



State CEQA Guidelines § 15168(c)(4) Checklist for Commercial Cannabis Land Use Entitlement and Licensing Applications

A. Purpose

On February 6, 2018, the Santa Barbara County Board of Supervisors certified a programmatic environmental impact report (PEIR) that analyzed the environmental impacts of the Cannabis Land Use Ordinance and Licensing Program (Program). The PEIR was prepared in accordance with the State CEQA Guidelines (§ 15168) and evaluated the Program's impacts with regard to the following environmental resources and subjects:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Transportation and Traffic
- Utilities and Energy Conservation
- Population, Employment, and Housing

The PEIR evaluated the direct and indirect impacts, as well as the project-specific and cumulative impacts, that would result from the implementation of the Program. The PEIR identified a number of significant impacts and set forth feasible mitigation measures that were included as development standards and requirements in the land use and licensing ordinances, which are applied to site-specific land use entitlement and business licensing applications for commercial cannabis operations authorized under the Program.

The following checklist was prepared pursuant to the State CEQA Guidelines (§ 15168(c)(4)) to document the evaluation of the sites and activities that are the subject of land use entitlement and business licensing applications for commercial cannabis operations authorized under the Program, in order to determine whether the environmental effects of proposed commercial cannabis operations are within the scope of the PEIR.

B. Project Description

Please provide the following project information.

1. Land Use Entitlement Case Number(s): 18LUP-00000-00351/19APL-00000-00032
2. Business Licensing Ordinance Case Number(s): _____

3. Project Applicant(s): Vahagn Nahabedian
4. Property Owner(s): Sebastian Sterpa
5. Project Site Location and Tax Assessor Parcel Number(s): 7680 HWY 246, Buellton; APN: 099-230-012

6. Project Description: Santa Rita Valley Ag., Inc., the Applicant, requests a Land Use Permit (LUP) to allow 32 acres of outdoor cannabis cultivation. Processing of cannabis will take place at another off-site licensed facility. The application involves permitting a new fuel storage tank for a tractor and a new eight-foot chain link security fence encompassing the cultivation area. The Applicant is proposing to remove an existing barbed wire fence and to install a four-foot, redwood colored post rail fence to extend the length of the north side of the property along Highway 246 and on both sides of the driveway. Proposed landscaping will consist of adding a minimum of six coast live oaks (*Quercus agrifolia*), 19 olive trees (*Olea europaea*), and lavender (*Lavandula*) along Highway 246, and eight olive trees (*Olea europaea*) and lavender along the western property line. In addition, grapevines (*Vitis*) are proposed to be planted in front of the proposed chain link security fence along Highway 246 and along the western property line to mask the security fence. There will be four motion-sensor, hooded light fixtures mounted 12 feet high near the entry gate for security purposes. There is an existing 483 square-foot agricultural tool shed, a 1,180 square-foot single-family dwelling, and a 2,200 square-foot barn (for storage) onsite that will be affiliated with the cannabis operation. The single-family dwelling and barn pre-date County permit requirements (constructed before 1958). The agricultural tool shed will be permitted through the requested LUP. No grading or tree removal is proposed.

There will be 4-5 regular employees and 40-50 employees during harvest periods (two harvest periods per year, each lasting roughly three weeks). In addition to the agricultural workers, there will be 2-3 security personnel to monitor the property. The hours of operations will be from 6:00 a.m. to 6:00 p.m. from Monday through Saturday for all employees. The security personnel will work 24 hours a day, 7 days a week, for approximately two months prior to harvest and during harvest. The parcel is served by a private well and private septic system. The regular employees will use a bathroom in the existing single-family dwelling which will be part of the cannabis operation, and the Applicant will provide portable toilets for seasonal employees (during harvest periods). The Santa Barbara County Fire Department will continue to serve the site. Access will continue to be provided off of Highway 246. The property is a 42.5-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 099-230-012, located at 7680 West Highway 246, Buellton, Third Supervisorial District.

C. PEIR Mitigation Measures/Requirements for Commercial Cannabis Operations

The following table lists the specific mitigation measures set forth in the PEIR and questions to determine if the proposed commercial cannabis operation requires the preparation of a subsequent environmental impact report or negative declaration. Please answer all questions set forth in the following table; Planning and Development Department (P&D) staff complete § C.1 and County Executive Office (CEO) staff complete § C.2. If a question does not apply to the proposed cannabis operation, please check the corresponding "N/A" box.

C.1 Mitigation Measures/Requirements for P&D Staff Review

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Aesthetics and Visual Resources		
MM AV-1. Screening Requirements	LUDC § 35.42.075.C.3	Is the proposed cannabis operation visible from a public viewing location? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Article II § 35-144U.C.3	If so, does the proposed project include implementation of the required landscape and screening plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Agricultural Resources		
MM AG-1. Cannabis Cultivation Prerequisite Ancillary Use Licenses	LUDC §§ 35.42.075.D.3 and -4	Does the proposed project include ancillary cannabis uses (e.g., manufacturing of cannabis products)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Article II § 35-144U.C.2.a and -3.a	If the proposed project includes ancillary cannabis uses, does the proposed project comply with the minimum cultivation requirements to allow ancillary cannabis uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
MM AG-2. New Structure Avoidance of Prime Soils	LUDC § 35.42.075.D.1.b	Does the proposed project site have prime soils located on it? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Article II § 35-144U.C.1.b	Does the proposed project involve structural development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If the proposed project involves structural development, are the structures sited and designed to avoid prime soils? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Air Quality and Greenhouse Gas Emissions		
MM AQ-3. Cannabis Site Transportation Demand Management	LUDC § 35.42.075.D.1.j	Does the proposed project include cannabis cultivation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Article II § 35-144U.1.j	If so, does the project include implementation of the required Transportation Demand Management Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
MM AQ-5. Odor Abatement Plan	LUDC § 35.42.075.C.6	<i>This mitigation measure/requirement does not apply to projects in the AG-II zone, unless a Conditional Use Permit is required for the proposed commercial cannabis operation.</i>
	Article II § 35-144U.C.6	Does the proposed project include cannabis cultivation, a nursery, manufacturing, microbusiness, and/or distribution? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, does the project include implementation of the

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		required odor abatement plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Biological Resources		
MM BIO-1a. Tree Protection Plan	LUDC § 35.42.075.C.8 and Appendix J	Does the proposed project involve development within proximity to, alteration of, or the removal of, a native tree? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Article II § 35-144.C.8 and Appendix G	If so, does the project include implementation of the required tree protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
MM BIO-1b. Habitat Protection Plan	LUDC § 35.42.075.C.8 and Appendix J	<i>Inland.</i> Will the project result in the removal of native vegetation or other vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A If so, does the project include implementation of the required habitat protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
	Article II § 35-144.C.8 and Appendix G	<i>Coastal.</i> Does the project involve development within environmentally sensitive habitat (ESH) and/or ESH buffers? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If so, does the project include implementation of the required habitat protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
MM HWR-1a. Cannabis Waste Discharge Requirements Draft General Order	LUDC § 35.42.075.D.1.d	Does the proposed project involve cannabis cultivation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Article II § 35-144U.C.1.d	If so, did the applicant submit documentation from the State Water Resources Control Board demonstrating compliance with the comprehensive Cannabis Cultivation Policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
MM BIO-3. Wildlife Movement Plan	LUDC § 35.42.075.C.8 and Appendix J	Is the proposed project site located in or near a wildlife movement area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Article II § 35-144.C.8 and Appendix G	If so, does the project include implementation of the required wildlife movement plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Cultural Resources		
MM CR-1. Preservation	LUDC § 35.42.075.C.1	Does the proposed project involve development within an area that has the potential for cultural

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
MM CR-2. Archaeological and Paleontological Surveys	Article II §§ 35-144U.C.1 and 35-65	resources to be located within it? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If so, was a Phase I cultural study prepared? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If so, did the Phase I cultural study require a Phase II cultural study? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A If so, does the project involve implementation of cultural resource preservation measures set forth in the Phase II cultural study? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Hazards and Hazardous Materials		
MM HAZ-3. Volatile Manufacturing Employee Training Plan	LUDC § 35.42.075.D.4.c	Does the proposed project involve volatile manufacturing of cannabis products? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Article II § 35-144U.C.3.c	If so, does the project involve implementation of the required Volatile Manufacturing Employee Training Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Hydrology and Water Quality Impacts		
MM HWR-1. Cannabis Waste Discharge Requirements General Order	<i>See the Biological Resources items, above.</i>	
MM BIO-1b. Cannabis Waste Discharge Requirements General Order	<i>See the Biological Resources items, above.</i>	
Land Use Impacts		
MM LU-1. Public Lands Restriction	LUDC § 35.42.075.D.1.h	Does the proposed project involve cannabis cultivation on public lands? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Article II § 35-144U.C.1.h	
MM AQ-3. Cannabis Site Transportation Demand Management	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
MM AQ-5. Odor Abatement Plan	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
MM TRA-1. Payment of Transportation Impact Fees	County Ordinance No. 4270	Is the proposed project subject to the countywide, Goleta, or Orcutt development impact fee ordinance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, did the applicant pay the requisite fee? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Compliance with Comprehensive Plan Environmental Resource Protection Policies	LUDC § 35.10.020.B	<i>All cannabis applications.</i> Does the proposed project comply with all applicable environmental resource protection policies set forth in the Comprehensive Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	CLUP Chapter 3, § 3.1 and Policy 1-4	<i>Coastal cannabis applications.</i> Does the proposed project comply with all applicable coastal resources protection policies set forth in the Coastal Land Use Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Noise		
MM AQ-3. Cannabis Site Transportation Demand Management	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
Transportation and Traffic		
MM AQ-3. Cannabis Site Transportation Demand Management	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
MM TRA-1. Payment of Transportation Impact Fees	<i>See the Land Use Impacts items, above.</i>	
Unusual Project Site Characteristics and Development Activities		
Activities and Impacts within the Scope of the Program/PEIR	State CEQA Guidelines § 15168(c)(1)	<p>Does the proposed project involve a project site with sensitive or unusual environmental characteristics, or require unusual development activities, which will result in a significant environmental impact that was not evaluated in the PEIR? Examples of unusual environmental characteristics or development activities which might cause a significant environmental impact include, but are not limited to:</p> <ul style="list-style-type: none"> • construction of a bridge across a riparian corridor that supports listed species protected under the Federal or California endangered species acts, in order to gain access to a project site; • structural development that cannot be screened from a public viewing location pursuant to the requirements of PEIR mitigation measure MM AV-1 (Screening Requirements); or • development activities that will have a significant impact on cultural resources, which cannot be mitigated to a less-than-significant level pursuant to the County's <i>Environmental Thresholds and Guidelines Manual</i> (March 2018).

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – See Attachment 1 for additional information.

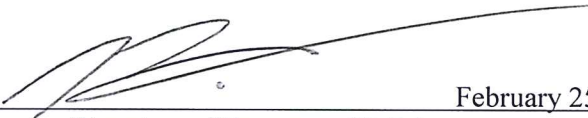
LUDC = Land Use and Development Code; Chapter 35, Article 35.1 et seq., of the Santa Barbara County Code
 Article II = Coastal Zoning Ordinance; Chapter 35, Article II, § 35-50 et seq., of the Santa Barbara County Code
 CLUP = Santa Barbara County Coastal Land Use Plan
 State CEQA Guidelines = California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.

C.1.1 Environmental Document Determination

Check the appropriate box below, based on the responses to the questions and requests for information set forth in the checklist in § C.1 (above), Attachment 1 to this checklist, and pursuant to the requirements set forth in State CEQA Guidelines §§ 15162 and 15168.

- All of the environmental impacts of the proposed commercial cannabis operation are within the scope of the PEIR, and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.
- The proposed commercial cannabis operation will have environmental effects that were not examined in the PEIR, and an initial study must be prepared to determine whether a subsequent environmental impact report or negative declaration must be prepared.

Nereyda (Rey) Harmon
 Name of Preparer of § C.1


 Signature of Preparer of § C.1

February 25, 2020
 Date

C.2 Mitigation Measures/Requirements for CEO Staff Review

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Air Quality and Greenhouse Gas Emissions		
MM UE-2a. Energy Conservation Best Management Practices	BLO § 50-10(b)	Does the proposed project include the implementation of the required energy conservation plan? <input type="checkbox"/> Yes <input type="checkbox"/> No
MM UE-2b. Participation in a Renewable Energy Choice Program	BLO § 50-10(b)2.ii	Does the proposed project include participation in a renewable energy choice program to meet the applicable energy reduction goals for the proposed project? <input type="checkbox"/> Yes <input type="checkbox"/> No
MM UE-2c. Plan review by the County Green Building Committee	BLO § 50-10(b)2.iii.K	Did the County Green Building Committee review the proposed project? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If so, does the proposed project conform to the recommendations of the County Green Building Committee? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Utilities and Energy Conservation		
MM UE-2a. Energy Conservation Best Management Practices	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
MM UE-2b. Participation in a Renewable Energy Program	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
MM UE-2c. Licensing by the County Green Building Committee	<i>See the Air Quality and Greenhouse Gas Emissions items, above.</i>	
Unusual Project Site Characteristics and Development Activities		
Activities and Impacts within the Scope of the Program/PEIR	State CEQA Guidelines § 15168(c)(1)	Does the proposed project involve a project site with sensitive or unusual environmental characteristics, or require unusual development activities, which will result in a significant environmental impact that was not evaluated in the PEIR? Examples of unusual environmental characteristics or development activities which might cause a significant environmental impact include, but are not limited to: <ul style="list-style-type: none"> • construction of a bridge across a riparian corridor that supports listed species protected under the Federal or California endangered species acts, in order to gain access to a project site; • structural development that cannot be

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		screened from a public viewing location pursuant to the requirements of PEIR mitigation measure MM AV-1 (Screening Requirements); or <ul style="list-style-type: none"> • development activities that will have a significant impact on cultural resources, which cannot be mitigated to a less-than-significant level pursuant to the County's <i>Environmental Thresholds and Guidelines Manual</i> (March 2018). <input type="checkbox"/> Yes <input type="checkbox"/> No

* BLO = Commercial Cannabis Business Licensing Ordinance; Chapter 50, § 50-1 et seq., of the Santa Barbara County Code
 State CEQA Guidelines = California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.

C.2.1 Environmental Document Determination

Check the appropriate box below, based on the responses to the questions and requests for information set forth in the checklist in § C.2, above, and pursuant to the requirements set forth in State CEQA Guidelines §§ 15162 and 15168.

- All of the environmental impacts of the proposed commercial cannabis operation are within the scope of the PEIR, and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.
- The proposed commercial cannabis operation will have environmental effects that were not examined in the PEIR, and an initial study must be prepared to determine whether a subsequent environmental impact report or negative declaration must be prepared.

 Name of Preparer of § C.2

 Signature of Preparer of § C.2

 Date

Attachment 1 – Additional Information for Cannabis Activity CEQA Environmental Determination

Attachment 1 –

Additional Information for the Proposed Cannabis Activity CEQA Environmental Determination

The following provides additional analysis of the environmental impacts associated with the proposed Santa Rita Valley Ag., Inc., Cannabis Cultivation (Outdoor) Project (Proposed Project), pursuant to the requirements of the State CEQA Guidelines §§ 15168(c) and 15162. The State CEQA Guidelines §§ 15168(c)(1) and -(2) state:

(1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.

(2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.

The requirements of the State CEQA Guidelines § 15162 are set forth below along with an analysis of the Proposed Project with regard to these requirements. The following analysis supplements the information set forth in the Program Environmental Impact Report (PEIR) for the Cannabis Land Use Ordinance and Licensing Program (Program), State CEQA Guidelines § 15168 checklist prepared for the Proposed Project, and other documents in the administrative record regarding the Proposed Project (e.g., Land Use Permit application).

State CEQA Guidelines § 15162

State CEQA Guidelines § 15162 states that when a lead agency has prepared an EIR for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that certain conditions exist. The specific conditions that warrant the preparation of a subsequent EIR are set forth below, with an analysis of the proposed project immediately following the respective condition.

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR...due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The Proposed Project includes a request for a commercial cannabis cultivation activity that was anticipated and evaluated in the PEIR. The proposed project site is zoned AG-II-100 (Agriculture II, 100 acre minimum lot size) which is one of the zones in which outdoor cultivation activities was evaluated in the PEIR (PEIR pages 2-33 and 2-36, Table 2-5). Furthermore, the Santa Ynez Valley in which the Proposed Project site is located was one of five regions identified in the PEIR for organizing the data and analyzing the environmental impacts of the Program; the PEIR considered the existing development, physical features, regulatory environment, and unique atmospheric conditions of the Santa Ynez Valley (e.g., temperature inversions that can affect the dispersion of air emissions and odors) when evaluating the impacts of the Program (Ibid, Chapter 2 especially page 2-5, and page 3.3-1, Section 3.3.2.1). Therefore, the Proposed Project will not result in a change in the type or location of commercial cannabis activities that were evaluated in the PEIR.

Currently, there are approximately 23 land use entitlement applications (including the subject application for a LUP) involving proposed or permitted cannabis activities located generally west of the City of Buellton and near State Route 246 (Santa Barbara County Interactive Map for Cannabis, available at <https://sbcopad.maps.arcgis.com/apps/webappviewer/index.html?id=f287d128ab684ba4a87f1b9cff438f91>, accessed on February 26, 2020). The PEIR anticipated that certain areas (e.g., the Santa Ynez Valley) in which cannabis activities historically have occurred would continue to experience cannabis activities under the Program. Furthermore, the PEIR projected the demand for cannabis cultivation that could occur under the Program (i.e., 1,126 acres of cultivation countywide), based on information that was known at the time the PEIR was prepared. However, the Program that was analyzed in the PEIR did not include an artificial cap or other requirement to limit either the concentration or total amount of cannabis activities that could occur within any of the zones that were under consideration for cannabis activities (Ibid, pages 3-3, 3-5, 3-12, 3.1-19, and 3.12-26).¹ Therefore, the number and/or location of the commercial cannabis activities that have been either permitted or are currently under consideration within the general area of the Proposed Project site, do not constitute a substantial change in the Program.

Furthermore, the possible concentration of cannabis activities near the Proposed Project site will not create new significant environmental effects or a substantial increase in the severity of previously identified significant effects evaluated in the PEIR. The PEIR evaluated the cumulative impacts to which cannabis activities, as well as other pending, recently approved,

¹ The PEIR states, "...[T]he impact analysis in this EIR assumes that **future cannabis activity licenses would not be limited under the Project**, with the total area permitted to be unincorporated areas Countywide that are under County jurisdiction (excludes incorporated cities, state, federal, and tribal lands) (PEIR, page 3-5, emphasis added)."

and reasonably foreseeable non-cannabis projects, would contribute (Ibid, page 3-11, Section 3.0.4). The PEIR concluded that unavoidably significant (Class I) impacts would result from the Program with regard to the following environmental resources or issues:

- Aesthetics and visual resources
- Agricultural resources
- Air quality (including odor impacts)
- Noise
- Transportation and traffic

The Proposed Project would contribute to these cumulative impacts and would be subject to the mitigation measures set forth in the PEIR to reduce the Proposed Project's contribution to these cumulative impacts. However, these are not new impacts resulting from a substantial change in the Program. As stated above, the Proposed Project is an activity that was anticipated to result from the Program and, consequently, the impacts associated with the Proposed Project were disclosed in the PEIR. Furthermore, the PEIR did not assume that there would be a cap or other limitation on activities which would prevent a concentration of cannabis activities on agricultural lands, such as what is occurring within proximity to the Proposed Project site. As such, the PEIR analysis of cumulative impacts accounted for the impacts from the Proposed Project and other projects located within proximity to the Proposed Project site.

Therefore, the Proposed Project will not result in substantial changes to the Program which will require major revisions of the PEIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR...due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

As stated above, the Proposed Project consists of an activity and will result in impacts that were disclosed in the PEIR. Outdoor cultivation is a cannabis activity that was anticipated to occur on AG-II zoned lands, such as the AG-II zoned lands which exist in the Santa Ynez Valley on which the Proposed Project site is located. The PEIR evaluated the potential increases in employment, traffic, noise, air emissions (including odors), etc., that would result from the Proposed Project and other commercial cannabis activities allowed under the Program. In addition, all of the physical development that is included in the Proposed Project (e.g., fencing, lighting, and landscaping) was evaluated in the PEIR with regard to aesthetics, visual impacts, and loss of prime soils. Finally, the PEIR did not assume that there would be a cap or other limitation on activities which would prevent a concentration of cannabis activities within a specific geographic location, and the PEIR evaluated the cumulative impacts associated with such unlimited commercial cannabis development.

Therefore, the Proposed Project will not cause a substantial change to occur with respect to the circumstances under which the Program is undertaken which will require major revisions of the PEIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified...shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR....

The PEIR evaluated the direct and indirect impacts, as well as the project-specific and cumulative impacts, that would result from the implementation of the Program. More specifically, the PEIR identified the following unavoidably significant (Class I) impacts that would result from the Program:

- Cumulative impacts to aesthetics and visual resources
- Cumulative impacts to agricultural resources
- Project-specific and cumulative impacts to air resources (including odors)
- Project-specific and cumulative noise impacts
- Project-specific and cumulative transportation and traffic impacts

The PEIR also identified the following significant but mitigable (Class II) impacts that would result from the Program:

- Project-specific impacts to aesthetics and visual resources
- Project-specific impacts to agricultural resources
- Project-specific and cumulative impacts to biological resources
- Project-specific impacts to cultural resources
- Project-specific impacts related to hazards and hazardous materials
- Project-specific impacts related to hydrology and water quality
- Project-specific land use impacts
- Project-specific impacts related to utilities and energy conservation

The PEIR identified a number of mitigation measures to reduce the significant impacts that would result from the implementation of the Program. The mitigation measures were included as development standards and other regulations of Chapters 35 and 50 of the County Code, which are applied to commercial cannabis activities resulting from the Program. As shown in Section C of the State CEQA Guidelines § 15168(c)(4) checklist that was prepared for the Proposed Project, the Proposed Project would be subject to the applicable mitigation measures that were included as development standards and other regulations of Chapters 35 and 50 of the County Code.

As stated above, the PEIR did not assume that there would be a cap or other limitation on activities which would prevent a concentration of cannabis activities within any given specific geographic location. Therefore, although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development that has resulted from the Program. Furthermore, the concentration of commercial cannabis activities will not result in a new significant impact which was not disclosed in the PEIR; the project-specific and cumulative impacts associated with aesthetics and visual resources, agricultural resources, air resources (including odors), noise, and traffic resulting from the Proposed Project and other proposed projects located within proximity to the Proposed Project site.

Therefore, as discussed above and in the Board Agenda Letter dated March 10, 2020, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified, which shows that the Proposed Project will have one or more significant effects not discussed in the PEIR.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

As stated above, the Proposed Project consists of a cannabis activity that was analyzed in the PEIR. There are no unique features of the Proposed Project such that the Proposed Project could cause more severe impacts than shown in the PEIR. The Proposed Project consists of 32 acres of outdoor cultivation in an agriculturally-zoned property, and would include new security fencing and landscaping to screen the cannabis cultivation activities. The PEIR analyzed the impacts of outdoor cultivation of cannabis on AG-II zoned lots within the Santa Ynez Valley. Furthermore, the PEIR did not assume that there would be a cap or other limitation on activities which would prevent a concentration of cannabis activities within any given specific geographic location. Although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development, and disclosed the corresponding impacts that would result.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation or alternative; or

There are no mitigation measure or alternatives previously found not to be feasible that would in fact be feasible, and would substantially reduce one or more significant effects of the Proposed Project, which are available at this time for the project proponents to consider. The environmental document prepared for the Cannabis Program was a PEIR, therefore there were no project-specific alternatives or mitigation measures. No program

amendments are being considered as part of this entitlement, therefore the feasibility of program alternatives from the PEIR are not under consideration as part of this action.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There is no new information which was not known and could not have been known at the time the PEIR was certified that shows any mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR which would substantially reduce one or more significant effects on the environment. Further, the project applicant agrees to adopt all applicable mitigation measures as demonstrated by Section 5.1 of the 15168(c)(4) Checklist hereby incorporated into this attachment. The Proposed Project includes cultivation and processing. The Proposed Project would comply with the applicable mitigation measures from the PEIR, and would be subject to a Landscaping and Screening Plan and Site Transportation Demand Management Plan.