial growers will seek to establish growing operations. The proposed ordinance does require all commercial cultivation operations to be a minimum of 1,000 feet from all schools. In addition, as described under Question 8(a), any hazardous materials used for cultivation operations would be subject to regulatory oversight.

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

8.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
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Discussion: See discussion under Question 8(a) and (c).

Source:					
8.e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within two miles of an airport will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>					
8.f.	For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
<p>Discussion: See discussion under Question 8(e).</p> <p>Source:</p>					
8.g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed mixed-light greenhouses. There is no evidence to conclude that implementation of the proposed ordinance will impair an adopted emergency response or evacuation plan.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>					
8.h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within a mapped wildland fire hazard area will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source:</p>					

8.i.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
Discussion: See discussion under Question 7(f).					
Source:					
8.j.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
Discussion: See discussion under Question 7(f).					
Source:					
8.k.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
Discussion: See discussion under Question 7(f).					
Source:					
8.l.	Inundation by seiche, tsunami, or mudflow?				X
Discussion: See discussion under Question 7(f).					
Source:					

9. HYDROLOGY AND WATER QUALITY. Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a.	Violate any water quality standards or waste discharge requirements (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?			X	
Discussion: This category of impact is both project and site specific. The proposed ordinance includes requirements for compliance with the Waste Discharge Requirements of the Regional					

<p>Water Quality Control Board (see Section 5.148.160(k) of the attached draft ordinance). This section of the draft ordinance requires submittal of a wastewater treatment plan as part of the application process. Said plan will be reviewed by the County Environmental Health Department for compliance with applicable State and Local regulations. The plan must show how excess irrigation water or effluent from cultivation areas shall be directed to a treatment and distribution system, irrigation, greywater or bio-retention treatment system. Implementation of this requirement will reduce potential impacts due to wastewater treatment to a less than significant level.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>					
9.b.	Significantly deplete groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
<p>Discussion: This category of impact is both project and site specific. As discussed previously, the commercial cultivation of cannabis is an agricultural operation. This category of impact is project specific. Section 5.148.160(r) of the proposed ordinance requires all applicants to identify a water source “adequate to meet all cultivation uses on a sustainable basis”. The proposed water supply must be from a well or other source that has been legally permitted by the County. Implementation of this requirement will reduce potential impacts due to increases in stormwater runoff to a less than significant level.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>					
9.c.	Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in significant erosion or siltation on- or off-site?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential alteration of existing drainage patterns due to construction of new or alteration of existing greenhouses will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>					
9.d.	Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or significantly increase the rate or amount of surface runoff in a manner that would result in flooding on-				X

or off-site?				
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any change in the amount of surface runoff due to construction of new or alteration of existing greenhouses will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
9.e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?				X
<p>Discussion: See discussion under Questions 9(c) and 9(d).</p> <p>Source:</p>				
9.f. Significantly degrade surface or ground-water water quality?				X
<p>Discussion: See discussion under Questions 9(c) and 9(d).</p> <p>Source:</p>				
9.g. Result in increased impervious surfaces and associated increased runoff?				X
<p>Discussion: See discussion under Questions 9(c) and 9(d).</p> <p>Source:</p>				

10. LAND USE AND PLANNING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a. Physically divide an established community?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. That being said, all lands on which the proposed ordinance is applicable are located outside of established communities within San Mateo County.</p> <p>Source: Proposed Ordinance, San Mateo County <i>General Plan Land Use Map</i></p>				

10.b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
<p>Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Indeed, the proposed ordinance requires all individuals seeking to engage in commercial cannabis cultivation to provide evidence that the proposed operation meets all state and county land use and zoning requirements. (Sect. 5.148.060(b)(10). There is no evidence that the ordinance will directly result in significant environmental impacts or will conflict with adopted plans or policies. Potential impacts caused by the development of vacant land with greenhouses will be examined if and when such projects are proposed and considered using applicable standards.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
10.c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: See discussion under Question 10(c)</p> <p>Source:</p>				
10.d. Result in the congregating of more than 50 people on a regular basis?			X	
<p>Discussion: Because neither the State nor the County's regulations for commercial cultivation have gone into effect, no actual proposals have been submitted at this time. Therefore, it is not known whether a commercial operation will result in the congregating of 50 or more employees on a regular basis. However, performance standards included in the proposed ordinance require any potential growing operation to comply with workplace safety standards, parking requirements, etc.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
10.e. Result in the introduction of activities not currently found within the community?				X
<p>Discussion: Commercial cultivation of cannabis for recreational purposes has, up to this point in time, not been legal. The adoption of new regulations at the State and Local level has introduced a new crop. However, State law recognizes cannabis as an agricultural product. And San Mateo County has an established agricultural greenhouse industry producing a wide variety of greenhouse crops. The proposed ordinance restricts cannabis cultivation to enclosed greenhouse structures. In addition, commercial cannabis cultivation is limited to the designated agricultural areas of the County.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
10.f. Serve to encourage off-site development of presently undeveloped areas or			X	

increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				
<p>Discussion: While it is possible that adoption of the proposed ordinance could lead to the development of new greenhouses on currently undeveloped agricultural land, development of a greenhouse complex on a vacant piece of agricultural land would be subject to an extensive review, permitting and mitigation process and could be extremely expensive depending upon the amount of improvements necessary to build the greenhouses (construction of roads, septic system, site grading/preparation, etc.). This also assumes that a potential development site has an adequate water source for irrigation, fire suppression and domestic consumption. Given development standards and these uncertainties, it would be speculative to assume that adoption of the proposed ordinance will lead to a significant increase in the development of greenhouse complexes within the County.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
10.g. Create a significant new demand for housing?			X	
<p>Discussion: While it is hoped that permitting the commercial cultivation of cannabis will lead to job creation, it is not anticipated that the number of potential jobs created in San Mateo County will result in a significant new demand for housing, above and beyond that demand which already exists.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				

11. MINERAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. In cases where a cultivation business is proposed within existing greenhouses, any impact to known mineral resources occurred when those buildings were originally constructed. Potential impacts upon mineral resources caused by the development of vacant land with new greenhouses will be examined if and when such projects are proposed.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
11.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local				X

general plan, specific plan or other land use plan?				
Discussion: See discussion under Question 11(a).				
Source:				

12. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
<p>Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Greenhouses typically use fans to pull outside air into the building and circulate it, which does generate noise. The proposed ordinance clearly states that these commercial operations are subject to the County's noise regulations which does not exempt stationary noise sources associated with agriculture. Therefore, if the operation of a greenhouse air circulation system were to violate the noise standards contained in the County noise regulations, it would be subject to code enforcement action just as any other noise violation would. That being said, there are numerous greenhouses within the County with such air circulation systems. To the best of staff's knowledge, noise complaints associated with these buildings have been minimal. Also, as discussed previously any noise impacts that could be associated with the construction or use of new greenhouses for cultivation will be analyzed at the time such projects are proposed.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
12.b. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
<p>Discussion: See discussion under Question 12(a).</p> <p>Source:</p>				
12.c. A significant permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p>Discussion: See discussion under Question 12(a).</p> <p>Source:</p>				

12.d. A significant temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
Discussion: See discussion under Question 12(a).				
Source:				
12.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within two miles of an airport will be analyzed at the time that a specific project is proposed on a specific piece of land.				
Source:				
12.f. For a project within the vicinity of a private airstrip, exposure to people residing or working in the project area to excessive noise levels?				X
Discussion: See discussion under Question 12(e).				
Source:				

13. POPULATION AND HOUSING. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Induce significant population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
Discussion: See discussion under Question 10(g).				
Source:				

13.b. Displace existing housing (including low- or moderate-income housing), in an area that is substantially deficient in housing, necessitating the construction of replacement housing elsewhere?				X
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Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. As discussed previously, commercial cultivation will only be allowed on land designated as “Agriculture” on the San Mateo County General Plan Land Use map, or on land that has a documented history of agriculture. Proposed cultivation within existing greenhouses will by definition, not displace existing housing. New greenhouse construction will not displace existing housing because the proposed ordinance requires all commercial cultivation operations to be a minimum of 300 feet from an existing residence.

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

14. PUBLIC SERVICES. Would the project result in significant adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Fire protection?			X	
14.b. Police protection?			X	
14.c. Schools?				X
14.d. Parks?				X
14.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction and substantially limits the size and number of cannabis cultivation operations on a site. While the construction of new greenhouses could potentially trigger the need for additional fire and police services, the likelihood is that new greenhouses will be scattered throughout the agricultural area of the County, making the possibility of needing additional facilities (due to the concentration of development) unlikely. The proposed ordinance includes detailed surveillance and alarm-system requirements, and requires all individuals seeking to engage in commercial cannabis cultivation to prepare and implement a fire prevention plan, which must, at a minimum, include emergency vehicle access and turn-around at the site,

vegetation management, and fire break maintenance around all structures. (Sect. 5.148.130(d) and (e); Sect. 5.148.160(g)). The proposed ordinance also requires inspections by the Sheriff's Office and applicable fire protection district. (Sect. 5.148.060(b)(12); Sect. 5.148.160(i)). Finally, the proposed ordinance includes a 1000-foot set-back from all schools, youth centers, and parks. (Sect. 5.148.160(d)).

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

15. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction. As was discussed previously, it is not anticipated that allowing commercial cultivation will result in a significant increase in the number of workers and/or residents who are working within this segment of the agricultural workforce.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
15.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p>Discussion: See discussion under Question 15(a).</p> <p>Source:</p>				

16. TRANSPORTATION/TRAFFIC. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and			X	

relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. Adoption of the proposed ordinance amendment does not authorize any new construction and substantially limits on the size and number of cannabis cultivation operations on a site. As has been discussed previously, there is no evidence to suggest that the establishment of commercial cultivation within the agricultural areas of the County will generate significant new levels of traffic above what exists at the present time.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
16.b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?				X
<p>Discussion: See discussion under Question 16(a).</p> <p>Source:</p>				
16.c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in significant safety risks?				X
<p>Discussion: The proposed ordinance is related to agricultural operations. There is no evidence to suggest that adoption of the ordinance will impact air traffic patterns in any way.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
16.d. Significantly increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
<p>Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. This category of impact is both site and project specific. No permit applications for commercial cultivation have been submitted yet, though circumstances dictate successful applications would be limited to an already existing greenhouse structure. The policy does not authorize the construction of new greenhouses, and potential impacts caused by the development of vacant land with greenhouses will be examined if and when such projects are proposed.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
16.e. Result in inadequate emergency access?				X

Discussion: See discussion under Question 16(e).				
Source:				
16.f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
Discussion: See discussion under Question 16(e).				
Source:				
16.g. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?				X
Discussion: See discussion under Question 16(e).				
Source:				
16.h. Result in inadequate parking capacity?				X
Discussion: See discussion under Question 16(e).				
Source:				

17. TRIBAL CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)				X
Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural				

operation that, under the proposed ordinance, can only occur within enclosed greenhouses. This category of impact is both site and project specific. No permit applications for commercial cultivation have been submitted yet. Potential impacts caused by the development of vacant land with greenhouses will be examined if and when such projects are proposed.

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

<p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)</p>				<p>X</p>
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Discussion: See discussion under Question 17(a)(ii).

Source:

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>18.a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</p>			<p>X</p>	

Discussion: The proposed ordinance includes requirements for compliance with the Waste Discharge Requirements of the Regional Water Quality Control Board (see Section 5.148.160(k) of the attached draft Ordinance). This section of the draft ordinance requires submittal of a wastewater treatment plan as part of the application process. Said plan will be reviewed by the County Environmental Health Department for compliance with applicable State and Local regulations. The plan must show how excess irrigation water or effluent from cultivation areas shall be directed to a treatment and distribution system, irrigation, greywater or bio-retention treatment system. Implementation of this requirement will reduce potential impacts due to wastewater treatment to a less than significant level.

Source: Proposed Ordinance, *Commercial Cultivation of Cannabis*

<p>18.b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</p>			<p>X</p>	
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Discussion: See discussion under Question 18(a).				
Source:				
18.c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation that, under the proposed ordinance, can only occur within enclosed greenhouses. This category of impact is project specific. No permit applications for commercial cultivation have been submitted yet. Potential impacts caused by the development of vacant land with greenhouses will be examined if and when such projects are proposed. That being the case, Section 5.148.160(j) of the proposed Ordinance requires the submittal of a stormwater management plan for any new construction. Implementation of this requirement will reduce potential impacts due to increases in stormwater runoff to a less than significant level.				
Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i>				
18.d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation. This category of impact is project specific. No permit applications for commercial cultivation have been submitted yet. Section 5.148.160(r) of the proposed Ordinance requires all applicants to identify a water source “adequate to meet all cultivation uses on a sustainable basis”. The proposed water supply must be from a well or other source that has been legally permitted by the County. Implementation of this requirement will reduce potential impacts due to increases in stormwater runoff to a less than significant level.				
Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i>				
18.e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?			X	
Discussion: This category of impact is both site and project specific. No permit applications for commercial cultivation have been submitted yet. Most areas designated as “Agriculture” or that have been used for agriculture over the last three years tend to be outside of the boundaries of the County’s various sewer districts. However, for those few areas that do fall within district boundaries, the individual sewer district’s ability to provide service will be assessed at the time an application is				

submitted.				
Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i>				
18.f. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
<p>Discussion: At the present time, the County's landfill (Ox Mountain Landfill) still has capacity to serve the County's residents and businesses. As with all businesses and residences in the County, any potential cultivation business would be required to recycle and compost organic waste as much as possible. The county policy substantially limits on the size and number of cannabis cultivation operations on a site so it is not anticipated that these potential cultivation businesses will generate such a significant increase in solid waste that they overwhelm Ox Mountain's current capacity.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
18.g. Comply with Federal, State, and local statutes and regulations related to solid waste?			X	
<p>Discussion: See discussion under Question 18(f).</p> <p>Source:</p>				
18.h. Be sited, oriented, and/or designed to minimize energy consumption, including transportation energy; incorporate water conservation and solid waste reduction measures; and incorporate solar or other alternative energy sources?				X
<p>Discussion: This category of impact is both site and project specific. No permit applications for commercial cultivation have been submitted yet. Section 5.148.160(r) of the proposed Ordinance requires required water conservation measures as part of the facility operations plan. Compliance with other measures such as incorporation of solar energy will be analyzed at the time an applicant for new development is submitted.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				
18.i. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?				X
<p>Discussion: As discussed previously, the commercial cultivation of cannabis is an agricultural operation. This category of impact is project specific. No permit applications for commercial cultivation have been submitted yet and the county policy substantially limits on the size and number of cannabis operations on a site. There is no evidence to suggest that the proposed ordinance, in and of itself, will result in such an increase in demand as to cause any public facilities or utilities within the County to exceed their capacity.</p> <p>Source: Proposed Ordinance, <i>Commercial Cultivation of Cannabis</i></p>				

19. MANDATORY FINDINGS OF SIGNIFICANCE.				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
19.a. Does the project have the potential to degrade the quality of the environment, significantly reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
<p>Discussion: The proposed ordinance has been written to include a number of application submittals intended to address the impacts of development of raw land as well as the reuse of existing greenhouses for commercial cultivation. With these requirements in place, it is not anticipated that the licensing of commercial cultivation operations will have a significant impact upon the environment.</p> <p>Source:</p>				
19.b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
<p>Discussion: See discussion under Question 19(b).</p> <p>Source:</p>				
19.c. Does the project have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly?				X
<p>Discussion: See discussion under Question 19(b).</p> <p>Source:</p>				

RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	
City		X	
Sewer/Water District:		X	
Other:			

MITIGATION MEASURES		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.		X
Other mitigation measures are needed.		X
The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:		

DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

 X I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



(Signature)

10/18/17

Date

SENIOR PLANNER

(Title)

Attachment A: Proposed Ordinance, *Commercial Cultivation of Cannabis*